SENATE—*Wednesday, September 29, 1993*

(Legislative day of Monday, September 27, 1993)

The Senate met at 9:30 a.m., on the expiration of the recess, and was called to order by the Honorable HERB KOHL, a Senator from the State of Wisconsin.

The PRESIDING OFFICER. Today's prayer will be offered by our guest Chaplain, the Reverend Dr. J. Barry Vaughn of St. Stephen's Episcopal Church in Eutaw, AL.

PRAYER

The guest chaplain, the Reverend Dr. J. Barry Vaughn, St. Stephen's Episcopal Church, Eutaw, AL, offered the following prayer:

Let us pray:

God of our fathers and mothers, God of our children and grandchildren, Yours alike are the Rockies' proud peaks and Shenandoah's green tranquility; Yours are the span of the Golden Gate and the slums of Watts and Harlem.

Hear us as we pray for this land between the shining seas, this home of the pilgrims' pride, these United States of America.

We praise You for America's diverse quilt; for pilgrims from Europe and Africa, from Asia and Latin America, for Creek and Choctaw and Sioux and all our native peoples. Bind our ethnic strands together in a pattern of harmony, peace, and understanding.

Grant the women and men of this great assembly keenness and openness of mind; where vision is bound to personal gain or partisan good, liberate it. Stay their minds upon justice and their hearts upon compassion; may their ears be open to the voices of the voiceless and their eyes to the problems of the present and the possibilities of the future.

Grant that all the people of the United States may employ their hands and hearts and minds and bodies in work that satisfies and delights.

May peace unfold in freedom and justice, and may conflict issue in creative reconciliation.

And grant that in all things we raise our hearts and voices in gratitude to You, O judge of nations and peoples, for in Your wisdom You have set us upon a strong and high place, given us peace and prosperity, and called us to walk confidently into the future. 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 29, 1993.

To the Senate:

Under the provisions of rule I, section 3, of the Standing Rules of the Senate, I hereby appoint the Honorable HERB KOHL, a Senator from the State of Wisconsin, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

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

RESERVATION OF LEADER TIME

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

Mr. SHELBY. Mr. President, I ask unanimous consent I may proceed in morning business for 1 minute.

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

THE REVEREND J. BARRY VAUGHN

Mr. SHELBY. Mr. President, I am honored today to be here in the Senate with the Reverend J. Barry Vaughn, of Eutaw, AL. You have just heard his opening prayer. I thought it was very inspirational.

Reverend Vaughn is a native of Alabama, received his undergraduate degree from Harvard, his master's degree from Yale University School, and his Ph.D. from St. Andrew's University in Scotland.

This is a great opportunity for him today to share his prayers with us and the Nation. But, being from Alabama, I wanted to share Reverend Vaughn with you. We are honored to have him here. A lot of my colleagues will meet him as the day goes on.

The ACTING PRESIDENT pro tempore. The Chair recognizes the Senator from Pennsylvania [Mr. SPECTER].

Mr. SPECTER. Mr. President, I want to associate myself with the remarks of the distinguished Senator from Alabama. We appreciate the Reverend's presence. It is nice to have visitors to supplement our own Chaplain.

DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 1994

The ACTING PRESIDENT pro tempore. The Senate will now resume consideration of H.R. 2518, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 2518) making appropriations for the Departments of Labor, Health and Human Services, Education, and related agencies for the fiscal year ending September 30, 1994, and for other purposes.

The Senate resumed consideration of the bill.

Mr. SPECTER. I might say for just a moment on behalf of the chairman, Senator HARKIN, and myself, we are ready for business.

There is a long list of amendments which are pending, and as the majority leader announced last night, we will terminate amendments as of noon so anyone who has amendments, speaking for myself and Senator HARKIN, ought to come to the floor now. We are ready and open for business.

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

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

AMENDMENT NO. 975

(Purpose: A sense-of-the-Senate resolution to urge the Department of Justice to investigate possible Federal civil rights violations involving Crown Heights, New York)

Mr. D'AMATO. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The ACTING PRESIDENT pro tempore. The clerk will report the amendment.

Mr. D'AMATO. Mr. President, what is the pending business?

The ACTING PRESIDENT pro tempore. Does the Senator ask to set aside the pending committee amendments?

Mr. D'AMATO. Yes.

The ACTING PRESIDENT pro tempore. Without objection, the committee amendments will be set aside.

The clerk will report.

The bill clerk read as follows:

The Senator from New York [Mr. D'AMATO], for himself, Mr. DOLE, and Mr. BRADLEY, proposes an amendment numbered 975.

Mr. HARKIN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

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

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

The amendment is as follows:

SEC. . It is the sense of the Senate that the United States Department of Justice should investigate whether any Federal criminal civil rights laws were violated as a result of (1) the murder of Yankel Rosenbaum on August 19, 1991, and (2) the circumstances surrounding the murder and accompanying riots in Crown Heights.

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

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. D'AMATO. Mr. President, I ask that the amendment, which is now at the desk, be read.

The ACTING PRESIDENT pro tempore. The clerk will read the amendment.

The bill clerk read as follows:

It is the sense of the Senate that the United States Department of Justice should investigate whether any Federal criminal civil rights laws were violated as a result of (1) the murder of Yankel Rosenbaum on August 19, 1991 and, (2) the circumstances surrounding the murder and accompanying riots in Crown Heights.

Mr. D'AMATO. Mr. President, the Crown Heights story, the epidemic of violence; the problem is truly a sad one. Briefly, I will attempt to summarize and just give a brief outline as to some of the events.

Generally, when we submit amendments, we do not ask for them to be read. I wanted this one to be read because it is very straightforward. It calls for a Justice Department investigation to ascertain whether any Federal criminal civil rights laws were violated as a result of, one, the murder of Yankel Rosenbaum in Crown Heights, and two of the circumstances surrounding the murder and the accompanying riots. Yankel Rosenbaum was a young divinity student who, on August 19, 1991, was murdered during the riots there.

Let me set the scene as to how this took place.

On August 19, 1991, there was a car accident in an area in Brooklyn known as Crown Heights. It resulted in the severe injury and later death of a young boy by the name of Gavin Cato. It was a tragedy of absolutely enormous events: A car lost control, went up onto the sidewalk, hit this young boy, and he died.

Following this, elements from outside of the community came into Crown Heights and began to stir up the residents into what soon became a riot. This riot went on virtually unchecked for 3 days. The police were not permitted to respond; indeed, many were injured themselves. Six or seven wound up in the hospital. These were police officers with broken arms and legs. They became the targets of the mob.

A few hours after the accident, in the midst of his life, full blown, a young Jewish scholar from Australia, Yankel Rosenbaum, was chased by a group of approximately 15 to 20.

They chased him for 3 blocks, yelling "kill the Jew, kill the Jew." Yankel was a student. He wore his yarmulke. It was obvious that he was Jewish. And they repeated this as they chased him for 3 blocks, finally surrounding him and repeatedly stabbing him. He eventually died of the stab wounds.

Mr. President, what is a civil rights violation? If chasing someone down the street for 3 blocks, yelling "kill the Jew" or "kill that black" or "kill that Catholic" or "kill the gay," would not constitute a civil rights violation, then I do not know what does.

This has become a political football. It is a disgrace. Yes, we are going to have a report; no, we are not going to have a report—on and off, on and off. The Justice Department is supposedly looking into this. They were supposed to release the report several weeks ago as to whether or not we are going to have an investigation. Lo and behold, when the word was leaked and the press began to report that the Justice Department and Attorney General Reno were not going to recommend an investigation of going forward, all the politicians became involved.

The Brooklyn district attorney called, and it is reported that he said, both through a Congressman and himself, "I have facts and information that I would like to submit, and, after all, we have not been in contact for a while."

Well, what kind of investigation was there if the Justice Department was not talking to the district attorney for 6 weeks—the prosecutors, the people who prosecuted the case? Superficial?

This is a situation that demands a full-blown investigation as to who is responsible for the death of Yankel Rosenbaum and why it is that the police were not permitted for 3 days to do their job while a community was held captive. People have a right in this country to no less. Politics should not enter into this one way or the other.

Unfortunately, it has. The conduct of this situation and this so-called investigation as well as the review of what took place so far reeks of political meddling, and that is wrong. It is absolutely wrong.

I am not going to take up the time of this body to spell it out, but there have been those accounts in the papers of those who called and demanded an investigation. People have a right to say, listen, we want a thorough, comprehensive investigation. A young man was killed, and for the obvious motive of his religious background.

There is a report prepared at the insistence of the Governor of New York. It is called the Girgenti report, and in that report, the director of criminal justice of the State of New York indicates that the prosecution from the very beginning of the case, from the gathering of evidence to the prosecution, was not handled in a manner that gave any credibility.

Some of the jurors described the prosecutors—

And I am quoting the report—

as "laid back" and said their subdued approach was not helpful to their case. The prosecutors told us, however, they did not behave aggressively for fear of alienating the jury.

Although there is no reliable evidence that a general police mistrust played a role in this case, the underlying contention merits review.

The report goes on and on, and cites the inadequacies of the investigation, the inadequacies of the prosecution—all in a report from the director of criminal justice of the State of New York.

I hope that we will not attempt to politicize this matter; we must let the chips fall where they may, and urge that there be a thorough and comprehensive investigation. This is absolutely essential.

Government's first responsibility is to protect its citizens. When it fails in that, it fails in everything. Crown Heights is a classic case where it has failed. It failed for 3 days to protect its citizens during the rioting. It failed to protect the rights of Yankel Rosenbaum when he was so viciously murdered, and thereafter when those responsible for murdering him were not brought to justice. That is why there should be a Federal investigation.

I am pleased to offer this amendment on behalf of myself and the Republican leader, Senator DOLE. And I ask, Mr. President, for the yeas and nays.

The ACTING PRESIDENT pro tempore. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. D'AMATO. I hope that we will agree to this and the Justice Department will understand that we are serious about the issue.

The ACTING PRESIDENT pro tempore. The Chair recognizes the minority leader, Mr. DOLE.

Mr. DOLE. Mr. President, on August 19, 1991, Yankel Rosenbaum, a young rabbinical student from Australia, happened to be at the wrong place at the wrong time.

Caught in the maelstrom of the Crown Heights riots, Rosenbaum was chased down by a bloodthirsty mob, and then stabbed repeatedly while his assailants shouted "kill the Jew! Kill the Jew!"

One person was charged with the Rosenbaum murder but was subsequently acquitted. Since the acquittal, no other suspect has been brought to trial for this vicious crime. The killers remain free.

Now, there are those who will say that the murder of Yankel Rosenbaum, though tragic, is a local issue, affecting only the citizens of Crown Heights and New York City.

But what befell Yankel Rosenbaum that August day in 1991 extends far beyond Brooklyn and the five boroughs of New York. All Americans of goodwill are shocked and saddened when they learn that a young man could come to our country to study, only to be murdered solely because of his ethnicity and religious beliefs.

Yankel Rosenbaum was killed because he happened to be a Jew.

This past Monday, I sent a letter to Attorney General Reno urging her to initiate a Federal civil rights investigation into the Rosenbaum murder and the circumstances in Crown Heights that created the environment in which it occurred. It is my hope that the Attorney General will heed this request and move forward promptly with an investigation.

My distinguished colleague from New York Senator D'AMATO, has already written to the Attorney General on this matter. During the past 2 years, Senator D'AMATO has worked tirelessly on behalf of the citizens of Crown Heights, and he has been a leader in ensuring that the Rosenbaum murder gets the national attention it deserves.

Mr. President, let me just add that my request for a Federal investigation is in no way motivated by politics, as some cynics might suggest, nor is it an effort to influence the outcome of the upcoming mayoral election in New York. The request boils down to a simple principle—justice. And justice can only be achieved if we get a full-accounting of the Yankel Rosenbaum tragedy.

The American people and the Rosenbaum family have been patient. After more than 2 years of waiting, they deserve—finally—to get some answers.

Mr. President, as a followup to my letter to Attorney General Reno, I am now joining with Senator D'AMATO in offering an amendment expressing the sense of the Senate that the Justice Department should undertake a civil rights investigation into the Rosenbaum murder and the Crown Heights riots.

This sense-of-the-Senate amendment is straightforward and should be supported by Members from both sides of the aisle.

Let me repeat: This amendment is not about politics or race. It is not about Democrats and Republicans. It is not about black versus white, or Jew versus gentile.

This amendment forces us to confront the truth about Crown Heights, whatever that truth may be, so that justice can be served, and ultimately rendered.

I am pleased to cosponsor this amendment with the distinguished Senator from New York. I should note that this is a matter which I think is fairly broadly supported. Governor Cuomo yesterday asked for an investigation. The New York Times has said there should be an investigation. Republicans and Democrats alike have said there should be an investigation.

This is not a local issue. This is pretty much what happened out in California in the Rodney King case, when they had the acquittal and they followed up with civil rights violations and they had convictions.

It seems to me that this is certainly an appropriate amendment, at least to express our concern. It is a sense of the Senate amendment. It is something the Attorney General will have to decide. It is something, as I understand, having been up in New York talking to a lot of people who are concerned about this, where there should have been a decision made a couple of weeks ago.

I think the Senator from New York is on the right track. Democrat Members of Congress have joined with the Republican Senator from New York and others, and it seems to me he spelled out every good reason why we should go forward. In my view, if the Senate—I hope in a unanimous vote—indicates its interest, it may have some impact. Although it is not a political issue as far as the Attorney General is concerned, and not a political issue as far as the Senator from New York is concerned, I do believe it might offer some guidance. If, in fact, those of us in the Senate would vote for this resolution in overwhelming numbers, I think it would have some impact and at least indicate to the Rosenbaum family, who have been very patient and have been waiting for something to happen, that there is concern in the United States, even though this young man was from Australia, about justice; we are concerned about violations of civil rights in America, and we are going to try to do the appropriate thing. So if anybody is murdered, as in this case, because of their religious or ethnic beliefs, that is a civil rights violation, as the Senator from New York has pointed out.

So, Mr. President, for all the reasons that I think have been stated, I certainly strongly support this amendment.

I hope we will have unanimous support of this resolution.

I also ask unanimous consent a letter I have written the Attorney General be printed in the RECORD.

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

U.S. SENATE,
OFFICE OF THE REPUBLICAN LEADER,
Washington, DC, September 27, 1993.

Hon. JANET RENO,
Department of Justice,
Washington, DC.

DEAR ATTORNEY GENERAL RENO: It is my understanding that you are now considering whether to initiate a federal investigation into the brutal murder of Yanbel Rosenbaum.

As you weigh your decision, I hope you would remember one important point: The murder of Yankel Rosenbaum is not just a local issue, affecting only the citizens of Crown Heights and New York City. It is an issue that deeply affects all Americans.

As you know, Mr. Rosenbaum's murder took place during the Crown Heights riots in August of 1991. News reports indicate that Mr. Rosenbaum was chased down a street and stabbed repeatedly by a mob of twenty or more assailants. Apparently, some of these assailants were yelling anti-Semitic epithets.

Yankel Rosenbaum died because he happened to be at the wrong place at the wrong time. But I am convinced he also died because he happened to be Jewish.

Attorney General Reno, it is my sincere hope that you will direct your Department to commence a federal civil rights investigation into the Rosenbaum murder and the circumstances in Crown Heights that created the environment in which it occurred.

All decent Americans are shocked when they hear the Yankel Rosenbaum story, the story of a young man who came to our country to study, only to be victimized, killed, simply because of his ethnically and religious beliefs. The American people and the Rosenbaum family have been patient. They deserve some answers.

Thank you for your prompt consideration of this request.

Sincerely,

BOB DOLE.

Mr. SPECTER. Mr. President, I support this amendment.

The purpose of the civil rights laws of the United States are directly on point in this situation. When the incidents occurred in Crown Heights, I followed them through the media but did not have an intimate knowledge of the underlying facts until the confirmation hearing of the Honorable Lee Brown came before the Judiciary Committee earlier this year. At that time, a number of the involved parties submitted certain information which I reviewed on the Judiciary Committee. It was my view at that time that there should have been a more detailed inquiry as to the participation of Dr. Brown when he was police commissioner of New York.

He was confirmed as the drug czar and, as the timetable would show, that matter came up during the period when I was incapacitated and was not here. But I made a point in the Judiciary Committee hearings, having seen some of the complaints and some of the allegations, that further inquiry was necessary.

The committee made a decision not to inquire further at that time because there was no reference as to the direct implication of then Commissioner Brown. That may have been correct.

As I said on the record at that time, I was not personally satisfied, but that was the committee's decision. But whatever the involvement may or may not have been as to Commissioner Brown, now the drug czar, there was no doubt in my mind then, and there is no

doubt in my mind now, that this incident is one which requires an investigation by the U.S. Department of Justice under our Civil Rights Act.

When the distinguished Senator from New York has articulated what happened as someone allegedly ran down the street and said, "Kill the Jew"—and having been in the line for a long time I say "allegedly" because I was not there—we have to see precisely what the evidence is. If in fact that did happen, it is a clear-cut violation of the U.S. Civil Rights Act.

It is action, action in concert by more than one person, a conspiratorial setting under the law, with the intention to single out and attack someone on the basis of race, religion, or ethnicity. While it is a complex legal issue, in my view there is at least a prima facie violation of the Civil Rights Act.

Again, this is not something about which we can make a positive legal determination as we consider this matter, but certainly there is enough prima facie to go forward and have an investigation.

This issue is especially important, Mr. President, in the context of what has happened in the United States on hate crimes. Hate crimes are those where someone is singled out because of religion, because of race, because of ethnicity. There had been a recent challenge as to whether a State could enhance the penalty where you had a hate crime.

I do not have the Supreme Court opinion in hand. I am sure Senator D'AMATO knows the case and citation where the Supreme Court earlier this year decided in a case I believe coming out of Wisconsin—perhaps the distinguished Presiding Officer knows the case, the distinguished Senator from Wisconsin—where the Supreme Court held as a matter of constitutional law that an enhanced sentence was permissible where there was a hate crime and the victim was singled out because of an inherent characteristic. I believe in that Wisconsin case the victim was an African-American. I refer to that case because it underscores, italicizes, the importance of focusing with additional vigor where there is a racial or religious or ethnic bias involved in a crime.

The distinguished Republican leader has properly identified this matter as being nonpolitical. I do not think it is political at all. One of the problems about this matter is that it has languished for more than 2 years. This is an August 19, 1991 matter. This is not the first time that I have urged the Department of Justice to move where I thought that local action was insufficient.

When the incident arose resulting in the Los Angeles riots, I made a public statement that it was a proper matter for the U.S. Department of Justice. I said at that time, albeit by hindsight, that it would have been desirable for the U.S. Attorney to have investigated that matter in advance of the State court jury verdict and to have had a sealed indictment in pocket.

The Los Angeles situation was not totally unpredictable, and there were clear-cut violations of the Civil Rights Act involved there. Had the U.S. attorney investigated that matter, and presented it to a grand jury because the Federal court had concurrent jurisdiction, there could have been a sealed indictment. That indictment could have been made public after the acquittal in the State court and perhaps prevented the very destructive riots in Los Angeles.

But at that time, during a Republican administration, it was my position that there should have been action by the Department of Justice.

Very briefly, one other incident which occurred in Philadelphia, the incident of the MOVE matter, where an entire block was destroyed as a result of police action in Philadelphia, back on May 13, 1985. It was my view that an investigation of that matter was necessary under the U.S. Civil Rights Act. I urged that on a number of Republican attorneys general. That matter was handled inadequately in my opinion by the State prosecutors and was an appropriate matter for intervention by the Department of Justice under the Civil Rights Act.

So that in supporting the distinguished Senator from New York I have done so—had the shoe been on the other foot, where there has been a Republican Department of Justice, I do not think it makes a bit of difference, whether it is Democrat or Republican. Again as the Republican leader, Senator DOLE, has said, this is not a matter which is political.

I believe that in matters like this the Department of Justice under this administration, or the last administration, or the ones in the past, has not been sufficiently vigilant. Civil rights laws in the United States are among our most important laws. They ought to be enforced with the utmost of vigor. I hope that this amendment will be passed unanimously.

I ask unanimous consent to be added as an original cosponsor.

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

Mr. LIEBERMAN. Mr. President, I rise to support the resolution sent to the Senate and proposed by my friend and colleague from New York and to thank him for initiating this resolution, and to thank him for the appropriate—in some ways characteristic of him—compassion in which he has spoken on this issue.

Mr. President, the Senator from New York has detailed the factual circumstance that lead to this resolution, a shocking act of violence, shocking unfortunately not so much because it was an act of violence, because we live repeatedly too often numbingly with violence in our cities and towns, and here in the capital of our Nation where it has reached such proportions that the mayor of this capital yesterday asked for the National Guard to come out and help keep order.

Some may find that extreme but it is hard to see why not. If the Government cannot maintain basic order and security for people in our society, everything else we are trying to do, health care, education, environmental protection, you name it, housing improvement, it just does not matter.

This past Sunday I visited a woman in Hartford, CT, visited her house, Dorothy Santiago, who had the courage to stand up against the gangs in her neighborhood that have taken over the streets of that neighborhood, to let police know when crimes were being committed. And she was threatened.

In our State we have an experimental program where the State police are sending reinforcements into cities at the request of the local law enforcement authorities.

Ms. Santiago said to me on Sunday, "Since the State police have arrived I know this neighborhood has gotten to be like a police state. But you know what? It makes me comfortable."

Well, unfortunately that is where we have come.

There will be other times, hopefully before too long on the floor of the Senate, where we will be debating a true, tough, and comprehensive anticrime bill when we can hopefully not just speak but act.

But the case that my colleague from New York highlights here is a case of violence, a case of murder, but murder based on the victim's religious and ethnic orientation. There has never been a dispute as to the facts here, as far as I know—and the Senator from New York can correct me if I am wrong. This crowd went running down the street, targeted this individual walking down the street because of his religion, his national origin, and killed him.

I know there are constitutional legal questions as to whether that was or is a violation of civil rights, but I echo the words of the Senator from New York, who asks: "What is civil rights if not the freedom to walk down the street free of the fear of being shot at because of your religion, your race, your gender, your sexual orientation, whatever denotes your characteristics that might make you a target of some mob?"

Of course, this happened in a context that was really extraordinary in Crown Heights at this time, a context that there was a lot of factual dispute

about. Yet, there then came along a report by the State of New York—incidentally, the Senator from Pennsylvania talked about this not being political or partisan—and the report was commissioned by the Democratic Governor of New York. It concluded that there was a failure by the police, for days, to come in and try to regain control of this neighborhood. Mobs were running wild.

What happens to our civilized society when that occurs?

That New York State report concluded that the police, in the particular case that the Senator from New York points out, the Rosenbaum case, mishandled key evidence and made conflicting statements. It was the weakness of that original case that contributed to Attorney General Reno's initial decision to consider whether to conduct an investigation. But, obviously, the hope is that a full-fledged Federal investigation now might not only determine whether there has been a civil rights violation here, but it might conceivably uncover more evidence relating to the murder of this individual.

Mr. President, just this past Monday—and again, I do not know whether my friend from New York cited this—the New York Times said that those who are calling on Attorney General Reno to conduct a more rigorous investigation into the Crown Heights riots and into the murder/slaying of Yankel Rosenbaum, a scholar, are right. It is difficult, the Times says, to see how she, Attorney General Reno, could fairly make a judgment here without an aggressive inquiry. That inquiry has not occurred yet.

Today we talk about proliferation of missiles and weapons of mass destruction around the world. We have an outlandish proliferation of violence and weapons in our cities and towns. There is a war going on out there and, unfortunately, the bad guys are winning. Too often the good people cower, terrified, in their homes and apartments and the police are outmanned and outgunned. It cannot go on. But in this particular case, there is this extra dimension, which I think cries out for a Federal inquiry.

So I am very grateful to the Senator from New York and the Senate Republican leader for initiating this. I am proud to stand and support it and, in that measure, I hope, indicate that, as the Senator from Pennsylvania says, this should be a nonpolitical, nonpartisan matter. It is a basic and fundamental question of justice and, in a more profound sense, what kind of society we are going to have here in America.

(Mr. SHELBY assumed the chair.)

Mr. BIDEN. Mr. President, I rise in support of the distinguished Senator's resolution. The case of Yankel Rosenbaum raises questions that merit thorough inquiry by the Department of Justice. As I have stated in the past, criminal violations of the Federal civil rights laws cannot be tolerated.

I commend my colleague for bringing this matter before the Senate. Indeed, it is my understanding that this resolution is consistent with the Department's continuing effort to resolve the questions surrounding the Crown Heights incident.

The Attorney General has assured us that the Department of Justice will continue its ongoing inquiry into whether violations of Federal law occurred. Moreover, she has stated that she will be personally involved and will ensure that the inquiry goes forward in a manner totally free from political considerations.

I trust that the Department will reach an appropriate conclusion about whether to seek indictments in the Crown Heights case, based squarely on the facts and the law.

I urge my colleagues to support the resolution.

Mr. D'AMATO. Mr. President, I thank my distinguished colleague, the former attorney general from Connecticut, Senator LIEBERMAN, for his support of this basic right that we are asking the Justice Department to enforce.

When people have to fear walking down the street because of who or what they are, then all is lost. When we have such a terrible failure of prosecution in the murder of Yankel Rosenbaum, as outlined by the report from the director of criminal justice from the State of New York, something must be done. This report clearly says that there were some very real problems, that because of this, the Justice Department should come into this matter.

The fact of the matter is that the former U.S. attorney, Mr. Maloney, a Republican, allowed this matter to languish. I think that the U.S. attorney's office and the people in Washington, the former administration, botched this matter, did not want to touch it; it was volatile. They may have done what was politically correct—to look the other way and make believe the whole thing never happened. And for a long time, that is actually what took place.

I have to tell you that there has not been a thorough Federal investigation. They have not gone through the evidence and vigorously pursued this matter. We know that through our contacts with the people in the community, the lawyers in the community, who represent the various groups, and the witnesses, one of whom was asked: "Well, give us a history of racial relations."

Look, we want to ascertain who those people were that chased Yankel Rosenbaum down the street. Why were they not brought in? Can they be identified? How is it that you have only charged one person? It seems to me that there are a number of points that have to be examined—five—as to why the riots were allowed to go on for 3 days. This is the United States of America. Can you imagine a community of thousands of people held captive? They could not leave their homes and were calling the precincts saying, "Get a police car here, please help us." Nothing was done.

Who told the police to hold back and not make any arrests? If you read the State report, it is clear that officers on the line were not permitted to pursue people who attacked them, or who burned their cars, or who shot at them. This is incredible.

Why were the civil rights of New Yorkers allowed to be so grossly abused? We have a right to know.

Why have all the suspects and inciters of the riots not been arrested or prosecuted?

How was it that the evidence was so badly collected?

How was it that the prosecution was handled in the manner that, I would say, the report clearly indicates was less than adequate?

Certainly, this cries out for a thorough and complete Federal investigation, to invest the manpower and resources and the best investigators to see if we cannot bring justice, or at least attempt to bring justice, to this situation. Many people hoped this would just disappear and go away. Were it not for Yankel Rosenbaum's brother, Prof. Norman Rosenbaum, a distinguished lawyer himself, who came from Australia repeatedly to bring this matter to the public attention and not let it rest, maybe it would have been swept away or would have been forgotten and would have been an ugly chapter that people would not have to remember. I do not think that is justice. That is not what this country is about.

So I am pleased that my friend and colleague from Connecticut, as well as Senator SPECTER and Senator HELMS, join me in this effort.

I ask unanimous consent that Senator HELMS and Senator LIEBERMAN be permitted to be original cosponsors of the amendment, and I hope that we can move this amendment quickly and agree to it unanimously.

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

Mr. D'AMATO. Mr. President, I yield the floor.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BURNS. 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. BURNS. Mr. President, I ask what is the order of the day?

The PRESIDING OFFICER. The pending business before the Senate is the amendment offered by the Senator from New York, [Mr. D'AMATO].

Mr. BURNS. Mr. President, I ask unanimous consent I may proceed as in morning business for the purpose of introducing a bill, and my statement and the introduction be printed in the RECORD at the appropriate place.

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

(The remarks of Mr. BURNS pertaining to the introduction of S. 1497 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. HELMS. Mr. President, is my understanding correct that an incredible unanimous consent request has been granted with respect to calling up amendments today, the request being that all amendments, in order to qualify, must be offered by noon? Is that correct?

The PRESIDING OFFICER. The Senator from North Carolina is correct.

Mr. HELMS. Let me say, if I had been on the floor when that unanimous consent request had been propounded I would have objected. Here we are at 10 minutes to 11 right now. I have two amendments. They will not take long. But I could very easily be foreclosed by a rollcall vote or somebody talking at length on another subject.

Therefore, I ask unanimous consent that it be in order for me to call up two amendments shortly—call up one, lay it aside, then call up the second one and lay it aside and go back to the first—so I can be protected against this foolish unanimous consent agreement.

The PRESIDING OFFICER. There is objection?

Mr. MOYNIHAN. Reserving the right to object, and I do not mean to object unless the managers do, I had hoped to speak for 10 minutes on the amendment offered by my distinguished colleague, Senator D'AMATO. I am chairing a hearing on the nomination of the Social Security Commissioner and a Federal Tax Court judge and I have to return to that hearing.

I hope it will be possible to speak for no more than 10 minutes before further business is transacted.

Mr. HARKIN. Reserving the right to object.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Mr. President, I inquire of the Senator from North Carolina, we came here on Friday, we were here all day Friday—Thursday night, Friday, all day Monday, all day yesterday. So, Friday, Monday, Tuesday, plus Thursday night and I think we have only disposed of half a dozen amendments or less. We have been sitting here, Senator SPECTER and I. Last night we sat here. We are here. We are open for business. People can offer amendments. Last night we sat here and no one showed up. We were here all day Monday; no one showed up. We were here Friday. No one offers amendments.

Mr. HELMS. I beg the Senator's pardon, I recall offering four amendments last week on this bill, did I not? Or was it the previous bill?

Mr. SPECTER. If my colleague from Iowa will yield for a moment, perhaps we can accommodate all the interests if we can inquire of the distinguished Senator from North Carolina how long he would expect to take. Perhaps we can accommodate Senator MOYNIHAN?

Mr. HELMS. I suggest my colleagues accommodate Senator MOYNIHAN right now and then revisit my concerns so he can get back to his meeting.

Mr. SPECTER. If I might suggest to my distinguished colleague, perhaps we could set a sequence of events to accommodate all the interests. If my colleague has an idea as to how long his amendments will take?

Mr. HELMS. Mr. President, I guarantee you I will not take more than 15 minutes per amendment. I am not objecting to your working overtime. I work overtime myself. But I have two amendments that I have been standing in line for. I was tied up yesterday with the Foreign Relations Committee. Like the Senator from New York, some of us have many responsibilities. I have managed bills, too.

What I am concerned about is this summary decision that requires you to offer amendments by 12 o'clock or you do not get to offer it at all. That runs counter to the traditions of the Senate.

But if you will assure me that my two amendments will be in order and I will assure you that I will not take more than 15 minutes per amendment—maybe we can resolve the problem. In the meantime, I hope you will let Senator MOYNIHAN proceed so he can go back to his committee.

Mr. SPECTER. If the Senator will yield, I think we can. It is now 8 minutes to 11. We can take 10 minutes for the Senator from New York; we can take 15 minutes each on your amendments, which you have stated.

There is nobody here to argue further on the pending amendment offered by Senator D'AMATO. That would run us to about 11:40, and then the votes may go beyond noon, which would be within the purview of the unanimous-consent request.

So I think all of that can be accommodated, if my colleague from Iowa concurs.

Mr. HARKIN. I do not believe there is any problem.

Mr. HELMS. Fair enough, Mr. President. I withdraw my unanimous-consent request.

Mr. MOYNIHAN addressed the Chair.

The PRESIDING OFFICER. The Senator from New York.

Mr. MOYNIHAN. Mr. President, I rise in support of the amendment offered by my friend and colleague, Senator D'AMATO, declaring it to be the sense of the Senate that the U.S. Department of Justice should investigate whether any Federal criminal civil rights laws were violated as a result of: first, the murder of Yankel Rosenbaum on August 19, 1991; and second, the circumstances surrounding the murder and accompanying riots in Crown Heights, which I will add is a neighborhood in the Borough of Brooklyn, in Kings County, NY.

Mr. President, it is appropriate for the Senate to take this action. The Senate has been the scene of the great debates over civil rights in this century, in this half of this century, I should say, beginning in the 1950's when the Civil Rights Commission was established under President Eisenhower, going on to the great writs of 1964, 1965, and many such that have followed.

The events in Brooklyn, in Crown Heights, on that day continue to haunt the minds of New Yorkers in terms of how could this have happened in our city? It was an event without precedent, Mr. President, so far as we know without precedent. A Jew was murdered on the streets of New York, because he was a Jew, by a mob so proclaiming its purpose and its motive. "Kill the Jew" was the chant.

On the 7th of September, or probably on the 6th of September 1991, Miss Deborah Orin, the distinguished bureau chief of the New York Post here in Washington, spoke with me about the subject. I said very simply that what we had seen was a lynching. I will read her opening remarks:

> Senator DANIEL P. MOYNIHAN yesterday denounced the Crown Heights killing of Jewish seminarian—

And he was a seminarian from Australia—

> Yankel Rosenbaum as "a lynching " that poses the same danger to New York that the Ku Klux Klan posed to the South.

Very shortly thereafter, Mayor Dinkins was asked about my characterization—2 days afterward—and he agreed. The Post had a headline: "Dinkins: Hasid"—that is, a member of the Hasidic Judaic group—"Hasid was 'lynched.' Hints more arrests to come in Crown Heights slaying."

This was repeated in the New York Times: "Dinkins Describes Killing of Jew in Crown Heights as a 'Lynching.'"

Mr. President, shortly thereafter, or presently, shall I say, I, as well as others including my colleague, Senator D'AMATO, wrote to the Attorney General. I stated my understanding of the investigation, that an investigation was being conducted jointly by the Department's Civil Rights Division and the U.S. attorney for the Eastern District of New York. I got a reply from Mr. Barr, or rather from the Assistant Attorney General, Mr. Lee Rawls, which was equivocal.

It said:

Please be advised, however, that Federal civil rights laws address only acts taken intentionally to deny specific victims of certain civil rights established by Federal law.

Surely there is a right to not be stabbed to death on the public streets of an incorporated city, but the Justice Department somehow did not see what had happened.

I have since written Attorney General Reno and have received very supportive comments from her in person and a very thoughtful letter from James P. Turner, who was the Acting Assistant Attorney General of the Civil Rights Division, all of which bespeaks a careful attention to law in the Department of Justice, which is as we would wish it to be.

We do not yet have the feeling that the Department understands the outrage and the alarm that accompanied this act, for it was not an isolated act. Attacks on Jews were made throughout that area, that neighborhood, during those days. For the murder of Mr. Rosenbaum, a person was arrested and indicted, but acquitted. And we have the sense that: What went on there? What was this acquittal all about?

In any event, no one has been found guilty of a murder which took place in the public view of two dozen persons and with the police on the scene minutes thereafter. No one has been found guilty of that lynching.

It is a new thought that the term "lynching" might be applied to the murder of a Jew on the streets of New York. The term is thought to be named for Charles Lynch, an American justice of the peace in the late 18th century who presided over an extralegal court to suppress Tory activity. It is a generic term for a mob murdering an individual because of race, creed, color, or national origin.

There have been too many of these in our country. We do not set ourselves apart from all other nations in that regard, but it is a very difficult, painful part of our history, not yet—not yet—overcome as it ought to be one day.

It does no disservice to the cause of civil rights to assert that they are the civil rights of all citizens regardless of race or creed. The Ku Klux Klan was not just a Southern organization. It once had a majority in the legislature of Oregon and proceeded to outlaw Catholic elementary schools until the Supreme Court overruled the action of that legislature.

The idea of equal rights is so profoundly important in this Nation that it is my judgment the Department of Justice should say if we cannot be certain that a specific civil right has been violated—and again I cite the letter of Mr. W. Lee Rawls: "Please be advised that Federal civil rights laws address only acts taken intentionally to deny specific victims of certain civil rights established by Federal law"—then the effort should be made to determine so.

That is what this amendment calls for and why it has my strong support.

Mr. President, I yield the floor, asking that the newspaper articles and the letters to and from officials of the Department of Justice be printed in the RECORD.

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

[From the New York Post, Sept. 7, 1991]

PAT: MURDER OF HASID A "KKK-STYLE LYNCHING"

(By Deborah Orin)

WASHINGTON.—Sen. Daniel P. Moynihan yesterday denounced the Crown Heights killing of Jewish seminarian Yankel Rosenbaum as "a lynching" that poses the same danger to New York that the Ku Klux Klan posed to the South.

He said "agitators" who stir up racial unrest in New York's black community should be shunned and denounced by everyone in public life just as Klan leaders were shunned in the South.

"We had a lynching . . . people were standing around yelling 'Kill the Jews' . . . and certainly a Jew was killed. That is absolutely intolerable," Moynihan told The Post.

"This has never happened in our city in my lifetime—never, never. And there's a shock of recognition that has yet to come . . . It rings the fire bell."

"This was a race riot—what happened in Crown Heights was as bad as what happened in Detroit in 1943 when black workers were dragged from streetcars and killed by white workers."

Moynihan, an expert on ethnicity, spoke with deep emotion as he stressed that "all of us must speak out louder" against racism, black or white, and proceeded to do just that.

The only way to stop race riots from recurring in New York, he argued, is to use precisely the same tools that were used in the South against the Klan—ostracism and tough law enforcement.

In particular, Moynihan said, Mayor Dinkins should never meet with "agitators" who stirred up the Crown Heights violence. He declined to give names but appeared to be referring to figures like Al Sharpton.

"There are certainly people the mayor should not meet with," he said. "Would you like a Southern mayor to meet with the grand Kleagle [of the KKK] to discuss last night's lynching and their point of view?"

Moynihan added: "We have a model . . . we got rid of the lynching in the South by a process of first, just public abhorrence, so the people involved became ashamed, and law enforcement, which took a long time."

New York's senior senator added that he plans to explore whether a new federal anti-lynching law is needed—or whether there are still federal laws on the books from Klan days that could be applied in New York.

He scoffed at the claims from some blacks that since blacks have been victims of racism historically, it is impossible for blacks to be racists.

"The notion that there is any race that is immune to the failings and sins of other people is itself a racist idea," he said.

"Any group that's capable of surrounding a seminarian and yelling 'Kill the Jew' is capable of racism. Period . . . Stabbing someone because he's a member of a stigmatized group is what we do not do, don't allow."

He also denounced City College Professor Leonard Jeffries' attacks on Jews as a "demented racist" approach, adding: "There's a fellow [Jeffries] I think would be diagnosed as hysteric. It's sad."

In fact, Moynihan said half-seriously, perhaps every student should have to hear Jeffries—"it probably wouldn't be a bad idea for everyone in City College to get a little taste of what demented racist arguments can be like."

Then, more seriously, he wondered aloud: "What ever happened to my City College?" People like that didn't get tenure."

Moynihan praised Gov. Cuomo for pressing for law and order at the outbreak of the Crown Heights violence and made it clear he feels Dinkins should have ordered police to crack down on rioters right away.

The senator said Cuomo spoke up well in those first three days, saying law and order have to be maintained—and they were not. The police were not given the instructions they needed for the first three days, Moynihan said.

[From the New York Post, Sept. 10, 1991]

DINKINS: HASID WAS LYNCHED

(By Mark Mooney)

Mayor Dinkins—under fire from both of the state's U.S. senators—yesterday called the Crown Heights murder of Yankel Rosenbaum a "lynching" and hinted that additional people might be arrested.

It was the toughest language the mayor has used about the death of the Hasidic seminary student who was stabbed to death by a crown of blacks shouting, "Kill the Jew!"

But the mayor also defended himself against criticism from Sens. Daniel Moynihan and Alfonse D'Amato, who have prodded him to take a tougher stand on the death of Rosenbaum—even though he has condemned the murder from the start.

Rosenbaum was killed shortly after 7-year-old Gavin Cato died when he was struck by a car driven by an Hasidic Jew.

Over the weekend, in an interview published in The Post, Moynihan called Rosenbaum's death a lynching and said Dinkins should have ordered police to crack down instantly on rioters.

The senator also said Dinkins should not have met with the Rev. Al Sharpton and lawyer Alton Maddox.

"I think the death of Yankel Rosenbaum was a lynching, as was Yusuf Hawkins'," Dinkins conceded when asked about Moynihan's comments.

So far, only one person has been arrested for the murder of Rosenbaum. Six were arrested when Hawkins, a black teen-ager, was killed by a mob of whites in Bensonhurst.

Dinkins later added: "If there is evidence to warrant additional arrests, then obviously additional arrests should be made."

Pat Clark, a spokesman for Brooklyn District Attorney Charles Hynes, said detectives are looking for other members of the mob that killed Rosenbaum.

But the mayor defended himself against Moynihan's suggestion that Dinkins held back the cops as blacks rioted in Crown Heights.

"For those who suggest that this mayor or someone else in City Hall suppressed the police, or directed that they be less forceful than they were, is just not accurate," he said, "It's just not the fact."

Dinkins also lashed out at D'Amato, saying the Republican senator should be "ashamed of himself" for remarks he made in an Op-Ed piece in The Post last week.

D'Amato blasted Dinkins for not speaking out against "racial racketeers" in Crown Heights, and cited Sharpton and Sonny Carson.

"The truth is that Mayor Dinkins has been more interested in playing politics than standing up for what is right," D'Amato wrote.

"That was a very unfair and inaccurate statement and frankly, he ought to be ashamed of himself making that kind of comment," Dinkins said.

D'Amato could not be reached for comment.

Meanwhile, Rabbi Shmuel Butman, a spokesman for the Lubavitch hassidic sect, said Yosef Lifsh, the driver of the car that killed Cato, had left the city to return to his home in Israel.

[From the New York Times, Sept. 10, 1991]

DINKINS DESCRIBES KILLING OF JEW IN CROWN HEIGHTS AS A "LYNCHING"

(By James C. McKinley, Jr.)

For the first time since the unrest in Crown Heights erupted three weeks ago, Mayor David N. Dinkins yesterday equated the fatal stabbing of a yeshiva-student, Yankel Rosenbaum, with the racist killing of Yusuf K. Hawkins, the black youth who was shot by a group of whites in Bensonhurst two years ago.

Echoing comments that Senator Daniel P. Moyinhan made to a reporter over the weekend, the Mayor used the strongest language he has to date in condemning the slaying of Mr. Rosenbaum in Crown Heights. The Senator, quoted in The New York Post, called the killing a lynching.

"I think that the death of Yankel Rosenbaum was a lynching, as was Yusuf Hawkins," the Mayor said. "No question. Whatever term one gives to these kinds of vicious murders, that's what it is."

The rabbinical student was attacked by a group of black youths and stabbed to death during the violence that was set off when a car driven by a Hasidic man struck and killed a 7-year-old black boy, Gavin Cato.

WALKING A FINE LINE

Although the Mayor has condemned the murder of Mr. Rosenbaum again and again, his words have always been carefully crafted, clearly aimed at keeping the peace.

The Mayor was forced to walk a fine line, with black protest leaders like the Rev. Al Sharpton crying for the arrest of the driver who killed the boy, and Jewish leaders calling for the arrests of more members of the crowd who attacked Mr. Rosenbaum.

The black faction accused the police of a double standard, saying a black driver would have been arrested immediately. The Jewish faction also accused the city of a double standard, asking why, when Mr. Hawkins was killed, several members of the crowd were arrested, while in Mr. Rosenbaum's case, only the suspect was.

The Mayor was in the middle, in what he called a lose-lose situation. His language reflected the strains. At a memorial service for Gavin on Aug. 25, he said: "Two tragedies. One a tragedy because it was an accident. The other a tragedy because it was not."

AN EASING OF TENSION?

The shift in the Mayor's tone reflects a sense among his aides that the critical days of the crisis have eased, and that the need for walking on eggshells has relaxed.

"The words that were spoken then were words that had to be spoken within a community that some people feared might tear itself apart," the Mayor's spokesman, Leland T. Jones, said yesterday.

But he said the Mayor had from a very early stage felt that the murder of Mr. Rosenbaum was the worst kind of racial violence. It was not until questioned about Senator Moynihan's use of the word "lynching" that the Mayor was asked to characterize the murder in that way, Mr. Jones said.

Colin A. Moore, a lawyer representing the Cato family, criticized the Mayor for calling the killing a lynching when the Police Department has yet to classify the killing as a bias crime.

"How could the murder of Yankel Rosenbaum be called a lynching?" he said. "There is no evidence that this was a racially motivated act. To even describe it in the same breath as Yusuf Hawkins is an abomination. It's pandering to the votes of a certain people."

THE POGROM PAPERS

(By John Taylor)

"Police 884. What is your emergency?"

"There are some guys * * * stoning Jews on the corner of Lexington. Stoning the Jews!"

"What are they doing? They're stoning the Jews?"

"Yes! They're throwing a lot of stones at the Jews."

That call was made to the Police Department's 911 emergency number on Tuesday, August 20, 1991, the night after Gavin Cato and Yankel Rosenbaum were killed, the night events in Crown Heights were transformed from a series of contained incidents into a full-scale race riot. There were many such calls.

"Police operator, what is the emergency?"

"Back in the community driveway. These guys are beating up this Jewish lady."

"About how many males?"

"I don't know. There's about five of them."

"Five male black?"

"Uh huh."

"Do you know if they have any weapons?"

"Um, I hear the lady screaming."

Now that the Crown Heights report is finally out, it is worth revisiting the question of whether and in what fashion the race riot two years ago constituted a pogrom. From the point of view of David Dinkins, who sees himself as a champion of racial equality, the idea that the Crown Heights riot was some sort of pogrom is not just untrue, it is morally reprehensible, an outrageous and intolerable personal slander. He never, as the report makes utterly clear, directed the police to withdraw so the black crowd could seek vengeance on Hasidic Jews for the death of Gavin Cato. But from the point of view of the Hasidic Jews, the riot had the look and feel and sound of a genuine pogrom.

"You need to send some police back around Union and Utica, 'cause these people are going crazy out there!"

"A unit for Union and Utica?"

"Yes. Every car that comes down this block, they're bombing them. They—they've got this one man down. They're pulling him out of his car!"

"Union and Utica. And what are they doing with his car?"

"They're pulling the people out of the cars. All the Jews that come down, they take them out of the car and beating 'em up."

The Jewish families whose homes were surrounded by black mobs experienced absolute terror.

"They're heading down to my house. They're breaking the windows. Utica and President, please come! They're in front of my house! Get 'em here!"

"What is your address?"

"Utica and President. Please, they're breaking my windows." [Screams]

Three minutes later, the woman, who said she had children in the house, called back.

"They're breaking all the windows on my block."

"They're breaking all your windows?"

"Why aren't they here? Why are they stalling?"

"Police are on the way, ma'am."

"No, they're not. I don't see them!"

"Ma'am, calm down."

"What are you doing to us?"

Not only were Jews singled out for attack—a necessary but not a sufficient condition for a pogrom—but, just as happened during Kristallnacht, the anti-Semitic rampage seemed to the Jews on the streets to have official sanction. Police on patrol in Crown Heights, threatened with suspension if they moved from their designated positions, at times did nothing to stop the violence they observed. It is a frightening enough experience to be in danger and feel that the people who are supposed to protect you are not around. It is genuinely horrifying to be in danger and realize the people who are supposed to protect you are present but will not protect you.

Thomas Gallagher, the field commander during the riot, told the state investigators that, as they summarized it, "unless life and property is clearly in peril, it is preferable to allow the situation to vent itself, rather than fuel it through aggressive police action." But there were times during the riot when the police were aware that "life and property" were in danger, and they still did nothing.

A Hasidic Jew named Isaac Bitton told investigators he was walking home with his 12-year-old son on Tuesday night, and asked police if Schenectady Avenue was safe. They assured him it was. But an aggressive crowd on the other side of the avenue approached him. He was hit with a brick and fell. The mob pulled his son away and beat him. This all took place in view of the police. "One resident on the street saw the incident from her window and screamed for the police to help them," the report says. "The police, she says, did not come to their assistance."

The woman who called 911 to say the mob had broken all her windows called back at least seven times that night. Her last call came almost three hours after her first.

"It's a pogrom! You know what that means? It is bad. If we have to wait for the killings, we're finished. My door's broken. I'm not safe in my house anymore. I want to get out. How am I gonna get out of here? This is out of control, ma'am. Who do I speak to? Where is the mayor now?

Had the woman been able to get through to the mayor, who was at City Hall, she would have learned that he was under the impression black kids in Crown Heights were simply blowing off a little steam. Bill Lynch, then deputy mayor and now Dinkin's campaign manager, told investigators that he believed the situation Tuesday night was much the same as it had been Monday night, when, as he said, "a small group of kids" were engaging in "some kind of rock throwing," and blacks and Jews were "just shouting back and forth."

This misunderstanding about the true nature of the situation—a misunderstanding supposedly brought about by a "lack of communication" with the Police Department, on whom the mayor has said he relied for his sole source of information—has always been the centerpiece of Dinkins's defense of his performance during Crown Heights, and it has always been a somewhat unsatisfactory one. But now, with the release of the Crown Heights report, it appears almost incomprehensible.

During the rioting, Dinkins, who said last week that "I had no reason in the world to ignore what I was being told by the finest Police Department in the world," chose instead to ignore five significant streams of information that should have alerted him to what was really taking place. It's conceivable that he might have ignored one or even two of these, but that he ignored the collective weight and reciprocal validation of all of them almost defies belief. As the report puts it, "The mayor . . . had a number of important sources of information which should have called into question Police Department assurances that the disorder was under control."

To begin with, there were the media. Reporting live from Crown Heights at seven o'clock on Tuesday night, Channel 5's Pablo Guzman said, "It's a dangerous situation. The groups are literally fighting each other. It's enough to make you sick." Later, Channel 11's Tim Malloy declared in a live report, "This is as ugly as it gets. . . . It's escalating." At his press conference last week, Dinkins said he ignored the television stories because "you can't always tell from a television story what to believe."

But Dinkins didn't have to rely on television. A second stream of information came from Hasidic leaders. The report cites seven Jewish leaders who called City Hall and spoke to officials such as Assistant to the Mayor Herbert Block about the unfolding crisis. Block, according to the report, could not remember some of the calls, said of those he did recall that "the issue of the police not taking effective action was not raised," then pointed out that "even when small incidents occur, the Hasidic leaders are always demanding increased police protection."

So the sensationalistic television coverage couldn't be trusted, and neither could the overexcitable Hasidic leaders. But the mayor's longtime friend and advisor Howard Rubenstein, who had received many calls from people in Crown Heights, telephoned Dinkins overnight Tuesday to say the police had not halted the violence. Dinkins told investigators he couldn't remember the call, but added, "If Howard Rubenstein said he called, he did."

The logs of the Police Desk at City Hall, which has the responsibility for informing mayoral officials of emergencies, contain entries Tuesday night noting confrontations between blacks and Jews, injuries suffered by civilians and police, overturned police cars, and shot police officers. According to the logs, the desk officer notified the mayor's top aides. Dinkins could not recall being told of the logs. He told investigators that since the police already knew about the incidents described in the logs, "it was . . . unclear to him what he was expected to have done with such information."

Finally, two mayoral aides were in Crown Heights throughout the riot, acting as the "eyes and ears" for City Hall. One of them, Robert Brennan, was knocked unconscious Tuesday night when hit with a brick. Recovering, he called Bill Lynch with a detailed account of police inaction. Lynch says he does not remember the call.

"I talked to dozens of people," Lynch said last week. "You try to synthesize the information. I don't remember anybody [before Wednesday] saying things were out of control." When I pointed out to Lynch that the Daily News had quoted him saying Tuesday night that things were "out of control," he said, "I didn't mean in terms of violence but that I couldn't get at the root of the problem, what was causing it."

The memory lapses by Lynch and Dinkins—what they knew and when they knew it—coupled with the mayor's lack of curiosity during the riot, are truly astounding. After all, it is the job of the mayor to make sure he knows what's going on in the city. "Did the mayor fulfill his responsibilities in managing the crisis in Crown Heights?" the report asks. "Did he make all efforts to know what the Police Department was doing, did he ask the tough, probing questions? . . . There is no evidence to indicate that the mayor was asking these questions prior to . . . Wednesday evening . . . when the mayor [in visiting Crown Heights] experienced the actual level of tensions and hostility, and became, himself, a victim. . . ."

This failure is so complete it's as if Dinkins, until Wednesday, had been a denial, as if he hadn't wanted to know what was happening. One explanation maybe that Dinkins, a career city bureaucrat, is so thoroughly ingrained with government procedures that it never occurred to him to go outside official channels. Another explanation may be that Dinkins, whose courteous demeanor masks a racial bitterness occasionally glimpsed in remarks about "slave ships" and "sitting in the back of the bus," felt that the expression of black rage was, up to a point, justified. At the same time, as with virtually every other racial incident during his administration, it seems clear he was fearful of alienating his black base, and wanted, until his personal experience of the danger made it impossible, to avoid siding with the whites in a race riot.

In Dinkins' favor, it must be noted that Crown Heights was not Los Angeles. "Only two people died," says his supporter Hazel Dukes of the NAACP. "You have to give him credit for that." Furthermore, as Dinkins emphasized in his press conference last week, his indecisiveness lasted only 24 (or, at the most, 36) hours, from Tuesday night, when the rioting really broke out, until Thursday morning, when he issued orders for the police to take any steps necessary to end the violence.

Even so, those will probably prove to be the most crucial hours in Dinkins's political life. A number of political analysts suggested the impact of the report on the mayoral race would be minimal, since most New Yorkers had already made up their minds about the mayor's performance. That is difficult to believe. Until the report's release, Rudolph Giuliani had failed to offer a truly persuasive reason Dinkins should be turned out of office. Now Dinkins will have to convince voters that he should be re-elected.

U.S. SENATE,
Washington, DC, December 3, 1992.

Hon. WILLIAM P. BARR,
Department of Justice,
Washington, DC.

DEAR MR. ATTORNEY GENERAL: On October 30, 1992, you announced in the wake of the state trial jury acquittal of Lemerick Nelson, that the Justice Department would conduct an inquiry into the murder of Yaakov Rosenbaum, who was killed during the unrest in Crown Heights in August 1991. I understand the investigation is being conducted jointly by your Department's Civil Rights Division and the U.S. Attorney in the Eastern District.

I commend you for commencing this investigation. I called for such an investigation last year, as did Brooklyn District Attorney Charles J. Hynes, and others. As you know, New York City Mayor David Dinkins has said he welcomes the inquiry.

I am interested to learn of the scope and depth of your investigation. Without divulging the details of your ongoing inquiry, could you provide me with a general description of its parameters? This matter is of the greatest importance to New Yorkers who are relying on you to see that justice is served.

Sincerely,

DANIEL PATRICK MOYNIHAN.

DEPARTMENT OF JUSTICE,
Washington, DC, December 22, 1992.

Hon. DANIEL PATRICK MOYNIHAN,
U.S. Senate,
Washington, DC.

DEAR SENATOR MOYNIHAN: This is in response to your recent letter to Attorney General Barr concerning the killing of Yankel Rosenbaum and the August, 1991 rioting in Crown Heights, New York. As you note in your letter, the Civil Rights Division, the Federal Bureau of Investigation, and the United States Attorney's Office for the Eastern District of New York are now proceeding with a federal inquiry into the killing of Yankel Rosenbaum.

You may be assured that all evidence related to the attack on Mr. Rosenbaum, and the surrounding circumstances, will be evaluated in the course of the investigation. Please be advised, however, that federal civil rights laws address only acts taken intentionally to deny specific victims of certain civil rights established by federal law. This Department will take all appropriate action in the investigation and prosecution of this matter in light of the evidence and the applicable law.

If you have questions regarding this or any other matter, please do not hesitate to contact this office.

Sincerely,

W. LEE RAWLS,
Assistant Attorney General.

OFFICE OF THE ATTORNEY GENERAL,
Washington DC, January 15, 1993.

MARY JO WHITE,
Acting United States Attorney for the Eastern District of New York, Brooklyn, NY.

DEAR MARY JO: I have been following developments in this ongoing investigation which is being conducted by your office and the Civil Rights Division, and have discussed this matter * * *.

I would like to emphasize that this matter should be vigorously pursued, and that your investigation is not necessarily limited to the killing of Yankel Rosenbaum. Rather, you should follow the evidence wherever it leads, including any evidence that the community was deprived of its right for discriminatory reasons.

Thank you for all of your hard work on this matter.

Sincerely,

WILLIAM P. BARR,
Attorney General.

U.S. SENATE,
Washington, DC, May 12, 1993.

Hon. JANET RENO,
Department of Justice,
Washington, DC.

DEAR GENERAL RENO: Since assuming office you have had a great many things to do. However, I hope that you have found time to turn your attention to the Crown Heights investigation. You undoubtedly saw the editorial in the April 26th New York Times entitled "Justice for Yankel Rosenbaum." However, I'm enclosing a copy in case you have not.

You may also be aware that on January 15, 1993, then Attorney General William T. Barr

wrote acting Eastern District U.S. Attorney Mary Jo White as follows:

"I would like to emphasize that this matter should be vigorously pursued, and that your investigation is not necessarily limited to the killing of Yaakov Rosenbaum. Rather, you should follow the evidence wherever it leads, including any evidence that the community was deprived of its rights for discriminatory reasons."

I believe that the policy expressed in Mr. Barr's letter is the right one. I first called for such an investigation in September of 1991 and have reiterated my concerns on several occasions. Indeed, prior to Mr. Barr's letter on January 10, 1993, I said in a speech to the Jewish Community Council of Washington Heights and Inwood:

"We need to know what happened during those three days and nights in Crown Heights and in the subsequent efforts to apprehend and prosecute those responsible for criminal acts. The issue before us is not whether Jews and Blacks will live in harmony in Crown Heights—the vast majority always have and will always continue to do so.

"The issue is even greater than the questions of who killed Yaakov Rosenbaum or who participated in acts of violence against persons or property. Rather the issue before us is whether the citizens of New York—all the citizens of New York—can expect justice and fairness from every level of government."

This is a matter of surpassing importance to New York. Would you please let me know if the position outlined in Mr. Barr's letter is still the Department's policy? I would also appreciate knowing what resources the Department is devoting to the investigation.

Respectfully,

DANIEL P. MOYNIHAN.

DEPARTMENT OF JUSTICE,
Washington, DC, June 16, 1993.

Hon. DANIEL PATRICK MOYNIHAN,
U.S. Senate,
Washington, DC.

DEAR SENATOR MOYNIHAN: This is in response to your recent letter to Attorney General Reno regarding the killing of Yanbel Rosenbaum in Crown Heights, Brooklyn.

As you know, on October 30, 1992, following the state court acquittal of Lemrick Nelson, then Attorney General William Barr announced that the Civil Rights Division and the United States Attorney for the Eastern District of New York would jointly investigate the killing of Yanbel Rosenbaum. Since then, the Department has been engaged in an active investigation into the killing as well as other possible federal crimes that may have occurred in connection with the unrest in Crown Heights in 1991.

I have looked into the matter personally, and I am persuaded that the Department has treated this case seriously and has investigated it thoroughly. Several lawyers from both the U.S. Attorney's office in New York and from the Civil Rights Division of the Department are involved in the case, as well as the FBI. It is not the policy of the Justice Department to divulge the exact numbers of FBI agents investigating specific matters, but I am convinced that sufficient resources have been made available to adequately collect the evidence.

It is important to recognize, however, that the federal civil rights statutes utilized to prosecute hate crimes are limited in application. Murder, assault, destruction of property, and other violent crimes do not by themselves violate federal civil rights laws. There must also be evidence that the violence was motivated by the defendant's racial or religious animus, and also that the defendant intended to interfere with a victim's exercise of a federal right or privilege.

Within the next few weeks, the Department hopes to have a final resolution regarding the Rosenbaum matter, although that could change. We believe you would agree that it is prudent to allow sufficient time for the new U.S. Attorney, who will be on board soon, to review the case.

As you probably know from press accounts, Department lawyers still haven't been given access to other Jewish victims of violence during the relevant period, and thus are unable to complete their investigation. Anything you can do to move that request along would be greatly appreciated.

Thank you for expressing your interest in this matter.

Sincerely yours,

JAMES P. TURNER,
Acting Assistant Attorney General.

Mr. MOYNIHAN. I thank the Chair.

Mr. HELMS addressed the Chair.

The PRESIDING OFFICER (Mr. KERREY). The Senator from North Carolina is recognized.

Mr. HELMS. I thank the Chair for recognizing me.

Mr. President, before sending to the desk the first of two amendments and asking them to be stated by the clerk, I propose to read a letter from a Raleigh, NC, resident, Mr. J.W. Sisson, Jr. I do not know Mr. Sisson, but I am impressed with his letter. His letter was dated September 22 and arrived in our office yesterday.

All statements in Mr. Sisson's letter have been checked carefully and found to be accurate. I shall read the body of Mr. Sisson's letter slowly so that Senators and/or their staff representatives may understand the purpose of the amendment that I shall offer shortly. And I am going to ask that all of it, including the heading, be printed in the RECORD.

It says:

DEAR SENATOR HELMS: The old saying "crime doesn't pay" is no longer true and I hope you will do all you can to reverse this trend. On September 21, 1993, the News Observer in Raleigh carried a headline on page 3A which read "Insane Killer's Federal Checks Challenged." The article reports on Michael Charles Hayes who is incarcerated for killing 4 people in North Carolina. Mr. Hayes receives $536 a month from Social Security while he is incarcerated because he is "Disabled" by reason of insanity.

While incarcerated in Dorthea Dix Hospital he has purchased a motorcycle, two leather jackets worth $300 apiece, a wardrobe of 40 knit shirts and television sets and VCR's. The irony is that he became disabled because a jury found him insane.

Come on now. Here is a loophole that should be immediately stopped. If nothing else, the deficit would be reduced by $536 a month. The Social Security is quoted as saying they don't know how much is spent in disability to those incarcerated and under State care. They estimate $48 million every 5 years could be saved on such payments. What makes it worse is that there is no compensation for the victims' families, although the paper says a civil suit was filed against Mr. Hayes and that is what brought his spending habits to the attention of the press.

Please do what you can to: 1. Stop Mr. Hayes' payments. 2. Close the deficit spending by removing disability pay for all who are criminally insane and incarcerated.

Thank you for listening. Above all, we must reduce this deficit spending.

Sincerely,

JOHN W. SISSON, Jr.

AMENDMENT NO. 976

(Purpose: To amend title II of the Social Security Act to prohibit the payment of benefits to individuals confined to public institutions pursuant to court order based on a verdict that the individual is not guilty of a criminal offense by reason of insanity or similar finding)

Mr. HELMS. Mr. President, I am going to discuss this further, but for the moment I ask unanimous consent that I be able to send this amendment to the desk and lay the amendment aside very temporarily while I call up a second amendment.

The PRESIDING OFFICER. Is there objection?

Mr. HARKIN. Reserving the right to object, I wish to get this in an orderly procedure. We have the D'Amato amendment pending. The Senator from North Carolina wants to lay that and all amendments aside.

Mr. HELMS. Yes.

Mr. HARKIN. Lay all those aside to offer this amendment, to offer two amendments in order.

Mr. HELMS. That is correct, because of the unanimous-consent request granted last night. I wish to be absolutely protected. I know the Senator will protect me, but this is sort of a minor protest against such unanimous-consent agreements. So I send an amendment to the desk and ask that it be stated.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The clerk will report.

The assistant legislative clerk read as follows.

The Senator from North Carolina [Mr. HELMS] proposes an amendment numbered 976.

Mr. HELMS. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

At the end add the following:

"SEC. . RESTRICTION ON PAYMENT OF BENEFITS TO INDIVIDUALS CONFINED BY COURT ORDER TO PUBLIC INSTITUTIONS PURSUANT TO VERDICTS OF NOT GUILTY BY REASON OF INSANITY OR OTHER MENTAL DISORDER.

(a) IN GENERAL.—Section 202(x)(1) of the Social Security Act (42 U.S.C. 402(x)(1)) is amended—

(1) by inserting "(A)" after "(1)", and

(2) by adding at the end the following new subparagraph:

"(B) Notwithstanding any other provision of this title, no monthly benefits shall be paid under this section or under section 223 to any individual for any month during which such individual is confined in any public institution by a court order pursuant to a

verdict that the individual is guilty, but insane or not guilty of an offense by reason of insanity (or by reason of a similar finding, such as a mental disease, a mental defect, or mental incompetence).".

(b) CONFORMING AMENDMENTS.—

(1) The heading for Section 202(x) of such act is amended by inserting "and Certain Other Inmates of Public Institutions" after "Prisoners".

(2) Section 202(x)(3), is amended by striking "any individual" and all that follows and inserting "any individual confined as described in paragraph (1) if the jail, prison, penal institution, correctional facility, or other public institution to which such individual is so confined is under the jurisdiction of such agency and the Secretary requires such information to carry out the provisions of this section.".

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply with respect to benefits for months commencing 90 days after the date of the enactment of this Act.

(2) SPECIAL RULE REGARDING PAYMENTS TO INSTITUTIONS.—The amendment made by subsection (a) shall not apply to any payment with respect to any individual, if, as of the date of the enactment of this Act, such payment is made directly to the public institution to compensate such institution for the expense of institutionalizing such individual.

AMENDMENT NO. 977

(Purpose: To prevent States from misusing Federal Medicaid funds)

Mr. HELMS. Mr. President, I ask unanimous consent that this amendment be very temporarily laid aside so that I may call up the second amendment.

The PRESIDING OFFICER. Is there objection?

Mr. HARKIN. Reserving the right to object, will the Senator please restate his unanimous-consent request.

Mr. HELMS. I asked that the pending amendment now be laid aside temporarily, very temporarily, so that I can call up the second amendment, and then I am going to lay that aside and go back to the first amendment. I want to abide by this unanimous consent request of last night.

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

The clerk will report the amendment.

The assistant legislative clerk read as follows.

The Senator from North Carolina [Mr. HELMS] proposes an amendment numbered 977.

Mr. HELMS. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

At the appropriate place, add the following:

"SEC. . None of the funds appropriated under this Act for the Medicaid Disproportionate Share Hospital payment program may be disbursed to a state until the Governor of such state certifies to the Secretary of Health and Human Services that such funds shall be expended solely for providing medical assistance under Medicaid: *Provided further*, That it is the sense of the Senate that any health care reform legislation enacted by Congress should modify or eliminate the Medicaid Disproportionate Share Hospital payment program, because states are currently abusing the program by spending Federal matching funds for purposes unrelated to Medicaid.".

Mr. HELMS. Now, Mr. President, I ask unanimous consent that the second amendment be laid aside and we make my first amendment the pending business.

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

Mr. HELMS. I thank the Chair, and I thank the managers of the bill.

AMENDMENT NO. 976

Mr. HELMS. Mr. President, we received protests from several other citizens who are understandably indignant about this abuse of Social Security funds. Here is the case of a man who deliberately killed four people in North Carolina. The court ordered that he be locked up in a mental institution, Dorothea Dix Hospital in Raleigh. This man, Michael Charles Hayes, as someone has commented, may be crazy but he is crazy like a fox. He has managed to demand and receive Social Security checks every month in the amount of $536.

Mr. Hayes claims that he is disabled. Furthermore, the Social Security Administration estimates that similar payments, totaling $48 million every 5 years, are being paid to others in similar circumstances. Meanwhile Michael Charles Hayes, the man who killed four people, is having a ball. Already, according to various accounts that have been confirmed as accurate, Hayes has bought himself a motorcycle, two $300 leather jackets, 40 knit sports shirts, and various other items such as television sets and VCR's.

What about the families of the four innocent people whom Hayes shot and killed at random? What do they receive, Mr. President? Not a farthing, not a penny.

Mr. President, to this day this killer is collecting $536 every month from Social Security. The father of one of the four innocent victims killed at random by Hayes protested that Hayes is living in hog heaven at the mental institution, Dorothea Dix Hospital in Raleigh. This distraught father of one of the four victims testified before a House subcommittee last week. He said the inventory of Hayes' personal property filled 9 pages with 20 items on each sheet. The mental hospital was forced to provide Hayes with additional storage space for all of his purchases.

This father of the victim, Mr. Nicholson, testified that Hayes has four jackets and two full-length leather coats purchased with his Social Security benefit checks. He has two television sets, two VCR's, an elaborate stereo system, a microwave oven, and walkie-talkies with which he and his girlfriend, who is a fellow patient, have communicated during the day.

Mr. President, this strange travesty has happened all across the Nation. In New Jersey, for example, a man named Herbert Olsen tried to kill his parents. He was found to be insane, and he collected $8,646 in retroactive disability payments plus $678 a month Social Security. Mr. Olsen escaped and went to New York to buy drugs using the very money he received from Social Security.

Just late yesterday I ran across the story of a lady named Susan Donnelly who testified before the Ways and Means Committee last week. I will not read it all, but I will put it in the RECORD in its entirety.

Susan Donnelly says:

Two years ago my life, as I knew it, was maliciously destroyed. I was managing a professional fire and water damage restoration company. An employee who had worked for the company for about 2½ years attacked me with a baseball bat following a disagreement about the day's work schedule and severely damaged my head.

My jaw was broken in three places. The right side of my face was shattered into too many pieces to allow use of the bones for reconstruction. A bone fragment was driven up into my eye socket. My right elbow was broken. Thirty-two stitches were required to sew up the back of my head. Several teeth were pushed up into my head. There is a large amount of nerve damage to the right side of my face. I suffered damage to my hearing and must now wear hearing aids in both ears. That is some of what happened to me.

Later on she says:

The State of Maryland found my attacker guilty of attempted murder and other charges but not criminally responsible. He was sent to Maryland's Clifton T. Perkins State Hospital. I'm back at work so my State tax dollars pay for his medical treatment and his board and room. Now I discover that my Federal tax dollars reward him with Social Security disability payments after he tried to kill me. I'm the victim and in addition to my physical and emotional problems must cope with reduced income while he has no regular bills to pay and can bank the Social Security payments. That is outrageous. * * * Where is the justice in what has happened to me? * * *

I ask unanimous consent that all of her statement before the House Ways and Means Committee be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. HELMS. Mr. President, this abuse has been described to me by many people as incredible. This amendment will save the taxpayers untold amounts of money, at least $10 million a year—maybe more than that because how many such cases there are I do not know, and Social Security says it does not know.

Over in the House of Representatives, Mr. President, Congressman JACOBS has introduced legislation to stop disability payments to an individual whom a court has found to be innocent

by reason of insanity. My amendment, obviously, is similar to Congressman JACOBS' bill.

As Congressman JACOBS correctly attests, Social Security disability is intended "to provide food and shelter for the disabled." But if a person is in a mental institution, he or she is already receiving food and shelter and should not be allowed to double dip into the taxpayers' pocket.

This is not a novel concept—speaking of the pending amendment. It should be made clear that the law, Mr. President, already forbids such payments to criminals who are in prison. This amendment merely expands the concept of the current law to individuals who have been declared to be insane and locked up in mental institutions.

I contend and am prepared to justify that this amendment is just plain common sense. It will rectify an obvious injustice, and it will save the taxpayers a great deal of money.

Mr. President, if anybody wants to comment on this amendment now, I shall yield the floor. Otherwise, I will be glad to discuss the other amendment.

Mr. HARKIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Mr. President, I looked over the amendment. We are checking with Senator MOYNIHAN, who is chairman of the Finance Committee. He seems to think it is a good amendment. Quite frankly, it just shows you how you try to plug one hole and another one opens up. We tried to plug this prisoner—I remember being involved in that debate several years ago. I do not know whether I was in the Senate or the House at the time when we discovered that prisoners were getting Social Security payments, which everyone thought was crazy at the time. So we plugged that loophole by saying that prisoners could not get Social Security payments.

I guess it never occurred to people at the time that this is another avenue where individuals could get Social Security payments who were found to be not guilty by reason of insanity—of course, insanity is a disability—and then to apply for disability benefits while that person was not a prisoner as such in a jail or a prison, but, I guess, kept in an institution for the mentally insane. I guess that is the situation here with this person. It is interesting that that loophole continued to exist.

I think it is a good amendment. I understand from the—I was reading the amendment. Sometimes you cannot tell by reading it. But I was reading the summary of the amendment that I think the Senator put out. This is one question that I had, that it grandfathers the situations where the payment is going to the institution to defray their costs instead of going to the patient, that these existing arrangements be allowed to continue.

Does the Senator know? In other words, does Social Security make payments sometimes to institutions?

Mr. HELMS. Absolutely. The Senator is correct. That situation would be grandfathered.

Mr. HARKIN. I am not sure I would even be in favor of that. Why should we say they should continue to go to the institutions? I do not understand that. How does the institution qualify for a Social Security payment?

Mr. HELMS. It was suggested to me that there might be some protest on the floor if we put it in.

EXHIBIT 1

SEPTEMBER 21, 1993.

CHAIRMAN, LADIES AND GENTLEMEN: My name is Susan Donnelly. Two years ago my life, as I knew it, was maliciously destroyed. I was managing a professional fire and water damage restoration company. An employee who had worked for the company for about 2½ years, attacked me with a baseball bat following a disagreement about the day's work schedule and severely damaged my head.

My jaw was broken in 3 places. The right side of my face was shattered into too many pieces to allow use of the bones for reconstruction. A bone fragment was driven up into my eye socket. My right elbow was broken. Thirty two stitches were required to sew up the back of my head. Several teeth were pushed up into my head. There is a large amount of nerve damage to the right side of my face. I suffered damage to my hearing and must now wear hearing aids in both ears. That is some of what happened to me.

Returning to work has been very difficult for me. Following the attack, my self esteem was and still is very low. My self confidence, as well as my body, took a beating. It makes me constantly question whether or not I was doing my job as well as I thought, even though I know I was doing an excellent job. If someone questions me at work I mentally wince and have trouble dealing with it. So now giving out directions on the job is not easy. Second guessing myself is an everyday thing, even though a part of me knows I know my job inside and out.

For a year and a half, I received workman's compensation. That money didn't come close to equalling my previous salary or allow me to pay all my bills. I lost my position as a manager and it is doubtful that I'll ever get it back. The owner has told me this already, so future earnings are not going back to where they were before the beating.

I also have mental and emotional problems. My short term and long term memory are faulty. I have lost a lot of my former large vocabulary and English usage (my father helped me with this paper). I formerly was an excellent writer, receiving a civic award for an essay on a patriotic theme. I used to read a lot in my spare time but my attention span is very short now, so I find it difficult to read for any length of time. I have a great deal of difficulty with the thinking process, like resolving schedule conflicts, and figuring how to go from point A to point B. I frequently lose control over my emotions for no good reason. I get into a rage over nothing and get upset easily.

The State of Maryland found my attacker guilty of attempted murder and other charges but not criminally responsible. He was sent to Maryland's Clifton T. Perkins State Hospital. I'm back at work so my State tax dollars pay for his medical treatment and his board and room. Now I discover that my federal tax dollars reward him with Social Security disability payments after he tried to kill me. I'm the victim and in addition to my physical and emotional problems must cope with reduced income while he has no regular bills to pay and can bank the Social Security payments. That is outrageous!! I work hard, pay my taxes, vote and basically try to live a decent life. Where is the justice in what has happened to me. Who is going to give me money to compensate for what has happened to me. Workman's Compensation paid my enormous medical bills and may eventually give me a few hundred dollars. This will not begin to compensate for the impact this attack had, and will continue to have, on my life. I'm trying my best to get on with my life and then this Social Security fiasco slaps me in the face.

I urge you to pass this bill, H.R. 979. Don't tell everyone that crime really does pay!!

Thank you.

G. SUSAN DONNELLY.

But I hear the Senator. I would be glad to modify the amendment.

Mr. HARKIN. I am curious as to how an institution qualifies for a Social Security payment. I do not understand that. I should find out.

Mr. HELMS. I agree with the Senator, but it does happen there are arrangements between the institutions and the families of the patient. I was trying to get to the heart of the matter with my amendment. I will be glad to modify the amendment.

Mr. HARKIN. Let me find out from some of these experts around here.

I also want to make it clear, and I want to be clear from the Senator, that if a person is disabled by reason of insanity and is in an institution, that this would not prohibit Social Security disability payments to that person, as long as that person was not convicted of a felony.

Mr. HELMS. The Senator is correct, although a conviction for the felony itself is unnecessary. There must be a verdict that the person is not guilty by reason of insanity or guilty, but insane.

Mr. HARKIN. That is good, because I think that conforms with the Americans With Disabilities Act then.

Mr. President, I am in favor of the amendment. I think it is a good one. But I want to find out about this other aspect. Let us go on to the second amendment, and I will find out about this first one.

AMENDMENT NO. 977

Mr. HELMS. I presume the managers of the bill have copies of the second amendment.

Mr. President, this amendment is equally clear and, I think, forthright. My feeling is that the time has come to say "no" to a lot of States that are abusing the Medicaid Disproportionate Share Hospital Payment Program. Maybe a lot of Senators do not know about this program. And I did not know about it until I started looking into this. I really did not understand how it

works. I did not understand how the various States were abusing the program. So let me do the best I can to convey my understanding of the situation.

Medicaid is a joint Federal-State entitlement program that pays for medical services for low income citizens. The program is administered by the individual States according to each State's so-called State medical assistance plan which describes that State's basic eligibility, coverage, reimbursement, and administrative policies. Of course, the Federal Health Care Financing Administration [HCFA] must give its final approval to each State's medical assistance plan.

Now generally speaking—and this is a mouthful—the Medicaid Program in each State pays claims for "medically necessary covered services rendered by qualified providers to eligible beneficiaries."

Medicaid services and administrative costs are financed jointly by the Federal Government and the States. The Federal share of a State's payments for services is calculated annually based on a formula designed to give a higher Federal matching rate to poorer States. However, the Federal Government always pays at least 50 percent—and for really poor States—up to 83 percent of a State's total Medicaid costs. In 1992, the total Federal share of Medicaid payments was estimated to be 57 percent. This year, the Federal Government will spend $80 billion on the Medicaid Program, making it the fourth-largest item in the U.S. budget.

Predictably, whenever this huge an amount of money is thrown around, someone somewhere is going to find a way to abuse the system—which is exactly what most States started to do a number of years back.

It is necessary to get into some detail here, so please bear with me. Using a mechanism known as intergovernmental transfers, dozens of States have cooked the books to make it appear that they actually raised money to qualify for Federal matching Medicaid dollars when in fact they have not. For example, to receive greater Federal matching funds, States have either collected hospital donations or raised taxes on hospitals and other health care providers. The effect of this little gimmick is to make it look like the States has spent more on Medicaid than it in fact has. And of course this expense padding is done for the express purpose of increasing the amount of money the Federal Government has to match.

Mr. President, by late 1991, 34 States had in place—or had plans for—a hospital donation program of hospital specific tax. To put a halt to these shenanigans, Congress passed the Medicaid Voluntary Contribution and Provider-Specific Tax Amendments of 1991 (Public Law 102-234).

Unfortunately, that law still left open a huge loophole. How does this loophole work? Here is how: In one of the Medicaid programs known as Disproportionate Share Hospital [DSH] Program, the Federal Government gives States matching funds as an incentive to develop programs that serve a larger number or disproportionate share of poor patients. States have used this so-called incentive program to inflate the Medicaid expenses the Federal Government has to match. The States have then used their artificially inflated Medicaid windfalls from the Federal Government for non-Medicaid purposes, such as balancing State budgets or pet projects such as constructing States office buildings.

Mr. President, I must acknowledge that North Carolina is one of the States planning to use this loophole. This past February, HCFA, the Federal agency, approved North Carolina's Medical Assistance Plan which will allow four of North Carolina's so-called disproportionate share hospitals for the mentally ill to transfer $100 million per year in expenses to the State Medicaid Program. This arbitrary accounting transfer allows North Carolina to qualify for approximately $200 million in additional Federal Medicaid matching funds.

Once this Federal money has been received, North Carolina intends to place the $200 million in the accounts of the State mental hospitals. But once North Carolina does that it is then free to declare that $200 million as a surplus in the mental hospital account which—under Federal law—can then be tapped by the State to use however it sees fit.

Several media reports from my State confirm that North Carolina plans to use this Federal windfall for State construction projects and numerous other projects having nothing to do with providing health care to the poor.

However, North Carolina is not cornering the market on Medicaid fraud. I've read other news articles stating that this type of abuse is occurring in Michigan, California, New Hampshire, and Texas, just to name a few.

Last year alone, the 34 States I mentioned earlier reportedly received $10 billion in additional Medicaid money as a result of this loophole. In 1993, Federal allotments for so-called disproportionate share hospitals alone total $16.5 billion.

Mr. President, what I want to know is how much of the total DSH funds, $16.5 billion, will actually be spent on hospitals that truly serve a disproportionate share of poor or disabled patients.

Mr. President, Senators may ask what harm results from such abuse. The answer is simple—the Federal deficit skyrockets. In an era when everyone is supposedly concerned about the Federal deficit, it is mind-boggling that Congress is allowing this abuse to continue. As everyone knows, certainly Mr. Clinton, Medicaid has become the major culprit in the ever-increasing Federal deficit. But is such astronomical growth in the deficit surprising when one considers that Medicaid spending between fiscal years 1989 and 1992 doubled; and it is projected almost to double gain by fiscal year 1997.

This year, combined Federal and State Medicaid spending for the poor and disabled will reach an estimated $147.8 billion, just $8 billion less than what is spend on Medicare for the elderly. And by 1997, Medicaid spending alone is expected to grow to an astounding $221 billion. We must not permit $1 of this money to go for purposes other than those Congress intends.

For the good of all Americans, Congress must stop this abuse once and for all. If we do not, then as the saying goes, "the dead cat will lie on our doorstep." We, and no one else, should be held accountable by the voters if we allow this pillaging of the Federal Treasury to continue.

This amendment now pending seeks to assure that whatever health care plan Congress eventually enacts will automatically eliminate the current DSH Program, the Medicaid Disproportionate Share Hospital Payment Program. That is a mouthful.

This will put an end to the abuse that so many States have creatively learned to do by diverting these funds for other purposes not related to medical care for the poor and disabled, except a desire to have a little bit more money in the State coffers—free money from Washington.

Any health care legislation enacted by Congress must develop an alternative payment system so that the poor and disabled can and will continue to receive the medical funds they need. I want to make that clear.

In addition, this amendment would require the Governor of each State receiving DSH payments in fiscal year 1994 to certify to the Secretary of Health and Human Services that Federal funds will in fact be used for Medicaid purposes, not for anything else. States should not play "footsy" with the Federal dollars designated for Medicaid purposes.

This amendment should not be controversial, since both the Clinton administration and Senator CHAFEE's group advocate health care reform proposals to eliminate precisely this wasteful program altogether.

So, Mr. President, no matter how many different views there may be in the Senate on health care reform, all Senators' views will be represented and are likely to agree that this blatant abuse of Medicaid funding must stop. It is a ripoff of the taxpayers.

States have used the Disproportionate Share Hospital Payment Program to siphon off billions of dollars from the Federal Government for uses other

than Medicaid. They were getting by with it and still are. In 1993 alone, the DSH Program cost the American taxpayers $16.5 billion. Just like a ship passing in the night, poor Mr. Taxpayer out there will be soaked for $16.5 billion and he did not even know anything about it. They even had a Senator from North Carolina who did not know anything about it; I confess. In essence, States have attempted to solve their own budget deficits by abusing Medicaid funds, thereby obviously enlarging the Federal deficit.

Every time Congress attempts to close the loophole, the States find a new one. So, Mr. President, I ask unanimous consent that a State-by-State breakdown of 1993 DSH payments be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. HELMS. Mr. President, so as not to take up too much of the Senate's time, I further ask unanimous consent that a number of news articles describing specific abuses of this program be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 2.)

Mr. HELMS. Mr. President, the budget reconciliation bill attempted to solve this problem. Thanks to the efforts of Congressman MCMILLAN of North Carolina, Congress took a giant step in the right direction.

But despite this improvement, the sad fact is that States are still abusing the current DSH Payment Program. I have reached a conclusion, as have experts in the field, that the only way to prevent the States from abusing the program is to eliminate it altogether. As I have said already, this is exactly what both the President and the Senator from Rhode Island and his fellow Senators have proposed to do in their health care reform plans.

Whatever health care reform program Congress enacts must eliminate this widely abused program and develop a new payment program ensuring that Federal Medicaid dollars are in fact spent on the poor and disabled and not for some other purpose.

So, in summary, this amendment will, one, put the Senate on record that this abuse of the taxpayers' money will be eliminated as part of the health care reform; two, give the States fair warning that this program will be eliminated and that these States should make other arrangements in their future budgets; and three, require that the Governor of each State receiving Federal funds under the DHS Program shall certify to the Secretary of Health and Human Services that such funds are being spent solely for the purpose of providing medical assistance under Medicaid.

I think that is a good deal for everybody except those in State government who would like for Uncle Sugar in Washington, DC, to give him a billion or so dollars to help him with his budgetary problems back home. We are not in that business, and it is a hoax the way the DHS payment program is being operated.

I urge adoption of this amendment in the name of common sense.

I yield the floor.

EXHIBIT 1

DEPARTMENT OF HEALTH AND HUMAN SERVICES—HEALTH CARE FINANCING ADMINISTRATION

RIN: 0938–AG11.

Medicaid Program; Limitations on Aggregate Payments to Disproportionate Share Hospitals: Fiscal Year 1993.

Agency: Health Care Financing Administration (HCFA), HHS.

Action: Notice.

Summary: This notice announces the "preliminary" national aggregate Federal fiscal year 1993 limit on, and individual State allotments for, Medicaid payments made to hospitals that serve a disproportionate number of Medicaid recipients and low-income patients with special needs. We are publishing this notice in accordance with the provisions of section 1923(f)(1)(C) of the Social Security Act. That section requires the Secretary, at the beginning of each Federal fiscal year (beginning with Federal fiscal year 1993), to estimate and publish in the Federal Register the national payment limit, and each State's allotment within that national limit, for disproportionate share hospital (DSH) payments for which Federal financial participation (FFP) will be available under Medicaid.

PRELIMINARY FEDERAL FISCAL YEAR 1993 DISPROPORTIONATE SHARE HOSPITAL [DHS]—ALLOTMENTS UNDER PUBLIC LAW 102–234

[Amounts are State and Federal shares, dollar amounts in thousands]

State	Base allotments for all States	Growth amounts for low DSH States	Preliminary FFY 93 State DSH allotment	High (H) or low (L) DSH designation
A	B	C	D	E
Alabama	$412.962	NA	$412.962	H
Alaska	15.611		15.611	L
Arkansas	3.600		3.600	L
California	1,600.000	NA	1,600.000	H
Colorado	332.764	NA	332.764	H
Connecticut	383.969	NA	383.969	H
Delaware	4.800		4.800	L
District of Columbia	32.902		32.902	L
Florida	191.400		191.400	L
Georgia	296.703		296.703	L
Hawaii	38.052		38.052	L
Idaho	1.141		1.141	L
Illinois	296.933		296.933	L
Indiana	140.708		140.708	L
Iowa	4.633		4.633	L
Kansas	182.896	NA	182.896	H
Kentucky	266.433	NA	266.433	H
Louisiana	1,021.390	NA	1,021.390	H
Maine	274.301	NA	274.301	H
Maryland	117.481		117.481	L
Massachusetts	478.632		478.632	L
Michigan	843.423	NA	843.423	H
Minnesota	17.240		17.240	L
Mississippi	154.984		154.984	L
Missouri	.112	NA	.112	H
Montana	1.000		1.000	L
Nebraska	2.500		2.500	L
Nevada	73.580	NA	73.580	H
New Hampshire	391.113	NA	391.113	H
New Jersey	1,092.366	NA	1,092.366	H
New Mexico	8.484		8.484	L
New York	2,784.477	NA	2,784.477	H
North Carolina	322.661		322.661	L
North Dakota	1.000		1.000	L
Ohio	451.834		451.834	L
Oklahoma	25.867		25.867	L

PRELIMINARY FEDERAL FISCAL YEAR 1993 DISPROPORTIONATE SHARE HOSPITAL [DHS]—ALLOTMENTS UNDER PUBLIC LAW 102–234—Continued

[Amounts are State and Federal shares, dollar amounts in thousands]

State	Base allotments for all States	Growth amounts for low DSH States	Preliminary FFY 93 State DSH allotment	High (H) or low (L) DSH designation
A	B	C	D	E
Oregon	17.312		17.312	L
Pennsylvania	987.407	NA	987.407	H
Rhode Island	40.338		40.338	L
South Carolina	422.661	NA	422.661	H
South Dakota	1.000		1.000	L
Tennessee	440.944	NA	440.944	H
Texas	1,513.029	NA	1,513.029	H
Utah	7.463		7.463	L
Vermont	22.683		22.683	L
Virginia	104.565		104.565	L
Washington	230.929		230.929	L
West Virginia	66.365		66.365	L
Wisconsin	8.020		8.020	L
Wyoming	1.000		1.000	L
Total	16,531.576		16,531.576	

Note.—NA—Not applicable. Col. A—Name of State. Col. B—The State's base DSH allotment. This is an amount that is the greater of the State's Federal fiscal year 1992 allowable DSH expenditures applicable to Federal fiscal year 1992, as reported to HCFA in the June 1992 survey and August 1992 updates and adjusted by HCFA, or $1,000,000. Col. C—The growth amounts for low-DSH States. There are no growth amounts available. Col. D—The "preliminary" Federal fiscal year 1993 DSH allotments for all States. This is equal to the State base allotments. Col. E—Low/high DSH designator for Federal fiscal year 1993. An "H" indicates the State will be treated as a high-DSH State and an "L" indicates the State will be treated as a low-DSH State for calculation of the final State allotments.

EXHIBIT 2

[From the Washington Post, May 7, 1993]

HOUSE PANEL VOTES TO CLOSE MEDICAID LOOPHOLES

(By Dan Morgan)

A House subcommittee voted yesterday to close loopholes in the Medicaid program, a move that could deprive the states of some $2.5 billion in federal grants in the next five years.

The health subcommittee of the Energy and Commerce Committee acted after widespread reports that many states have used financial gimmicks to generate additional federal Medicaid matching grants. The effect of the devices is to shift more of the cost of the joint state-federal program to Washington.

However, in a sign of the state's power, a tougher measure that had been circulated last week was withdrawn for lack of support before it was included in a broader package of deficit-reduction measures.

The overall package, which would make savings of $36.7 billion in the Medicare and Medicaid programs over the next five years, was approved on a voice vote.

Subcommittee Chairman Henry A. Waxman (D–Calif.) called the loophole an "abuse" that "undermines the integrity of the [Medicaid] program." He said there was evidence that some states had diverted federal Medicaid money "for purposes that have nothing to do with Medicaid, or even health."

That view was seconded by Rep. J. Alex McMillan (R–N.C.), who called the loophole a "prostitution of the program."

It involves the special bonus payments that states are required to make to hospitals serving heavy volumes of Medicaid or charity patients. The federal government reimburses the states under a formula.

Several years ago, many states began channeling hundreds of millions of dollars of these payments to hospitals. After capturing the federal matching grants, those states then often recovered most of their own money through taxes on the hospitals or donations from them.

"We're finding that some of the institutions that have been designated have few if

any Medicaid participants," Waxman told the subcommittee members.

The modified provision approved yesterday still allows a hospital to receive the special payments if as little as 1 percent of its patients are on Medicaid or have no insurance. But it will bar hospitals from using the bonuses to recover more than 100 percent of their costs of treating Medicaid and charity patients, a move that should reduce federal matching payments to the states.

In another action, the subcommittee voted 17 to 9 to require states to seek recovery of Medicaid costs from the estates of Medicaid recipients, after the death of their surviving husband or wife. A person's home or family farm will be among the assets that can be attached by the government.

In a possible harbinger of trouble ahead for health care reformers who favor controls on providers, a Waxman plan to limit profits on health maintenance organizations serving Medicaid patients never made it into the budget measure due to lack of support on the subcommittee.

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

ARE CASH-STARVED STATES "LOOTING" MEDICAID COFFERS?

(By Dan Morgan)

The North Carolina State Capitol in Raleigh has reverberated this spring with a debate not heard often in the 1990s: how to spend a windfall.

The sudden bounty didn't come from a surplus of state revenue. It came from Federal coffers—$105 million in hand and another $410 million expected over the next two years—all derived from a loophole in Medicaid law.

To qualify for the federal funds, the state government only has to move money between several state accounts. It doesn't have to put any new money of its own into the state's Medicaid program. And Medicaid law allows the state to use the federal money for pretty much any purpose it pleases.

One option under consideration by Gov. Jim Hunt (D) is the construction of new state buildings.

"It's comparable to a looting situation we've created and it's got to be corrected," U.S. Rep. Alex McMillan (R-N.C.) told the House Energy and Commerce Committee's health and environment panel in March.

The "intergovernmental transfers" used by North Carolina to boost its federal Medicaid take are the most aggressive of a new batch of accounting gimmicks employed by financially strapped states. They have become critical financing devices in California, Texas and Michigan. And Medicaid experts expect that they will spread rapidly to other states.

To deficit watchdogs in Washington, that is a troubling sign. Just 17 months ago, in November 1991, Congress passed major Medicaid legislation that phased out other accounting gimmicks. Now it seems that the legislation underestimated the inventiveness of the states.

The federal government puts up between one and four dollars for every dollar a state spends on Medicaid, depending on a state's wealth. To maximize the grants from Washington, dozens of states strapped for revenues and unwilling to raise taxes have resorted to accounting techniques that make their contributions to Medicaid seem larger than they actually are.

"The extent to which states are counting on using existing Medicaid rules to balance state budgets would be hard to overestimate," said a recent issue of State Budget & Tax News, a trade publication.

"By the end of the year, all but a dozen or so states will be in the camp of maximizing the federal reimbursement by using any device they can find in the current law," said Hal Hovey, the publication's editor and the former budget director of Ohio and Illinois.

That could effect President Clinton's effort to control the deficit. Costs of Medicaid, which provides health care to 32 million poor, elderly or disabled Americans, has been growing by more than 20 percent a year since 1990. And there are powerful political pressures on Clinton, a former governor, to grant waivers and wink at loopholes. In January, 24 states in the National Governors Association jointly asked the administration to revise Medicaid regulations issued by the Bush administration. NGA representatives and their attorneys, who say the rules are far more restrictive than the 1991 legislation intended, have been negotiating with the administration.

Meanwhile, governors and legislatures are maneuvering to keep federal funds flowing as they draft upcoming budgets. For example:

New Hampshire, which used a now-closed loophole in 1991 and last year to capture $407.3 million in federal Medicaid payments beyond its normal grant, may still qualify for a $230 million windfall in the next two years.

Under a plan approved by the New Hampshire House on April 1, the state would make Medicaid "payments" to the state's private hospitals, then recover most of that in the form of "room and meals" taxes that would qualify for federal Medicaid matching funds. The federal funds would be used to help cover a state deficit.

In Pennsylvania officials are considering several new accounting techniques to maximize federal Medicaid grants to the 1993-94 budget now before the legislature. Commenting on the state budget proposal in February, the Harrisburg Patriot-News said: "Only a pliant federal government that apparently is prepared to open its empty treasury to cover $520 million of the state's Medicaid costs prevented what might otherwise have been draconian cuts or higher taxes" in the governor's budget submission.

But the technique that most worries deficit hawks in Washington involves transferring funds from one state agency to another to capture federal matching payments.

This is the method used in North Carolina. The loophole was left in the 1991 federal Medicaid law after intense lobbying by Texas and other states, which saw it as a way to ease their Medicaid financing problems.

North Carolina collects two federal dollars for every dollar it puts into the Medicaid program. Under a plan approved Feb. 15 by the U.S. Department of Health and Human Services's Health Care Financing Administration (HCFA), four state-run mental hospitals transfer about $100 million a year to the state Medicaid program. That counts as a state contribution to the Medicaid program, and qualifies North Carolina for about $200 million a year in federal matching funds.

After the federal money has been received, all the money is shifted to the accounts of the state mental hospitals. There, the $200 million in federal funds is considered to be a "surplus" that the state can use for any purpose.

The loophole is so blatant that even some North Carolina politicians, mindful of the nation's worsening budget deficit, have raised questions about it.

In March, the Charlotte Observer quoted House Minority Leader David Balmer (R) as saying, "The concept that states should completely pillage the federal treasury simply because it's there troubles me."

But House Speaker Dan Blue (D) said, "If we don't get it [the $200 million], some other state will."

Michigan has adopted the same technique. In January, HCFA approved a Michigan Medicaid financing plan for 1993-94 that involves the state transferring $489 million to the state-financed University of Michigan Hospital. The state will collect $275 million from the federal government—its 56 percent share of Medicaid payments. Then the entire $489 million will be turned back to general state accounts, sources said.

In March the Michigan Department of Management and Budget noted that the university hospital will receive "no material gain" from its cooperation, but added that the $275 million was "essential to balance the 1993-94 budget." Of the funds generated, about $135 million will probably be earmarked to various Medicaid programs, but the remainder will go to the state general fund, sources said.

Also in the works in Michigan, but not yet approved by HCFA, is a pass-through arrangement with more than 30 country-run long-term care facilities. Michigan officials hope to generate another $120 million in federal matching funds.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized.

Mr. SPECTER. Mr. President, the amendment offered by the distinguished Senator from North Carolina to make sure that moneys appropriated for Medicaid are actually used for Medicaid is a very fundamental one, to ensure that when moneys are appropriated they are spent for that purpose. That is a sound proposition.

I am advised that some of the moneys which are appropriated for Medicaid are spent for other medical purposes in a related way, and I am not sure as to all the details because I have only been considering this amendment in the few moments since my distinguished colleague from North Carolina offered it.

A suggestion has been made that two words be deleted from the amendment as they appear on the sixth line down under Medicaid so that the funds would be expended solely for providing medical assistance, deleting the words which follow "under Medicaid."

Frankly, I am not sure that is desirable to do, but it may be worthy of some consideration. I am just turning it over in my mind at the moment.

The illustration was given to me of someone who is homeless, for example, who is getting medical care at the hospital for Medicaid funds but who does not qualify for Medicaid.

I must say my own reaction would be if we appropriate money for Medicaid States ought to spend it for Medicaid. If someone has a collateral medical purpose that is very worthy, it ought to come to the Congress and we ought to consider it. I am just not quite sure about that.

What I would want to do is I would want to hear from the hospital and

others who have the problems in daily activity to see what their considerations are.

It may be that the appropriate course would be to accept the language which has been offered by the distinguished Senator from North Carolina and to work it out in conference and candidly to collaborate with Senator HELMS.

Mr. HELMS. If the Senator will yield, I think that is a great idea. I am ready to accept the exclusion of the two words providing there will be something in the report language to finalize whatever the conferees decide in their wisdom in conference. I think we all understand the problem.

Mr. SPECTER. That might be a practical solution, if my colleague will yield further, so that we can see exactly what is going on.

I personally believe that when we legislate the moneys ought to be spent for the purpose for which we have legislated.

I think the purpose of the amendment is a very valid one. I understand that some States have spent the money for things such as highways, which is far, far beyond the purview of what we have authorized.

When you have moneys appropriated under the highway trust fund and they go for other purposes, it is infuriating. If private citizens did that, they would be liable for a criminal charge for embezzlement or fraudulent conversion.

If we are to keep any handle at all on what we are doing in the Congress, we need to have respect for what Congress determines and the President signs.

So my instinct, subject to what my distinguished colleague from Iowa has to say, would be to accept the amendment of the Senator from North Carolina. He has expressed his willingness to strike the language "under Medicaid."

Mr. HELMS. Two words.

Mr. SPECTER. Two words, under the condition we cover it in the report language. I think that might be appropriate, and we can then make inquiries with the hospitals to see exactly what is going on perhaps. We will follow this up with broader statutory language to protect the integrity of Medicaid funds, with very strict limitations if there are to be any authorized uses beyond Medicaid.

The PRESIDING OFFICER. The Senator from Iowa is recognized.

Mr. HARKIN. Mr. President, this is a good amendment, and I am anxious to see the list of abuses the Senator is going to put in the RECORD. I would like to see that State by State. I have heard of some of those myself.

I wanted to inform the Senator I am informed by the administration that they are addressing this issue in the so-called health care reform package they are sending down, but obviously that will not be enacted this year. It will be some time next year. I think this is a good thing to have in place when we go into next year.

I am a little uncertain about striking the two words. I leave that to Senator SPECTER and Senator HELMS on that.

Mr. SPECTER. Mr. President, will my colleague yield?

Mr. HARKIN. I yield so the Senator can explain to me about that.

Mr. SPECTER. I thank the Senator for yielding.

The suggestion to strike the two words "under Medicaid," which would be within the purview of the Senator from North Carolina—since he has offered the amendment, he can authorize the modification—would be then to limit any funds which have been disbursed to the State for Medicaid purposes to be limited "solely for providing medical assistance." So that leaves that latitude. We can explore it further between now and the conference.

We may want to see to it either on this bill or another bill that we further limit the expenditures of Medicaid funds, but at least this modification would provide broader latitude. For the example, I cited the case of someone who is homeless who may not qualify technically for Medicaid but would receive health services by the States with Medicaid funds and that would not be barred by the amendment of the Senator from North Carolina.

Mr. HARKIN. Mr. President, I have no objection to either one of these amendments. I think they are both good amendments. I do not have an answer yet to the other question I raised.

Maybe there is some reason we have to leave that in there. I have no objection. I think it is good amendment and we will accept it.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. HELMS. Mr. President, on this issue I certainly trust in the conferees. They could put the two words back in. I am ambivalent about taking them out and putting them back in it.

I think the point is not lost on anybody as to what has been going on. I trust the conferees and certainly trust the managers of the bill to look after this amendment and make sure it is done for the American people and the American taxpayers.

I thank the managers of the bill. We got through before 12 o'clock, did we not?

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized.

Mr. SPECTER. Mr. President, I concur with the offerer of the amendment and my colleague from Iowa on the first amendment offered by the Senator from North Carolina and where I had not commented previously.

If Social Security disability benefits are being paid to people who have violated the law and who are in custody by virtue of being insane where their needs are being accommodated at governmental expense, there is no reason why they should be treated any differently than prisoners who are not entitled to Social Security disability benefits.

Again this is an amendment which I have not thought about or researched, but on its face it appears to be a solid amendment, and we can give it further consideration between now and conference and consult further with the Senator from North Carolina if any problem arises between now and that time.

So my inclination and judgment would be to accept this amendment as well as the other amendment.

The PRESIDING OFFICER. Is there further debate on the amendment?

Mr. HELMS. Just 1 minute. We are voting on the second amendment; is that correct?

The PRESIDING OFFICER. The Chair is about to say without objection, both Amendments would be agreed to.

Mr. HELMS. I want the yeas and nays on the first amendment.

The PRESIDING OFFICER. The pending question is Amendment No. 976.

Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. HELMS. I thank the Chair and thank the manager of the bill.

The PRESIDING OFFICER. Without objection, amendment No. 977 is agreed to.

So, the amendment (No. 977) was agreed to.

Mr. HELMS. Mr. President, I move to reconsider the vote.

Mr. SPECTER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. HARKIN. Mr. President, I ask unanimous consent that the pending committee amendments and the pending amendment be laid aside.

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

AMENDMENTS NOS. 978, 979, AND 980

Mr. HARKIN. Mr. President, I ask unanimous consent that it be in order to send to the desk three managers' amendments.

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

Mr. HARKIN. Mr. President, I ask unanimous consent that the amendments be agreed to en bloc, the motions to reconsider be laid upon the table en bloc; and that any statements be printed in the RECORD as if read.

I am offering the amendments on behalf of Senator BINGAMAN, Senator SIMON, and Senator DOLE.

The bill clerk read as follows:

The Senator from Iowa [Mr. HARKIN] proposes amendments numbered 978, 979, and 980, en bloc.

The amendments (Nos. 978, 979, and 980) are as follows:

On page 45, line 20, after "1994" insert "of which $5 million shall be used for 'State Planning for Improving Student Achievement Through Integration of Technology Into the Curriculum,'".

Mr. BINGAMAN. Mr. President, I understand this amendment has been agreed to by the managers of the bill. This amendment provides funding for State technology planning grants to be incorporated in the systemic statewide improvement plans required by the Goals 2000 legislation.

The children in our elementary and secondary schools face the most dynamic and rapidly changing workplace of recent history. While technology is redefining the industries that will employ them, technology is also the key to preparing our children for the complex world ahead.

Earlier this year I introduced the Technology for Education Act of 1993 along with my esteemed colleagues, Senators HARKIN, COCHRAN, and KENNEDY. This bill provides a vision and strategy at the Federal level, with funding to ease the effort by the State and local school districts to provide equipment, teacher training, and technical support, as well as incentives to develop the market for educational products.

Creative uses of technology by skilled teachers can change our outlook on education—making teachers and students partners in the quest for knowledge and the process of learning. I have chaired two hearings on this legislation over the last 2 months where we heard from a great number of students, parents, teachers, and administrators who shared examples of technology programs that have changed their lives and opened endless opportunities to explore the world of learning.

The problem we face, however, is that too few of these examples exist in the classrooms across our Nation. Our job at the Federal level should be to ease the burden on the State and local schools and to provide leadership and assistance in their efforts to reach the ambitious national education goals—as outlined in S. 1150, Goals 2000: Educate America Act.

The administration has placed a high priority on revitalizing education in America through systemic reform—which I strongly believe cannot possibly be achieved without technology as an integral part of the reform equation. In keeping with the goal of comprehensive, rather than patchwork educational reform, I am adding two key technology provisions from our legislation, S. 1140, the Technology for Education Act of 1993, to the administration's legislation, S. 1150 Goals 2000: Educate America Act.

I understand that the managers of this bill have agreed to allocate $500,000 from the departmental management fund within the Department of Education to fund the establishment of an Office of Educational Technology to be administered by the Director of Educational Technology, as well as $500,000,000 of the $116,000,000 appropriated for activities to be authorized by S. 1150 in order to fund the State technology planning grants.

I would like to submit, as part of the RECORD, a letter from Secretary Riley outlining the Department's support for these proposed provisions to the Goals 2000 legislation and for the corresponding appropriations allotted to the Department for this purpose.

I urge my colleagues to support this amendment, and I look forward to working with them in addressing comprehensive reform at all levels and the role technology can play in achieving these goals.

I ask unanimous consent that the letter from Secretary Riley be printed in the RECORD.

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

DEPARTMENT OF EDUCATION,
Washington, DC, September 28, 1993.

Hon. JEFF BINGAMAN,
U.S. Senate,
Washington, DC.

DEAR SENATOR BINGAMAN: I continue to appreciate your efforts and those of Senators Kennedy and Cochran in working to strengthen the role of the Department in the area of education technology. I was particularly pleased to hear of your efforts and those of Senators Kennedy and Cochran to act favorably on our legislative proposal for a new authority to carry out a range of leadership and other discretionary activities designed to promote the effective use of technology in meeting the National Education Goals.

I am pleased to tell you that we are committed to moving aggressively in the area of technology during the next fiscal year. We have already appointed a special advisor on technology, Dr. Linda Roberts, who has strong credentials in this area and who will ably represent the interests of the education community in the development of a national information infrastructure. An Educational Technologies Board consisting of representatives of all the Department's principal offices is now being created. Dr. Roberts will chair this Board and work with all of the principal offices of the Department in developing a comprehensive national long-range plan that will describe all the activities the Department will undertake to promote the effective use of education technology, including joint activities with other Federal agencies. Dr. Roberts will be able to call upon staff from throughout the Department as we move forward with implementation of the plan.

We are committed to initiating a number of activities in fiscal year 1994 directed at enhancing our capacity to provide leadership to the Nation in the use of technology to achieve the National Education Goals. These would include conferences, consultation with the education community and experts in technology, and other similar activities. At this point, we expect to spend at least $500,000 in 1994 to accomplish our short-term objectives. Our 1995 budget request will address our longer-term objectives.

I also understand that you have agreed to amend S. 1150, the Goals 2000: Educate America Act, to incorporate State technology planning as part of the systemic statewide improvement plans required by the legislation. If this proposal is enacted, we intend to use $5 million of the 1994 funds provided for Goals 2000 in the Education Reform account for this technology activity. Incorporating education technology in planning for systemic reform will help ensure that technology is effectively integrated into teaching students to learn to high standards.

Please let this letter serve as our commitment to significantly strengthen the Department's role in providing leadership in the area of education technology.

Yours Sincerely,

RICHARD W. RILEY,
Secretary.

Mr. COCHRAN. Mr. President, I am pleased to join the distinguished Senator from New Mexico [Mr. BINGAMAN] in sponsoring this amendment to designate $5 million of the $116 million provided in fiscal year 1994 for the Goals 2000: Educate America Act for statewide planning to integrate technology into the curriculum of America's K–12 classrooms. I thank the subcommittee chairman, Mr. HARKIN, and the ranking member, Mr. SPECTER, for agreeing to accept this amendment.

Senator BINGAMAN and I serve together on the National Education Goals Panel. Through our work with the goals panel, we have become convinced that our elementary and secondary students will have a much better chance of reaching our ambitious national education goals if teachers and students have access to technology in the classroom.

Evidence shows that creative uses of technologies by skilled teachers offer the promise to quickly and cost-effectively restructure education as we know it. Technologies help teachers create an environment where all students are afforded rigorous, rich classroom instruction at a pace that suits their learning style and in a way that gives them a more active role in the learning process.

For this reason, we have worked with Senator KENNEDY and other members of the Labor and Human Resources Committee to add two provisions relating to educational technology to the Goals 2000, Educate America Act which is currently on the Senate Calendar.

The first establishes an Office of Technology at the Department of Education to provide Federal leadership through the development of a national education technology strategy. The second authorizes modest funding for States to develop technology plans for the integration of technology into the curriculum of all elementary and secondary schools in the State as part of the systemic restructuring under the Goals 2000 legislation.

The Department of Education has already appointed a special adviser on technology to head up the Office of Technology and establish an internal technologies board consisting of representatives of all the Department's

principal offices to develop a comprehensive long-range technology plan. The Department has committed $500,000 of its fiscal year 1994 budget to provide staffing to carry forward the work of the Office of Technology whose activities are to be authorized as part of Goals 2000.

This amendment will set aside $5 million of the $116 million provided for the Goals 2000 legislation in this appropriations bill. The $5 million will be used by the Department of Education to allocate funds to States for activities included in the new section of the Goals 2000 bill entitled "State Planning for Improving Student Achievement Through Integration of Technology Into the Curriculum." It will incorporate State technology plans as part of the systemic statewide improvement plans required by the Goals 2000 legislation.

I hope we can receive from the Secretary of Education a report at next year's appropriations hearing on the status of both of these activities.

AMENDMENT NO. 979

(Purpose: To increase funding for the ACTION volunteer service programs and to make technical changes)

On page 63, line 6, strike "$203,287,000" and all that follows through the end of line 8 and insert in lieu thereof "$206,287,000: *Provided*, That, notwithstanding any other provision of this Act, including the provisos pertaining to consulting services under the heading Community Services Block Grant, no department, agency, or instrumentality of the United States Government receiving appropriated funds under this Act for fiscal year 1994 shall, during fiscal year 1994, obligate and expend funds for consulting services in excess of an amount equal to 94.975 percent of the annual estimated to be obligated and expended by such department, agency, or instrumentality for such services during fiscal year 1994: *Provided further*, That notwithstanding any other provision of this Act, the aggregate amount of funds appropriated by this Act to any such department, agency, or instrumentality for fiscal year 1994 is reduced by an amount equal to 5.025 percent of the amount to be expended by such department, agency or instrumentality during fiscal year 1994 for consulting services. As used in the preceding two provisos, the term 'consulting services' includes any service within the definition of sub-object class 25.1 as described in the Office of Management and Budget Circular A-11, dated August 4, 1993."

Mr. SIMON. Mr. President, I am grateful to Senator HARKIN for his leadership as a subcommittee chairman on the Appropriations Committee. With the honor of holding that job, he takes on a burden of making some very tough decisions—decisions that directly affect the lives and health of almost every American. The programs competing for funding in his subcommittee are ones that provoke strong feelings and tug at our heartstrings. In my view, they could not be in better hands. Our colleague has demonstrated over and over again his commitment to helping people who have no big lobbies, and no big campaign contributions to hand out, but who represent some of the most needed and also some of the most cost effective programs our Government supports. He is a champion for the people who need champions the most in our society.

One small example of this is his willingness to support programs such as VISTA and the Older American programs in the ACTION agency, programs that are highly respected and known to be cost effective, but don't have well-funded lobbyists behind them. I know how hard it was this year to balance all the requests from Members, from the administration and interest groups and keep within the subcommittee's budget. In that context, the original allocations for the ACTION programs, which simply level-funded the programs, were understandable. But Senator HARKIN has listened to the requests that I have made and Senator KENNEDY has made and has managed to restore funds to these programs.

Once again, Senator HARKIN has demonstrated his sensitivity to the real value of programs and the people they serve. I simply want to express my appreciation for that and for all the hard work he and his staff put into trying to make the right, tough decisions.

Mr. KENNEDY. I commend Senator HARKIN and his staff for working with us to find a way to ensure that VISTA, the Retired and Senior Volunteer Program and the Senior Companion Program will have funding increases for the coming year. The Foster Grandparent Program, which is equally deserving, had already been able to obtain a funding increase, so my attention has been focused on these three other meritorious programs.

These programs have proven time and again that they can accomplish vitally needed community service at very low cost. They are the hallmark of Americans at their best—working together regardless of background to improve their communities.

VISTA provides a model for involving low-income communities and grassroots organizations in building long-term capabilities to address neighborhood problems. They help adults and children learn to read, provide shelter and food to the homeless, and offer many other indispensable services.

Examples of the 31 VISTA programs in Massachusetts show the critical tasks they are accomplishing. VISTA volunteers are working with the Dorchester Vietnamese-American Civic Association to expand literacy programs, especially English as a second language classes for Southeast Asian refugees and immigrants; they also assist high-school-age Vietnamese-Americans to acquire useful employment skills. In Brockton, VISTA volunteers provide preventive health education and substance abuse information to homeless shelter residents. The Greater Boston Regional Youth Council uses VISTA volunteers in violence-prone neighborhoods to reduce acts of violence against ethnic minorities. In western Massachusetts, volunteers are helping the organization called Construct to obtain funds for low-income housing construction. Three VISTA volunteers are working with Boston Partners in Education to develop the Books and Kids Program to enhance the literacy skills of elementary school students. Many other inspiring VISTA programs are working well across the State.

The Senior Companion Program helps senior citizens to help one another. Those who are more mobile help provide care to those needing assistance. As Edith Courville of Massachusetts testified at a Labor Committee hearing last May, the pairing keeps her companion active and avoids the larger expenditures required when a senior citizen can no longer live independently.

Worcester, MA, has a wonderful Senior Companion Program which costs the Government only $1.60 per hour of service. The Age Center of Worcester helps senior clients by providing hospice care, taking clients on walks, performing light housekeeping, assisting in meal preparation or shopping, providing conversation, and participating in other projects.

The Retired and Senior Volunteer Program enables senior citizens to become involved in meaningful volunteer projects and reimburses them for the cost of materials, transportation and other out-of-pocket costs. The program taps into their wealth of experience at a Federal cost of only 60 cents per hour of service.

The Greater Lawrence RSVP Program involves 385 volunteers working in 23 different projects, many involving the growing Hispanic population. Multicultural RSVP volunteers serve as Head Start teacher aides, ESL instructors, recreation aides for community-policing programs and in a latchkey after-school program for children.

In Springfield, one of the RSVP projects has helped keep open the Florence Grammar School by using volunteers to help bridge budget gaps. The volunteers provide health checkups, fitness classes, line dancing and teaching.

The Hampshire Community Action Commission in western Massachusetts uses RSVP volunteers to provide day care for preschoolers of diverse ethnic and financial backgrounds. Yvonne and Peter Peterson have put in so many volunteer hours at the Cloverdale Cooperative Nursery School that many people there mistakenly believe they are paid staff.

These are only some of the creative and useful ways in which senior citizens can stay involved in their communities after they retire from paid employment.

I commend these programs and the volunteers who make them work so effectively. They are wise investments for our communities and the Nation, and I am delighted that we have been able to increase their funding, enabling them to expand their important services.

AMENDMENT NO. 980

(Purpose: To increase appropriations for payments under section 3 of Public Law 81–874 (Impact Aid)

On page 47, line 10, strike "$567,080,000" and insert "$563,780,000".

On page 47, line 11, strike "$123,629,000" and insert "$121,629,000".

On page 47, line 12, strike "$29,462,000" and insert "$34,762,000".

Mrs. KASSEBAUM. Mr. President, I would like to speak briefly about the amendment Senator DOLE and I have offered to assist school districts that are heavily affected by federally connected children. Section 3(d)(2)(B) of the impact aid law requires the Secretary of Education to make full impact aid payments to districts with 50 percent or more federally connected children. This is to ensure that these districts receive a minimum level of funding that is comparable to the State average. The law sets a high priority for these districts—they are clearly the most dependent on the Federal Government, and their funding needs are clearly a Federal responsibility. Failure to meet this obligation fully would be both irresponsible and unfair, as those districts and their State governments would have to make up the difference.

Although the estimated total need for heavily impacted districts is between $37 and $39 million this year, the bill caps their funding at $29 million. This defies the intent of the authorizing language. At this level, these districts will receive only about 76 percent of the funds they are entitled to under the law. For the Fort Leavenworth School District in Kansas, this would amount to a loss of almost $300,000. I understand that the cap on section 3(d)(2)(B) payments frees up more money for all other impact aid districts. I believe, however, that we should target the limited Federal resources we have to the neediest impact aid districts.

I had hoped we would be able either to eliminate the cap entirely or make up all of the $10 million deficit for these districts. We have taken a compromise position with our amendment, however, and shifted $5.3 million to section 3(d)(2)(B) payments. The amendment will ensure that heavily impacted districts receive more of the funding to which they are entitled.

Policy changes on the allocation of impact aid funds would best be addressed during reauthorization of the impact aid law, rather than on an appropriations bill. I look forward to working with my colleagues to address this issue comprehensively at that time. I thank the managers of the bill for accepting the amendment and Senator PELL for his willingness to work with us to reach this compromise.

The PRESIDING OFFICER. Without objection, amendments numbered 978, 979, and 980, en bloc, are agreed to.

So the amendments (Nos. 978, 979, and 980) were agreed to.

Mr. HELMS. Mr. President, have the yeas and nays been ordered on the bill?

The PRESIDING OFFICER. They have not.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. 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.

TELEMEDICINE, REACH MONTANA

Mr. BURNS. Senator HARKIN has provided tremendous leadership in the area of telemedicine, and I appreciate his efforts to use this advanced technology to improve health care delivery to rural and underserved areas. As he no doubt knows, there are numerous projects being developed across this country as well as some existing projects that need help with funding. Given the vast amounts of money that could be saved in reduced travel and duplicate tests and examinations, would the Senator agree that it is important to fund these new projects and continue the demonstrations now under way?

Mr. HARKIN. This is clearly a technology that will bring much-needed services to many Americans, not only in the area of health care, but in education, in business, and in community development. I certainly do believe this deserves our continued support.

Mr. BURNS. REACH Montana, a network proposed by the Montana Deaconess Medical Center in Great Falls, MT, will establish a consortium of rural community hospitals, physicians, and outreach facilities. The exciting thing about this proposal is that they will use plain old telephone services to bring specialty medical services to rural areas that cannot support their own specialists; it will connect rural providers with support, with medical information, library services, and continuing education—all vital elements to health care providers who practice in a State without a medical college.

The Montana Deaconess Medical Center has pledged in-kind logistical support, system maintenance, and personnel for this project, but require a sum of only $370,000 to cover the cost of the equipment. In a time when we are discussing millions and billions of dollars, this seems like a very small price to pay for the benefits these folks will reap. Just $370,000 will enable rural health care facilities in 20 locations to collaborate with a sponsoring tertiary organization to provide telemedicine, telecommunications, and distance learning to 122,193 people in 9 countries. That works out to be a one-time cost of only $3 per person.

A telecommunications link such as this one can literally mean the difference between life and death for folks in megarural portions of my State. And in the long run, the experience gained can be translated to help others across the country in similarly isolated areas. Would the Senator agree that this proposal would be of tremendous value not only to the residents in rural Montana but to those who need to explore alternative ways to deliver health care in rural and underserved populations?

Mr. HARKIN. It is not often we hear of projects that propose to do so much for so little. I would recommend that it be given every consideration.

Mr. BURNS. The Senator will be glad to know, also, that the senior Senator from my State, Mr. BAUCUS, has also been involved in trying to improve health services in rural areas through telemedicine and would certainly support these efforts.

EASTERN MONTANA TELEMEDICINE PROJECT

Mr. BURNS. Senator HARKIN is undoubtedly aware of the benefits of telemedicine. And his belief that this technology will help improve health care delivery to rural areas is indicative in his introduction of a bill to establish such demonstration projects. Given the tremendous value this technology provides and the savings that can be realized in reduced travel and duplicate tests and examinations, would the Senator agree that it is important to fund new projects and continuing projects?

Mr. HARKIN. By all means. This technology will no doubt be the saving grace to many rural communities as well as other underserved areas.

Mr. BURNS. The Eastern Montana Telemedicine Project, operated by Deaconess Medical Center in Billings, MT, proposes a phased-in demonstration project eventually reaching out to 24 rural facilities not only in Montana, but in Wyoming, North Dakota, and South Dakota. They are currently conducting a 6-month pilot of this network, extending health care services, education, and community development to five rural sites in eastern Montana. In order for this project to continue in its mission, though, money is desperately needed.

A total cost for this 24-site project would be $4 million. Senator HARKIN, I

realize that in a time when budgets are tight, coming up with specific funds for such projects are tough. However, with the emphasis on health care reform, and in particular on cost-effective delivery of services, I feel it is crucial to allow these types of projects to continue and to succeed.

Knowing the moneys available for telemedicine are limited, I am willing to stagger the payments. I would suggest $1 million in the first year, $2 million in the second year, and funds as necessary in the following years. I am aware that $7 million is appropriated for such projects and that, with the continued development of this technology, more money will likely be designated in coming years. Would the Senator agree that continuation of this demonstration project would be valuable not only to the residents in rural Montana, Wyoming, and North and South Dakota, but it would serve as a learning experience for other rural and underserved populations looking to improve their health care delivery?

Mr. HARKIN. This proposal sounds not only workable but vitally important to the survival of many communities in megarural States such as ours, and I would encourage the Department to give careful consideration to the project.

Mr. BURNS. The Senator will be glad to know, also, that the senior Senator from my State, Mr. BAUCUS, has also been involved in trying to improve health services in rural areas through telemedicine and would certainly support these efforts.

THE LIVING AT HOME/BLOCK NURSE PROGRAM

Mr. DURENBERGER. Mr. President, I would like to thank my colleague, the Senator from Iowa and the chairman of the Labor, Health and Human Services, Education Appropriations Subcommittee. In recognizing the success of the Living at Home/Block Nurse Program in its report to accompany H.R. 2518, the subcommittee was very generous in its support of this program, currently operating in a number of midwestern communities.

I would like to bring to the chairman's attention the recognition the program obtained under the Older Americans Act. The program is the model for a national demonstration project, the Neighborhood Senior Care Program included under the Older Americans Act amendments last year. The Neighborhood Senior Care Program would provide grants nationally to eligible entities to coordinate professional and voluntary services to assist the elderly in their own homes.

The Living at Home/Block Nurse Program currently provides coordinated, community-based assistance in many midwestern communities. The program organizes communities to provide older individuals at risk of institutionalization the opportunity to continue to live in the comfort of their own homes, rather than forcing them into nursing home care. That can result in substantial savings to Medicaid. It relies on volunteers and professionals in the community to meet the necessary health and social service needs of the frail elderly that are not being met by Medicare or Medicaid. Through these services, the program has provided nurse case management, prevention activities, and early intervention. And that has contributed to the welfare of our seniors.

I encourage the Congress and the Clinton administration to continue to support this program and its replication through the national health service grants under the Neighborhood Senior Care Program.

Mr. HARKIN. I appreciate the comments from my colleague from Minnesota. The committee does recognize the importance of the Living at Home/Block Nurse Program in caring for our elderly in their own homes rather than costly institutions. I am pleased that the design of the Living at Home/Block Nurse Program has been replicated in the national demonstration program, the Neighborhood Senior Care Program. I also encourage the administration to consider supporting the Living at Home/Block Nurse Program's replication through this national program.

Mr. DURENBERGER. I thank the chairman for his comments and support.

SMART PROGRAM

Mr. KERREY. I would like to bring to the Chairman's attention a program developed by the College of St. Mary in Omaha which promotes gender equity. SMART or Science, Math and Relevant Technology exposes young, female students, particularly those from disadvantaged backgrounds, to math and science education. SMART develops effective hands-on methods of teaching math and science to elementary girls and trains teachers techniques to stimulate interest in these academic areas. I am very impressed by this program and I believe it would be an excellent candidate for funds under the Women's Educational Equity Pprogram.

Mr. HARKIN. As the Senator has described SMART and its objective, I would agree that this is exactly the type of program Congress would view favorably for funding under the Women's Education Equity Program, and I hope their grant application will be given serious consideration.

Mr. KERREY. I thank the distinguished chairman of the subcommittee, and I look forward to working with him further on this program in the future.

NEBRASKA HEALTH CARE NETWORK

Mr. KERREY. I would like to ask the distinguished Senator a question. I have become aware of a project involving 15 communities and 11 counties in rural western Nebraska. They are developing a telecommunications network to link their small communities in order to improve the quality of health care in these communities and to build the infrastructure to support a managed care network. This model could be used to demonstrate its applicability to other parts of rural America. I assume this is the type of telemedicine project the Senator envisions funding through the Office of Rural Health Policy.

Mr. HARKIN. Although I am not familiar with the details of the Rural Nebraska Health Care Network, as the Senator has described it, it is exactly the type of telemedicine project we envisioned funding through the Office of Rural Health Policy, and I would encourage the Office of Rural Health Policy to carefully consider this project.

Mr. KERREY. I thank the distinghushed chairman of the subcommittee and I look forward to working with him on this project.

SEATTLE INDIAN HEALTH BOARD

Mrs. MURRAY. Mr. President, in April 1993, the General Accounting Office [GAO] published a report showing that the greatest need in Indian health care is for effective and scientifically sound alcoholism and drug treatment services. It stated that the information the Federal Government provided to document and measure substance abuse treatment and prevention for American Indian people is seriously lacking. Finally, the GAO recommended that collaboration between the Indian Health Service, the National Institutes of Health [NIH], and the Substance Abuse, Mental Health Services Administration [SAMHSA] is needed to identify strategies and resources to collect and evaluate data on the prevalence of chemical abuse and the nature and effectiveness of prevention and treatment programs.

In my State, the Seattle Indian Health Board [SIHB] has taken a leadership role in bringing together a network of scientific, research experts, Native American traditional healers and alcohol/drug counselors to help address these issues. The SIHB is working with the University of Washington, Alcohol and Drug Abuse Institute, the U.S. Veterans Affairs Medical Center's Addiction Treatment Center, the State of Washington and King County Substance Abuse Programs to establish an "American Indian Center of Excellence in Substance Abuse Treatment and Education." The SIHB has provided residential and outpatient treatment to American Indians and Alaskan Natives since 1972. It currently operates the Thunderbird Treatment Center, the largest urban Indian Residential Program in the entire Nation.

The University of Washington was rated among the top programs nationally in substance abuse research training in a survey of deans of schools of medicine. Many of those top scientists

have signed on as collaborators with the American Indian Center for Substance Abuse Treatment and Education. I believe that this combination of direct experience and technical science directly addresses the type of collaboration identified in the GAO's recommendation. The Fiscal Year 1994 HHS Appropriations Act includes several programs which could directly impact the recommendations of the GAO. In cooperation with the Indian Health Service, and in coordination with the SIHB, American Indian Center for Excellence in Substance Abuse Treatment and Education programs funded under this act could positively impact the deplorable problem of alcohol and drug abuse in Native American communities, and better document the science to measure our effectiveness in addressing these problems. Through the proposed Center for Excellence, we hope to better understand the problems of American Indians who suffer from both substance abuse and mental disorders. We also hope to better understand and better document what treatment modalities work and which do not work with American Indian people, paying particular interest to the value of traditional Native healing approaches. I would like to know how the SIHB American Indian Center for Excellence in Substance Abuse Treatment and Education could participate in the programs funded under this act to accomplish the vast improvements needed in the field of Indian alcohol and substance abuse treatment evaluation.

Mr. HARKIN. Mr. President, I want to thank my colleague from the State of Washington for bringing this matter to my attention. I commend the efforts of the Seattle Indian Health Board to develop an American Indian Center for Excellence in Substance Abuse Treatment and Education. In order to improve drug and alcohol treatment services for American Indians and Alaska Natives, I urge the National Institute on Alcohol Abuse and Alcoholism, the National Institute on Drug Abuse, and the Substance Abuse and Mental Health Services Administration to support projects like the American Indian Center for Excellence in Substance Abuse Treatment and Education.

NATIONAL ASSOCIATION FOR NATIVE AMERICAN CHILDREN OF ALCOHOLICS

Mrs. MURRAY. Mr. President, the Fiscal Year 1994 Appropriations Act for Labor, HHS, and Education provides funding under the Center for Substance Abuse and Prevention [CSAP] for the continuation of a national campaign for alcohol and substance education and prevention in Native American communities specifically targeting children of alcoholics. The National Association for Native American Children of Alcoholics [NANACOA], which is headquartered in Seattle, WA, has worked with CSAP to design and implement this national campaign for the past 2 years. I am pleased that CSAP has recognized the need to ensure that this campaign is culturally sensitive to Native American populations and that the materials, campaign design and social marketing strategies are based on perspectives relevant to Native Americans. As a Native organization, NANACOA has accomplished this task and is preparing to implement the campaign across the Nation in 1994.

NANACOA was incorporated in Washington State in 1988 by a geographically representative group of Native Americans from across the United States. In the past 5 years, NANACOA has had a tremendous impact on Native American communities. Through its newsletter "Healing Our Hearts," and the establishment of regional Native COA networks, NANACOA is providing support for children of alcoholics in Native American communities, with the ultimate goal to break the cycle of addictions within the family system. Over 4,000 American Indians and Alaska Natives have participated in the annual national training conferences sponsored by NANACOA. This December, NANACOA will host its fifth annual training conference in Albuquerque, NM, and expects over 1,000 participants. The national campaign currently being developed by CSAP and NANACOA offers Native communities in Washington State and all across the Nation with a positive prevention approach ingrained in the cultural strengths and resiliency of Native people. I want to thank the committee for their continued support for this important alcohol and drug prevention campaign in Native American communities.

Mr. HARKIN. Mr. President, the FY 1994 Labor, Health and Human Services, Education and related agencies appropriations bill includes funding to continue a national education and prevention strategy to address the alarmingly high incidence of alcoholism and substance abuse in Native American communities. I commend the efforts of groups like the National Association for Native American Children of Alcoholics to break the cycle of alcohol and drug addiction in Native American communities. I encourage the Center for Substance Abuse Prevention to support efforts to prevent the incidence of alcohol and drug abuse among Native American children of alcoholics.

UNIT COST FOR SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM

Mr. WOFFORD. Mr. President, I wish to engage in a colloquy with my distinguished colleague from Iowa, Mr. HARKIN.

I wish to express my support for H.R. 2518, the Fiscal Year 2994 Labor-HHS-Education Appropriations Act and to commend Members on both side of the aisle who worked cooperatively to make this measure a bipartisan bill. H.R. 2518 provides funding for several important programs for older Americans, including the Senior Community Service Employment Program.

At the outset, I want to emphasize that I fully support the $410.5 million appropriation level for the Senior Community Service Employment Program. However, I am having this discussion with my colleague, Mr. HARKIN, to address an important administrative matter regarding this program.

I am referring to the need for the Department of Labor and the Office of Management and Budget to update the unit cost formula for the Senior Community Service Employment Program to appropriately reflect annual increases in the minimum wage and in the rate of inflation. Since July 1, 1981, the Department of Labor and the Office of Management and Budget have made only three adjustments to the unit cost for the Senior Community Service Employment Program. These adjustments have increased the unit cost from $5,111 to $6,061 per enrollee. This represents an 18.6-percent increase. During the same time period, the Consumer Price Index—the Nation's yardstick for measuring inflation—has risen by 58.1 percent.

As a result, the Senior Community Service Employment Program is being stretched at the seams and rising programmatic costs—including health and liability insurance, workers' compensation, rent, and other costs—are threatening the operation of this very successful program. State and national sponsors cannot operate at their authorized levels throughout the program year and fewer eligible individuals are being served by the program, either as year-round or temporary enrollees. The existing unit costs is not sufficient to support the number of authorized community service positions for low-income older Americans.

For these reasons, I am asking my colleague from Iowa, Mr. HARKIN, to join me in urging the Department of Labor and the Office of Management and Budget to increase the unit cost to more accurately reflect the true cost of supporting one Senior Community Service Employment Program enrollee for 1 year. It is my understanding that the actual unit cost today—based on survey data from the national sponsors of the Senior Community Service Employment Program—is approximately $6,591. I urge the Department of Labor and the Office of Management and Budget to adjust the unit cost to this level, or to a level agreed upon in consultation with national sponsors of the program, and to then make annual adjustments to the unit cost to reflect increases in the minimum wage and inflation. Furthermore, I urge that adjustments to the unit cost be made incrementally so as not to decrease the number of enrollees served by the program.

Mr. HARKIN. The Senator from Pennsylvania has raised a good point

about the Department of Labor and Office of Management and Budget updating the unit cost for the Senior Community Service Employment Program. I agree that the Department of Labor and Office of Management and Budget should confer with State and national sponsors of the Senior Community Service Employment Program and make adjustments in the unit cost formula, if appropriate, as described by my friend and colleague, Mr. WOFFORD.

TELECONFERENCING

Mr. HOLLINGS. It is my understanding that the Department of Labor is currently supporting a teleconferencing program to improve quality systems in the domestic machine tool industry to improve the competitiveness of the domestic industry without reductions in wages and benefits. I applaud the Department's support of this program and encourage the Department to continue its assistance to this important effort by this critical sector of the U.S. economy.

Does my colleague agree with my analysis?

Mr. HARKIN. Yes, Senator, I agree.

THUNDER CHILD TREATMENT CENTER

Mr. SIMPSON. I appreciate the opportunity to engage in a brief colloquy with the manager of the bill concerning subcommittee funding for the treatment improvement grants administered by the Center for Substance Abuse Treatment [CSAT]. I know my two colleagues from the State of Montana have shared my ongoing concern that an estimated 80 percent of the Native American population over the age of 14 living in Wyoming and Montana have substance abuse problems. Having recognized the scope of this problem, the Federal Government must do a better job of providing treatment alternatives for those living in rural communities. Does this bill provide funds intended to help address this problem?

Mr. HARKIN. The Senator is correct. I appreciate the concerns expressed by the Senator from Wyoming, and the Senators from Montana. The committee is aware of the success rate of treatment of Native American populations in culturally specific residential treatment programs, and recognizes the particular treatment barriers that exist in rural communities. Therefore, we have encouraged the Director of the Center for Substance Abuse Treatment to make funds available to support grants for Native American nonprofit primary residential treatment programs.

Mr. BURNS. If I might further inquire of the bill manager, am I correct in assuming that the circumstances facing the Native American populations in the States of Montana and Wyoming led the committee to make this recommendation to the Director of the CSAT? I know my colleagues and I have been most impressed with the work being done at the Thunder Child Treatment Center in Sheridan, WY. This nonprofit treatment program has been operating since 1971, and has earned an exceptional reputation for providing chemical dependency treatment and rehabilitation services specifically aimed at Native American adults, adolescents, and families. The board of directors at Thunder Child contains representatives of all the federally recognized tribes in Montana and Wyoming. Would this program be eligible for funding under the CSAT Program.

Mr. HARKIN. The Senator is correct, the Thunder Child Treatment Center would be an excellent candidate to receive such funding.

Mr. BAUCUS. I want to express my personal appreciation to the manager of the bill for his strong leadership in providing additional funds for substance abuse treatment. And I want to specifically thank him for recognizing the urgent need for providing funds aimed at assisting Native Americans living in rural communities. The support this effort has received crosses party lines, and the work being done at Thunder Child has a positive impact in both my State of Montana and in Wyoming. On behalf of the tribes from our two States, I want to express appreciation for the chairman's strong expression of support for their effort to secure funding of this important program.

Mr. HARKIN. I thank the Senator for his kind remarks, and I thank each of the Senators for bringing this program to the committee's attention. Please be assured of my continued interest in this effort.

CHILDREN'S MENTAL HEALTH SERVICES

Mr. WELLSTONE. Mr. President, I would like to engage my good friend from Iowa in a colloquy on a critical item in the fiscal year 1994 Senate Labor, Health and Human Services, and Education Appropriations bill. On September 14, the Senate Appropriations Subcommittee on Labor, Health and Human Services and Education marked up its spending bill for fiscal year 1994. While I recognize that my colleagues were under tremendous pressure to stay within strict spending caps, the Children's Mental Health Services Program, in the Center for Mental Health Services, received an appropriation in the Senate subcommittee of $15 million, which was $25 million less than the House recommended level. There are between 3 and 4 million American children with serious emotional or behavioral disturbances. It has been reported that only one-fifth of these children receive appropriate services.

Mr. HARKIN. Mr. President, I regret that the subcommittee was unable to provide more funding for the Children's Mental Health Services Program and want to assure my colleague from Minnesota that I am committed to increasing funding for this program. Funds will be used to help States develop and operate comprehensive, community-based mental health services for children with serious emotional, behavioral, or mental disorders so that children and their families can find the range of services they need close to home. Despite severe budget constraints, the Senate restored funding for the substance abuse and mental health block grants and tripled funding for Children's Mental Health, increasing the funding level to $15 million.

Mr. WELLSTONE. I appreciate the chairman's diligent work in committee, but without greater Federal attention to these children and youth with serious emotional disturbances, these children will continue to go without necessary community-based and coordinated services. Our States are spending millions of precious dollars financing out-of-State institutionalized treatment for their children merely because care is not available on the community level. I have heard from many people in my State from parents to educators; from child welfare authorities to the children themselves; all with a common message. The message is that without appropriate Federal funding for the provision of these services, children will be left without needed care, consequently, I would urge the chairman to yield to the House figure when this bill goes before conference.

Mr. HARKIN. Mr. President, I will give careful consideration to the views of my colleague from Minnesota as the Senate works to resolve differences with the House during conference negotiations on H.R. 2518.

MENTAL HEALTH COUNSELORS

Mr. HATFIELD. If I may inquire of the manager of the bill, I am advised that under current law, the clinical training grants administered by the Substance Abuse and Mental Health Services Administration through the Center for Mental Health Services are limited to the mental health disciplines enumerated in the Public Health Service Act. I understand that the Senator from Iowa has considered extending the eligibility for such clinical training grants to the counseling profession, as a means of encouraging these professionals to serve rural and other underserved populations. Has the bill manager made a determination on how to proceed in making counselors who are earning advanced academic degrees at the masters and doctoral level eligible to receive clinical training grants?

Mr. HARKIN. I thank the Senator for his interest in this matter. The counseling profession is not now listed within the Public Health Service Act as a core provider, which currently includes psychology, psychiatry, nursing, marital and family therapy, and social work. In light of the fact that the educational and professional requirements

in the counseling profession are comparable with other enumerated disciplines in the Public Health Service Act, I believe the act should be amended to include counselors. I understand that the relevant authorizing committee, the Senate Committee on Labor and Human resources, on which I serve, will be considering amendment to the Public Health Service Act during the 103d Congress. I intend to urge the chairman, the Senator from Massachusetts, to give favorable consideration to this effort to include counselors as a core provider under the Public Health Service Act.

Mr. HATFIELD. I appreciate being advised of the Senator's interest in this matter, and will be happy to join in this effort.

FUNDING FOR MINORITY TEACHERS

Mr. SPECTER. I would like to engage my colleague, the distinguished chairman of the Subcommittee on Labor, HHS and Education appropriations in a colloquy on the subject of funding for the new program designed to encourage minorities to enter teaching under title V, part E, subpart 2 of the Higher Education Act. As the chairman knows, this program was initiated in the other body before there was an authorization in the 1992 Amendments to the Higher Education Act.

Mr. HARKIN. The Senator from Pennsylvania is correct. I believe Congress provided $1 million in fiscal year 1991 and $2.5 million in fiscal year 1993, and the Department is in the process of awarding the fiscal year 1993 funds at this time.

Mr. SPECTER. I am somewhat concerned about the lengthy delay in the Department's peer review and grantmaking process which may have disrupted at least one consortium of historically African-American, predominantly Hispanic, and majority institutions which were engaged in a pipeline-building effort. Such ongoing efforts must be built upon and sustained if we are to make significant progress in encouraging minority youth to pursue a career in teaching.

Mr. HARKIN. I share the Senator's view completely. In fact, one of the participating institution's in the Consortium for Minorities in Teaching Careers is the University of Iowa, which provides the evaluation component for the consortium's collective efforts. It is clear that the Department's 1-year delay in awarding the fiscal year 1993 funding disrupted the programmatic continuity that had been developed over the past 2 years, and caused the activities being provided to middle and high school students to cease.

Mr. SPECTER. The consortium should be commended for initiating this concept and for working to secure a congressional authorization and appropriations for this important program. As is the case with other Federal education programs, additional resources are required to continue the consortium's fine work and to fund other quality programs in this area. I hope the Senator from Iowa will work with me next year to increase funding for this program—which is supported by the Clinton administration—and which represents an essential element in our efforts to increase minority student retention and academic success in elementary and secondary education.

ELLENDER FELLOWSHIPS

Mr. JOHNSTON. Mr. President, I would like to engage the distinguished chairman of the subcommittee in a brief discussion about an extraordinary program by an organization that I have worked closely with for many years—the Close Up Foundation.

As many of my colleagues know, the Close Up Foundation's program brings students and educators to Washington for a week-long program on government and current issues. One of the principal distinguishing features of Close Up is its unique outreach to every disadvantaged constituency in America. The Close Up program is the only one of its kind that focuses efforts on including students who are at the edge, who are at a risk of dropping out. Students who are hearing impaired, visually impaired or orthopedically handicapped, students who are recent immigrants to this country, students whose parents are migrant workers, and, of course, students who are economically disadvantaged. Close Up's success in reaching diverse groups of students has been due largely to the Allen J. Ellender Fellowship Program, named in memory of the late Senator from Louisiana.

I know the committee has recommended $4.223 million for the Ellender Fellowships and has imposed two conditions on receipt of those funds. It is the second of those conditions—the matching requirement—that I would like to discuss with the subcommittee chairman.

Both the House and Senate bills stipulate that the Foundation match Federal dollars for student fellowships on at least a 1-for-3 basis in 1994 and at least a 1-for-2 basis in 1995."

It is my understanding that because the Foundation has recently lost a major sponsor and has had some difficulty in identifying new sources of comparable private contributions, the Foundation believes it may not be able to comply with the matching requirements specified in the House and Senate report language. I also understand that the chairman of the subcommittee is aware of these concerns, and intends to explore the consequences of the matching requirement during the House-Senate conference on H.R. 2518.

Mr. HARKIN. The Senator from Louisiana is correct. I am aware of the concerns raised by the Close Up Foundation regarding the matching requirement, and I intend to discuss this issue with Chairman NATCHER when we go to conference.

THE CLOSING OF ALASKA PULP CORP. MILL IN SITKA, AK

Mr. MURKOWSKI. Mr. President, I rise today to bring to the chairman's attention an extremely serious economic situation which we are facing in southeast Alaska. On September 30, 1993, the Alaska Pulp Corp. [APC] mill in Sitka will close indefinitely.

The closure of the pulp mill in Sitka, the dominant employer in the community, is a result of Federal resource and environmental policies. The lack of similar jobs in this resource-based economy necessitates a major effort in retraining. The effect of the mill closure on this small isolated community, once the full impact hits, will be devastating, but could be greatly relieved by dislocated worker assistance programs funded in this bill.

Mr. President, I would like to take the time to explain to the chairman the intricacies of this problem. Southeast Alaska is home to numerous small communities located on islands or on thin strips of mainland lying between the coastal mountain ranges and the waters of the Inside Passage. The vast majority of acreage in southeast Alaska is taken up by the Tongass National Forest, the largest national forest in the United States. During the 1950's, in an effort to bring a sustainable timber industry to southeast Alaska, the Forest Service negotiated two 50-year contracts with companies which built large mills in Ketchikan and Sitka. The timber industry brought economic stability to the region.

The closure of the APC mill is due to numerous and complex factors, but among the most important have been the withdrawal of timber production of most of the Tongass National Forest and the enactment of stringent Federal laws, regulations, and policies. These factors have severely limited the timber supply, required major capital investments, and increased the cost of production.

The priorities of Federal decisionmakers in Washington, DC, will severely affect our local economy. Sitka will lose more than 400 direct jobs. These direct jobs lost, combined with the indirect employment affected by the closure of APC, impacts about 20 percent of the community's 8,800 residents. The people of these small, isolated communities will experience a serious economic downturn.

I know that one of the administration's and the chairman's subcommittee's high domestic priorities is to help communities which have been devastated by Federal policies regain economic self-sufficiency. I applaud him for recognizing in your subcommittee report the priority that should be given to the workers in the Pacific Northwest who will lose their jobs due to Federal timber policies.

Mr. President, is the situation that I described above the type of situation to which this language on page 11, 12 under the title of "dislocated worker assistance" in the subcommittee report refers?

Mr. HARKIN. Yes.

Mr. MURKOWSKI. The State of Alaska has recently applied for discretionary funding under the [JTPA], Job Training Partnership Act, title III, National Reserve Program, in the U.S. Department of Labor. I am aware that the Appropriations Committee Subcommittee on Labor, Health and Human Services, and Education has increased the dislocated worker assistance appropriation for 1994 from the previous year by almost $500 million and that the Secretary of Labor receives 20 percent of this total appropriation as discretionary funds.

I cannot think of a more appropriate scenario than the one I have presented to you for the use of these funds. Does the Senator agree that the expenditure of these discretionary funds on the relocation and retraining of the workers who will lose their jobs in just a few days due to the closure of the APC plant in Sitka is an appropriate expenditure of such funds?

Mr. HARKIN. Yes, the committee expects that the Department will give expeditious consideration to applications for emergency assistance like the application submitted by the State of Alaska for the dislocated workers of the APC plant in Sitka.

THE NATIVE AMERICAN LANGUAGES ACT

Mr. MURKOWSKI. Mr. President, I would like to complement the chairman and the ranking minority member of the Senate Labor, Health and Human Services, Education, and Related Agencies Subcommittee on Appropriations for recommending a budget increase of $5,493,000 for the Administration for Native Americans. I am also pleased to see the committee supports the Native American Languages Act (Public Law 102-524).

As the chairman knows, Alaska's indigenous languages face a critical time. Out of the 20 original native languages spoken in Alaska, only two, Siberian Yupik and Central Yupik, continue to be spoken by children. The other 18 Alaska Native languages face extinction early in the next century. The Native American Languages Act will help enhance and preserve many of these languages.

Mr. President, as I mentioned, the Appropriations Subcommittee on Labor and HHS recommended a $5,493,000 increase for the Administration for Native Americans budget for fiscal year 1994. Does this increase represent a commitment by the subcommittee to support funding for the Native American Languages Act?

Mr. HARKIN. Yes, there is sufficient funding in the Administration for Native Americans fiscal year 1994 budget to support the Native American Languages Act. For this reason, I urge the Administration for Native Americans to begin funding the Native American Languages Act during the fiscal year 1994 budget period.

Mr. INOUYE. Mr. President, I commend the Senator from Alaska for his expression of concern over the prospective loss of Native American languages in Alaska, and I thank him for the clarification he has obtained from the chairman of the subcommittee. It was the threat of the loss of Native American languages, the inseparable connection between languages and culture, and the need of tribal governments for assistance in their efforts to preserve their languages that led the Congress to approve the Native American Languages Act of 1992.

At the Committee on Indian Affairs' hearing in June 1992, linguist testified that, although 155 native American languages were still spoken or remembered, perhaps only 20 were spoken by persons of all ages. Further, because some languages are spoken only by the old or very old, they forecast that by the year 2000, as many as 45 languages could be lost forever. It was the conclusion of the committee that the competitive matching grant program it authorized could help defeat that forecast. To be assured that funding for the program is included in the budget, is very good news to Indians and other Native Americans and to all who care about the continuation of the cultures of the indigenous peoples of America.

Mr. SPECTER. I concur with the remarks made by Senator HARKIN, Senator INOUYE, and Senator MURKOWSKI. The Native American Languages Act is an important program that should receive funding during fiscal year 1994.

Mr. MURKOWSKI. I thank Senator HARKIN, Senator INOUYE, and Senator SPECTER for their commitment to the Native American Languages Act. The Native American Languages Act is a good public law that deserves the support of Congress and the President of the United States. I urge the Administration for Native Americans to begin funding this important public law in fiscal year 1994.

NATIONAL INSTITUTE ON DRUG ABUSE'S MEDICATIONS DEVELOPMENT DIVISION

Mr. BIDEN. I want to thank the chairman, Senator HARKIN, and the ranking member, Senator SPECTER, for their work on behalf of the fight against drug abuse in this bill. I wish to underscore the commitment of this bill to a particular and valuable area of the drug treatment effort—research and development of medications to treat drug addiction. I also wish to point out that the President has recently been briefed by some of the Nation's leading pharmacotherapy researchers, and I understand the President is supportive of efforts to develop these medicines. As I understand the position of the chairman and ranking member, more resources are desperately needed in this area and the NIH and NIDA Directors are encouraged to augment this effort within the funds appropriated in this bill.

Mr. HARKIN. I agree with Senator BIDEN. The NIDA Medications Development Division is a particularly promising area of drug treatment research. The committee intends that the Medications Development Division's effort be supported by the NIDA Director, within the funds appropriated in this bill. The committee also intends that resources made available to support activities of the Decade of the Brain Program should include efforts to support research in the important effort to develop medicines to treat drug addition, an area where the Medications Development Division has demonstrated outstanding research.

Mr. SPECTER. I agree with the statements of both Senator BIDEN and Senator HARKIN. The national effort against drug abuse requires research and development of medicines that treat drug addiction. In the 2 years since the Medications Development Division was established, I have been encouraged by the progress of their research and I wish to further emphasize the committee's strong bipartisan support for funding this effort with the funds appropriated in this bill. I also fully endorse the committee's intent that resources supporting activities of the Decade of the Brain Program should support and closely coordinate with the research undertaken by the Medications Development Division.

Mr. BIDEN. I thank Senators HARKIN and SPECTER for clarifying the committee's support for the Medications Development Division and research and development of medications to treat drug addiction. I yield the floor.

STUDENT LITERACY AND MENTORING

Mr. KENNEDY. I want to ask the distinguished subcommittee chairman about the Student Literacy and Mentoring Corps and their intent with regard to funding the program in conference.

As the chairman knows, the Student Literacy and Mentoring Corps, housed at the Department of Education, funds service learning programs in institutions of higher education. In such programs, college students take for-credit classes that have a clinical component involving tutoring illiterate adults or children.

It is estimated that 10 percent of all tutors nationwide in literacy are funded out of this program, all at very low cost.

In Massachusetts, various institutions of higher education such as Stonehill College, Boston University, and Bunker Hill Community College have developed self-sustaining literacy programs with initial seed grants of $50,000 or less.

An evaluation underway shows that the program is taking root and is increasingly successful. The program structure was improved last year in the reauthorization process. In addition, service learning programs, which were exceedingly rare at colleges 5 years ago, are becoming more common, and this Federal program has been a catalyst for this development.

The philosophy of service-learning treats students as a capable and energetic resource which can be enlisted in improving their community. It sees education as an active process and incorporates an understanding that young people learn not just from books and lectures but also by being directly and cooperatively engaged with their classmates in projects outside of the classroom. Colleges are seeing the benefits of using these methods to ensure that the curricula are relevant.

The House appropriations bill approved $1.0 million for the program in fiscal year 1994. The Senate bill does not fund the program. I urge the distinguished chairman to recede to the House in conference and support this important program. When the evaluation is complete, we can determine what the appropriate longer-term funding level should be.

Mr. HARKIN. I appreciate the Senator's comments. It sounds as though the Student Literacy and Mentoring Corps is designed to achieve important goals and is improving. I understand that there are 173 grants outstanding for fiscal year 1994. How would the chairperson recommend we allocate the $1 million in funding across these 173 grants?

Mr. KENNEDY. It is my understanding that there is wide variation in these programs that were funded, ranging from excellent to average. Given that the $1 million would be inadequate to allow all these programs to continue, I would recommend that the Department of Education fund the best programs. I would urge the Senator to incorporate conference report language which directs the Department of Education to determine an equitable manner for distributing the $1 million in funding across the 52 programs which had excellent evaluation scores on their applications of 95 or higher.

Mr. HARKIN. I appreciate the Senator's remarks and will strive to achieve these goals.

Mr. KENNEDY. I thank the Senator.

FIBROMYALGIA

Mr. HATCH. Would my colleague, the distinguished ranking minority member of the Appropriations Labor, Health and Human Services, and Education Subcommittee engage in a colloquy on a very important topic: fibromyalgia?

Mr. SPECTER. I would be glad to do so.

Mr. HATCH. The Utah Chapter of the Arthritis Foundation and its Fibromyalgia Education and Support Group have made me aware of how serious this mysterious disease is. I understand it is the second most prevalent rheumatic disease. It is extremely disturbing because, at present, there is no known cause or cure.

In fact, I was surprised to learn that it affects 3 to 5 percent of the general population. Most affected are women. Some believe it is the most common cause of pain in women between 20 and 55.

Mr. SPECTER. I am familiar with those statistics. As my colleague knows, the committee is very interested in fibromyalgia. It is a serious disease.

In our report on the fiscal year 1993 budget for the National Institutes of Health, the committee directed NIH to provide a report on fibromyalgia research, including information concerning grants awarded, cooperative agreements, intramural research, overall research priorities, and a plan to address those priorities.

Mr. HATCH. Can the Senator bring me up to date on this?

Mr. SPECTER. Yes. NIH provided its report to the committee early this year. They followed it up with a workshop on May 19, which the committee found commendable.

Mr. HATCH. I am concerned that we do all we can to learn the cause of this disease and how to treat it. Does the Senator believe the funds provided for NIH in this legislation are adequate to do that job?

Mr. SPECTER. As the Senator from Utah knows, we always wish we could provide more funds to NIH than we have available. The committee believes that NIH should aggressively pursue stimulating interest in both basic and clinical research on fibromyalgia. We feel we have provided sufficient funds to increase significantly support for this important research, most notably neoendocrine abnormalities.

Mr. HATCH. I thank my colleague for this. As the Senator said, this is very serious, and I would like to work with him to provide whatever support is needed.

Excepted committee amendments on page 9, line 23 through page 10, line 7; page 42, line 20 through page 43, line 2; page 45, lines 7 through 25; and page 63, line 14

Mr. HARKIN. Mr. President, I ask unanimous consent that all remaining committee amendments be agreed to en bloc.

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

The committee amendments agreed to en block are as follows:

Page 9, line 23, through page 10, line 7; page 42, line 20 through page 43, line 2; page 45, lines 7 through 25; and page 63, line 14.

Mr. HARKIN. I move to reconsider the vote by which the committee amendments were agreed to.

Mr. SPECTER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. CAMPBELL). Without objection, it is so ordered.

Mr. SPECTER. Mr. President, while there is a lull in the action and my distinguished colleague from Iowa is not on the floor, and since I will not be able to be present after the final vote, assuming we have the schedules we have discussed for the final votes, I want to take a moment to congratulate the distinguished Senator from Iowa [Mr. HARKIN], for his outstanding work on this very complicated bill. I would also like to thank the distinguished chairman of the Appropriations Committee, Mr. BYRD, from West Virginia, for his continuing help, and also the ranking Republican, Senator HATFIELD, for his cooperation.

It is a difficult bill, because notwithstanding the fact that we have $260 billion total in budget authority, with some $67 billion for discretionary accounts, which is not enough money to go around—I see Senator HARKIN has returned to the floor, and I know he agrees with that proposition because we talk about it frequently—it takes very extraordinary staff work to put this bill in shape. There is extraordinary staff work on the floor and very long hours.

On the minority side, Craig Higgins, Bettilou Taylor, and Meg Snyder have done truly outstanding work not only on this bill, but they are constantly working not only with Senator HATFIELD and myself, but also with all the members of the subcommittee, really all the members of the Appropriations Committee; beyond that, all the Members of the Senate. They are available for advice and consultation. They have long service.

On the majority side, outstanding work has been done by Ed Long, Jim Sourwine, Carol Mitchell, Bill Cordes, Roberta Jones, Carol Ortega, Susan McGovern, and Gladys Clearwaters.

I want to acknowledge my appreciation for their efforts since, as I say, I will not be able to be here after the final vote later this afternoon.

I thank the Chair and yield the floor.

Mr. BYRD addressed the Chair.

The PRESIDING OFFICER. The Senator from West Virginia, [Mr. BYRD] is recognized.

Mr. BYRD. Mr. President, I thank the distinguished Senator from Pennsylvania for his kind reference.

RETIREMENT OF SENATOR DON RIEGLE

Mr. BYRD. Mr. President, on Tuesday of this week, to the surprise and sincere disappointment of his many friends here in the Senate and to the hundreds of thousands of his constituents in Michigan, Senator DON RIEGLE announced his intention that this will be his last term in the Senate.

Mr. President, I have enjoyed a long friendship with the senior Senator from Michigan and, on more than one occasion, especially during my years as the leader of the Democratic Party in the Senate, I have benefited from the working relationships with Senator RIEGLE on a range of issues coming before the Senate. I have appreciated that quality of comradeship with Senator RIEGLE, as well as our genuine friendship. Likewise, I have appreciated the keen perception and the sheer energy that Senator RIEGLE has brought to our work together here in the Senate.

I have often observed that when Senator RIEGLE chooses sides on an issue, that issue has won for itself a powerful advocate and a faithful friend, as well as a voice to which many of our colleagues listen seriously, for its persuasive quality and its cogency.

Above all, however, Senator RIEGLE's retirement means that the citizens of Michigan will be losing one of their most ardent champions on the national level.

Often, some critics of the Senate decry the "boosterism" that they accuse Senators of exercising here in the Senate on the floor and in the committees. But that so-called boosterism is one of the reasons that States elect their Senators. If a Senator stands up for and speaks out in support of the interests of his or her own State, is that not one of the reasons for which he or she was elected? That is the nature of representative democracy in this Republic. And in his advocacy for the interests of the State of Michigan, Senator RIEGLE has been determined rational and impassioned, and the citizens of Michigan will miss Senator RIEGLE, as will the Senate and as will I when his term ends next year.

In announcing his decision to retire from the Senate, Senator RIEGLE highlighted a dimension of Senate membership that some of the Senate's harshest critics too often overlook in their glib attacks on this institution. Senator RIEGLE cited the sacrifices of family life that Senate duty demands of many of those who choose to serve in this body. For all those who must sacrifice to represent their home States and the Nation and their families, their families too often must sacrifice even more.

Long hours, loneliness, and separation are only some of the negatives that the spouses and offspring of Senators must be prepared to suffer in behalf of a serving Senator. Unfortunately, those sacrifices have become too overbearing for Senator RIEGLE and his family, and I can grasp the weight of those sacrifices in convincing Senator RIEGLE to seek redress for his family by retiring from Senate service.

But, Mr. President, I have long believed in an intangible quality to membership in the Senate. In the lengthy history of this body, out of millions upon millions of men and women who have peopled this Republic, the cumulative membership of the Senate has not yet reached the 2,000 mark. Think of that. In barely more than two centuries, fewer than 2,000 men and women—as a matter of fact, to be exact, 1,815—have carried the title of U.S. Senator.

That is a high challenge. That is a choice association. That is a sacred calling for service to the Nation, to the States, and to the people. This is the only forum of the States under the Constitution. This is the one forum in which all States are equal—the large and small, the most populous and the least populous. All are equal here, in this forum of the States—the United States Senate.

I hope then, Mr. President, that Senator RIEGLE will always remember that he is our friend, and that, as he moves on with his life, he will carry with him a knowledge of the special affection that we feel toward him. Likewise, I hope he will realize to the fullest the pride to which he has a right, as being numbered among such a select group of men and women who, in the long history of our country and in the United States Senate, have sat in this Chamber and its predecessor quarters helping to shape the destiny of America and the history of the world. That, after all, Mr. President, is the duty to which Americans chosen to carry the great and high and honorable title of U.S. Senator are called by a Providence higher than any of us can conceive.

RETIREMENT OF SENATOR DECONCINI

Mr. BYRD. Mr. President, as in every Congress, as the next cycle of elections approaches, some among our colleagues begin wrestling with the existential question of running for reelection or turning to other pursuits in lives and careers that understandably offer other options and that feel the pressure of other duties and commitments. With regret, I listened some days ago to Senator DENNIS DECONCINI's announcement that he did not plan to stand for reelection as his current term expires next year.

Senator DECONCINI has brought to his service in the Senate a quality of thoroughness and commitment and dedication, yoked to an understated warmth of personality and an appealing quality of gracious humility. Senator DECONCINI has been a hard-working Senator and has brought a mature self-discipline to his duty among us. I know I speak for all of our colleagues in saying that the Senate in the years ahead will miss Senator DECONCINI's special contributions.

I will miss him. He has been a faithful, hard-working, diligent member of the Appropriations Committee, of which I am the chairman.

Having said these things, I must add that, like Senator DECONCINI, I have long felt uncomfortable with the current process of seeking funds for reelection to the Senate, and I sought again and again, when I was the majority leader in this body, to support legislation to put a collar on the interminable money chase on which a Senator must embark if he or she senses a calling to Senate service and hopes to follow that sense of vocation.

When I was first elected to the Senate from West Virginia in 1958, I ran on the same ticket, the same year, with our former colleague, Senator Jennings Randolph. He ran for the unexpired term of the late Senator M. M. Neely, and I ran for the full 6-year term that year. Together, in the 1958 races for U.S. Senators from West Virginia, Jennings Randolph and I spent a combined total of roughly $50,000. By today's standards, $50,000 in a West Virginia election campaign would not underwrite a week's efforts, perhaps, for one Senate candidate, not to mention two candidates.

Be that as it may, I can understand Senator DECONCINI's concerns about having to launch another race for campaign funds, and I respect his decision. I particularly regret, however, the loss of a Senator who again and again has taken courageous stands, such as he did in his statesman-like support of the Panama Canal Treaties.

I can very well remember that great debate on the Panama Canal Treaties, when we needed two-thirds of the Senate to approve the ratification of those treaties. We mustered two-thirds plus one vote for each of those treaties. It was with the help of Senator DECONCINI that we were able to adopt that very historic milestone in the annals of our foreign relations.

And there have been other issues of decision wherein Senator DECONCINI chose a vote that he knew might not be popular, but that he believed was right, in the best sense of the word.

I know that, given his warm personality and his agile intellect, Senator DECONCINI will go forward into some new career after his retirement from the Senate. I wish him every success and every happiness wherever his destiny leads him.

RETIREMENT OF SENATOR METZENBAUM

Mr. BYRD. Mr. President, the 1994 general elections are more than a year

away. In spite of that time lead, several Senators have already announced their intention not to stand for reelection as the new election cycle dawns. Among the first to announce his decision not to run next year has been Senator HOWARD METZENBAUM from Ohio.

Senator METZENBAUM has been in politics after a full and successful business career in Ohio. Since winning a full Senate term in 1976, Senator METZENBAUM has established himself as a man of sincerely liberal conscience, speaking out here in the Senate on behalf of causes dear to his heart where some others might have feared to tread.

In that process, Senator METZENBAUM has won the admiration of colleagues who might have opposed him, and who did oppose him, on many of the issues. But, nevertheless, I have appreciated the courage, conviction, commitment, and sheer toughness that Senator METZENBAUM brings to the Senate in everything that he undertakes.

While some men have succeeded in politics through diplomacy and compromise, HOWARD METZENBAUM's forte has been passion. Observing Senator METZENBAUM engaged in hot debate and sincere appeal, with his carefully groomed white mane suggesting the halos of saints in Victorian stained-glass church windows, Senator METZENBAUM calls to mind the image of an old testament prophet proclaiming his convictions and breathing life into his visions for a more just future and a fairer chance for the causes in which he so ardently believes.

Certainly Senator METZENBAUM has fulfilled a role for visionaries that the Founding Fathers foresaw for some elected to the Senate, and he has fulfilled that role very well.

I know that I speak for all of our colleagues in telling Senator METZENBAUM that he has added significantly to Senate deliberations through his years of service. And I, particularly, again note the years when I was the majority leader—and also the years when I was the minority leader in this body—there were times when Senator METZENBAUM's strong voice and strong advocacy and strong support meant the difference.

We wish for him many more years of rich and rewarding life as his retirement approaches.

DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 1994

The Senate continued with the consideration of the bill.

THANKING SENATOR HARKIN AND SENATOR SPECTER

Mr. BYRD. Mr. President, I thank the distinguished manager of the bill. While I am on the floor and on my feet, let me thank him, too—Mr. HARKIN—for his service to the Nation, to his people, and to the Senate. He is a hard-working member of the Appropriations Committee. He has always been most cooperative and courteous to me; most considerate; and he, too, brings to his work an ardency and a commitment that we all might strive to emulate. I thank him for the work that he has done on the bill and for the leadership that he has demonstrated in the subcommittee, in the full committee, and on the floor.

I likewise congratulate his colleague on the other side of the aisle, who also brings a deep commitment and a high purpose of service to the committee and to the Nation.

Mr. President, I yield the floor.

Mr. HARKIN. Mr. President, I want to thank my friend and the distinguished chairman of the Appropriations Committee for those very kind words. They mean a lot to me because of the deep respect and admiration I have for Senator ROBERT BYRD, from West Virginia.

I want to thank him for the many years of guidance, of counsel that he has given to me since I first came to the Senate. It has been wise counseling, good counseling. I think I can say honestly that not once in my 8 years here have I not failed to follow the advice and counsel of Senator BYRD and counted it much to my benefit to make sure that I do follow his advice and counsel.

So again, I thank him very much for those kind words. They mean a lot to me.

Mr. BYRD. Mr. President, I thank the Senator.

I should say, also, that the Senator from Iowa and the Senator from Pennsylvania, Mr. SPECTER, have once again, as they have done repeatedly, stayed within the allocations that were given to the subcommittee by me in the beginning.

No subcommittee of the Appropriations Committee ever exceeds its allocations. So this committee is not a budget-busting committee. These subcommittees are not budget-busting subcommittees. They have faithfully lived up to the Budget Enforcement Act. I am very proud of that fact, and I am very proud of the leadership that continues to be given by the Senator from Iowa and the Senator from Pennsylvania.

Mr. HARKIN. I thank the Senator. We have lived within those allocations because of the great leadership of our distinguished chairman.

BETHUNE-COOKMAN STATEMENT

Mr. HARKIN. Mr. President, I would like to briefly address a matter of concern to certain Members regarding a proposal that we were unable to fund in this bill.

President Clinton included in his fiscal year 1994 investment package for education a request for $12.5 million to fund the second phase of construction of a performing arts center at Bethune-Cookman College in Daytona Beach, FL. Congress initially authorized this project in 1986 to honor Mary McLeod Bethune, the founder and first president of the college, who led the movement to promote the voter registration of African-American women and served as an adviser to President Franklin Roosevelt. The Congress provided $6.2 million under the original authorization for phase 1 of the Mary McLeod Bethune Memorial Fine Arts Center.

Additional support for the construction, maintenance, and endowment of the center was authorized last year and, as I mentioned, President Clinton requested funds for the center in his 1994 budget. As I think most of you know, however, the President's budget request for the activities funded by this bill exceeded our allocation by a substantial margin. As a result, we were unable to fund all of the investment activities included in the President's request.

Unfortunately, the Bethune-Cookman Center was one of the activities that we could not fund this year. The House also did not provide funding for the center. I want to reassure Members, however, that this difficult decision does not reflect an unwillingness to support the center, and that we are prepared to revisit the issue of funding for phase 2 of the center in future years.

NIH/HEART, LUNG, AND BLOOD INSTITUTE

Mr. HARKIN. Mr. President, also I want to clarify some of the report language regarding proportions of funding for heart, lung, and blood research at NHLBI. For many years there has been a precedent for relative percentages of funding, and also funding priorities have been based upon excellence of research proposals and judgment of the scientific advisers and staff at that Institute. The committee did not intend to interfere in that precedent and process. The bill report language simply indicates what is fully understood by all who work with the NIH; that we need to continue to strive to appropriately fund biomedical research across the board.

Mr. BOND. I want to join the chairman and the Senator from Minnesota in their view that current law allows the release of these emergency funds, and I will continue to work with the chairman and ranking minority member of the committee to secure their immediate release. The Missouri Department of Social Services has told me that there is a vital need for these funds, as thousands of Missouri families have been displaced by the flood. If the Great Flood of 1993 does not qualify as an emergency, then the designation is meaningless. I thank the Senators from Iowa and Minnesota for their leadership.

RELEASE OF EMERGENCY LIHEAP FUNDS TO FLOOD STATES

Mr. WELLSTONE. Mr. President, I would like to direct an inquiry to the manager of the bill, Senator HARKIN, relating to the Low-Income Home Energy Assistance Program. This relates to utilization of the emergency funds available under this program to assist victims of flood damage in the Midwest. On September 15, the Governors of nine Midwest States requested that the administration release emergency LIHEAP funding, which can be used to repair furnaces of low-income individuals, and for such other activities as replacement of waterlogged insulation materials. This work needs to be done before the onset of winter, but many low-income people, struggling with massive losses from the flooding, simply can't afford it. I understand OMB Director Panetta, in response to Senator HARKIN'S letter, raised an objection that current law would not permit targeting of LIHEAP funds to specific States. I would ask Senator HARKIN if it was not Congress' intent that emergency LIHEAP funds be targeted to specific areas to meet, among other things, special contingencies like this?

Mr. HARKIN. The Senator from Minnesota is correct. Our intent was clearly to make these LIHEAP reserve funds available to meet emergency needs resulting from specific localized disasters. In the upcoming conference with the House on the Labor-HHS appropriations bill, I will seek to include language in the statement of the managers clarifying congressional intent on this issue, and if deemed necessary, adjust the actual appropriations bill language. I will continue to do all I can to see that emergency LIHEAP funds are released as soon as possible to assist eligible persons in flood-impacted States.

Mr. WELLSTONE. I thank the chairman for that clarification. I know that release of these funds to meet emergency needs for over 6,000 people in Minnesota, and thousands of others in Iowa and in other flood-affected States, would enable us to rush urgent help to those in need as the winter approaches. I will continue to work with the chairman, and with the administration, to ensure prompt release of these funds. I ask unanimous consent to include at this point in the RECORD some correspondence on this issue. The first letter is from Energy Secretary O'Leary and HHS Secretary Shalala to OMB Director Panetta, urging release of the funds. The second is the letter from nine Midwest Governors requesting immediate release of the funds. Finally, I would like to insert an exchange of correspondence between Chairman HARKIN and Mr. Panetta to which I referred earlier. I thank the chairman for his help with this important effort.

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

THE SECRETARY OF HEALTH AND HUMAN SERVICES,
Washington, DC, September 27, 1993.

Hon. LEON PANETTA,
Director, Office of Management and Budget, Old Executive Office Building, Washington, DC.

DEAR LEON: We would like to bring to your attention a serious matter involving the survival of low-income persons in the Midwest flood area, and to strongly recommend actions that can be taken immediately to alleviate their distress before the winter.

As you know, Senator Harkin sent a letter to the President on July 19, 1993, requesting the release of a portion of the contingency funds for flood relief. On September 15, you sent Senator Harkin a reply voicing concerns with releasing the funds to just the flood States, and suggesting instead that funds available from the Federal Emergency Management Agency (FEMA) could be used for this purpose. Also on September 15, the Governors of all nine flood States wrote to the President requesting that a portion of the LIHEAP contingency funds be released for flood relief efforts.

Based on the continued need of the flood states and our own review of this issue, we would like to revisit the possibility of using LIHEAP contingency funds for flood relief efforts.

Among those who have been most affected are low-income persons whose residences have been flooded. Many are still homeless, with the mid-western winter only a month to six weeks away in parts of the flood zone. Many more are little more than "camping out" in a shell of a house, with no working furnace and no hot water. Wet insulation not only will be ineffective this winter because of the moisture, but also, if not removed soon, will cause the structure to rot. Many of these disaster victims are struggling to provide food and clothing for their families. Furnace replacement or repair and weatherization needs are completely beyond their reach, and few of them have insurance to cover their losses. It is not likely that funds for weatherization needs will be met through the recently passed flood relief bill, H.R. 2667, at least in the near future.

We are concerned that further devastation awaits these unfortunate flood victims, who are already operating at the economic margins of society, if we do not ensure that they are able to return to their homes before winter.

We have been considering this issue carefully over the last month and believe that we should pursue further the idea of using LIHEAP contingency funds to supplement limited funds available from FEMA. FEMA has advised us that it does not have sufficient funds or authority to carry out all the activities that we believe could be accomplished with the contingency funds. Furthermore, FEMA cannot pay replacement value for items such as furnaces that were destroyed in the flood.

After discussing needs with the nine States involved, we believe release of $68 million of the contingency funds will meet the valid energy-related emergency needs of low-income persons in the flood States, and would cover repairs to approximately 13,000 housing units. The FY 1994 Senate Appropriations Bill contains the same provision for these contingency funds as was provided in the 1993 Appropriation. Therefore, we have the opportunity to modify the bill language to clarify our ability to target these funds if released. This strategy could also be pursued in Conference. We would appreciate your support in bringing this to pass.

Use of the funds made available will be coordinated between the Low-Income Home Energy Assistance Program in the Department of Health and Human Services and the Low-Income Weatherization Assistance Program in the Department of Energy. Local crews have been performing what repair work they can, but they have run out of funds. They are standing by to utilize any funds that are released to continue their work.

We strongly urge you to take immediate action to obtain the release of these funds so that necessary repairs can be made to make these homes ready for winter weather. We stand ready to discuss this with you.

Sincerely,

DONNA E. SHALALA,
Secretary of Health and Human Services.
HAZEL R. O'LEARY,
Secretary of Energy.

STATE OF MINNESOTA,
OFFICE OF THE GOVERNOR,
St. Paul, September 15, 1993.

Hon. BILL CLINTON,
President of the United States, The White House, Washington, DC.

DEAR MR. PRESIDENT: We are respectfully asking for the release of the 1993 LIHEAP (Low-Income Home Energy Assistance Program) contingency appropriation. These funds were appropriated by Congress to provide aid in energy emergencies. Midwest states are experiencing such an emergency as a result of this summer's massive flooding. Flood waters have caused damage to furnaces, water heaters, insulation and windows in the homes of low-income families.

The support and assistance of the federal government have been vital in the flood cleanup and reclamation of property through programs initiated by FEMA, HUD, SBA and Agriculture. However, there are many families who will not be eligible for these programs, yet have needs which must be addressed. For example, SBA loans are available only to those with an ability to repay. Low-income families and those who have lost their jobs due to the floods are not eligible for loans. HUD programs address some repair needs but not the inability of a family with greatly reduced income to pay their winter heating bills. We are writing on behalf of these families.

We have already seen strong indications that the number of these households will increase this winter, as reduced farm income and the flood's ripple effect trigger layoffs, shortened work hours and reduced or eliminated income. These households are primarily working families, small family farmers, "mainstreet" business owners and employees, and those dependent on agriculture for their livelihood.

With your declaration of an energy emergency in the flood damaged states prior to September 30th, the LIHEAP contingency funds can be released. We are respectfully requesting that you release those funds.

Thank you very much for your consideration of our request.

Warmest regards,

Arne H. Carlson, Governor of Minnesota; Terry E. Branstad, Governor of Iowa; Jim Edgar, Governor of Illinois; Tommy G. Thompson, Governor of Wisconsin; Joan Finney, Governor of Kansas; Walter D. Miller, Governor of South Dakota; E. Benjamin Nelson, Governor of Nebraska; Mel Carnahan, Governor of Missouri; Edward T. Schafer, Governor of North Dakota.

U.S. SENATE,
COMMITTEE ON APPROPRIATIONS,
Washington, DC, July 19, 1993.

Hon. BILL CLINTON,
United States President, 1600 Pennsylvania Ave., NW., Washington, DC.

DEAR MR. PRESIDENT: I am writing to urge you to release contingency funds provided in the Fiscal Year 1993 Labor, Health and Human Services, and Education Appropriations bill for the Low-Income Home Energy Assistance Program to assist victims in flood-ravaged states.

It is my understanding that these funds can be used for a variety of crisis intervention activities, such as emergency shelter, reconnecting electrical service, and repair of air conditioning and furnace equipment.

In this crisis, one of the most urgent needs of low-income people who have lost so much is immediate cash assistance. This program can provide much needed relief in this regard by offsetting some of the unanticipated costs of emergency energy-related assistance.

The appropriations bill provided $600 million on a nationwide basis for such emergencies as this, which can be made available by declaration of the President of an emergency, in conjunction with submission to Congress of a formal budget request. No further Congressional action is necessary.

I urge your immediate action to release as much Low-Income Home Energy Assistance contingency funds as possible to meet emergency needs in flood-devastated states.

Sincerely.

TOM HARKIN.

OFFICE OF MANAGEMENT AND BUDGET,
Washington, DC, September 15, 1993.

Hon. TOM HARKIN,
U.S. Senate,
Washington, DC.

DEAR SENATOR HARKIN: Thank you for your letter to the President suggesting the Low Income Home Energy Assistance (LIHEAP) program's contingency fund be released to assist people affected by the flooding in Midwestern States.

I particularly want to thank you for your work in getting the emergency flood supplemental appropriation passed quickly to aid flood victims. The assistance package enacted, which provides $6.3 billion in disaster assistance, should deliver rapid, coordinated, and well-targeted help.

Your letter suggested that $600 million in FY 1993 LIHEAP contingency funds be released as part of Federal flood assistance efforts. As your letter correctly noted, LIHEAP's energy crisis intervention program may fund activities such as the provision of temporary emergency shelter and emergency repairs to heating and cooling equipment. It appears, however, that were they released, LIHEAP's contingency funds would not target only States affected by flooding but go to all LIHEAP eligible States, whether disaster relief efforts should target flood-affected States and help flood victims. As an alternative, Federal Emergency Management Agency (FEMA) funds in the disaster relief package may provide temporary shelter, cash grants for basic needs such as home energy assistance, and help with repairs.

I want to reiterate that the Administration will continue to seek additional assistance, as needed, for flood-affected States. Thank you again for sharing your views with me. As always, I welcome the opportunity to respond to them.

Sincerely,

LEON E. PANETTA,
Director.

ORDER OF PROCEDURE

Mr. HARKIN. Mr. President, I ask unanimous consent that a vote on or in relation to the D'Amato amendment No. 975 occur at 12:50 p.m.; that upon the disposition of amendment 975, the Senate vote on or in relation to the Helms amendment 976; that following the disposition of the Helms amendment, the bill be read a third time and the Senate proceed to vote on final passage of H.R. 2518, as amended; that upon final disposition of H.R. 2518, the Senate insist on its amendments, request a conference with the House on the disagreeing votes of the two Houses, that the Chair be authorized to appoint conferees, and that all of the above occur without any intervening action or debate.

I further ask unanimous consent that after the vote on the D'Amato amendment, the succeeding votes be 10 minutes in duration.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

VOTE ON AMENDMENT NO. 975

The PRESIDING OFFICER. The hour of 12:50 having arrived, the question is on agreeing to the D'Amato amendment numbered 975. The yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. FORD. I announce that the Senator from California [Mrs. FEINSTEIN], the Senator from Arkansas [Mr. PRYOR], and the Senator from Pennsylvania [Mr. WOFFORD] are necessarily absent.

The PRESIDING OFFICER (Ms. MOSELEY-BRAUN) Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 97, nays 0, as follows:

[Rollcall Vote No. 293 Leg.]

YEAS—97

Akaka	Coats	Feingold
Baucus	Cochran	Ford
Bennett	Cohen	Glenn
Biden	Conrad	Gorton
Bingaman	Coverdell	Graham
Bond	Craig	Gramm
Boren	D'Amato	Grassley
Boxer	Danforth	Gregg
Bradley	Daschle	Harkin
Breaux	DeConcini	Hatch
Brown	Dodd	Hatfield
Bryan	Dole	Heflin
Bumpers	Domenici	Helms
Burns	Dorgan	Hollings
Byrd	Durenberger	Hutchison
Campbell	Exon	Inouye
Chafee	Faircloth	Jeffords
Johnston	McConnell	Rockefeller
Kassebaum	Metzenbaum	Roth
Kempthorne	Mikulski	Sarbanes
Kennedy	Mitchell	Sasser
Kerrey	Moseley-Braun	Shelby
Kerry	Moynihan	Simon
Kohl	Murkowski	Simpson
Lautenberg	Murray	Smith
Leahy	Nickles	Specter
Levin	Nunn	Stevens
Lieberman	Packwood	Thurmond
Lott	Pell	Wallop
Lugar	Pressler	Warner
Mack	Reid	Wellstone
Mathews	Riegle	
McCain	Robb	

NAYS—0

NOT VOTING—3

Feinstein	Pryor	Wofford

So the amendment (No. 975) was agreed to.

Mr. D'AMATO. Madam President, I move to reconsider the vote by which the amendment was agreed to.

Mr. DOLE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

VOTE ON AMENDMENT NO. 976

The PRESIDING OFFICER. The question is on agreeing to the Helms amendment No. 976. The yeas and nays have been ordered. The clerk will call the roll.

The bill clerk called the roll.

Mr. FORD. I announce that the Senator from Delaware [Mr. BIDEN] and the Senator from Arkansas [Mr. PRYOR] are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 94, nays 4, as follows:

[Rollcall Vote No. 294 Leg.]

YEAS—94

Akaka	Feingold	McCain
Baucus	Feinstein	McConnell
Bennett	Ford	Metzenbaum
Bingaman	Glenn	Mikulski
Bond	Gorton	Mitchell
Boren	Graham	Moseley-Braun
Boxer	Gramm	Moynihan
Bradley	Grassley	Murkowski
Breaux	Gregg	Murray
Brown	Harkin	Nickles
Bryan	Hatch	Nunn
Bumpers	Hatfield	Packwood
Burns	Heflin	Pell
Byrd	Helms	Pressler
Campbell	Hollings	Reid
Chafee	Hutchison	Riegle
Coats	Jeffords	Robb
Cochran	Johnston	Rockefeller
Cohen	Kassebaum	Roth
Conrad	Kempthorne	Sarbanes
Coverdell	Kennedy	Sasser
Craig	Kerrey	Shelby
D'Amato	Kerry	Simpson
Danforth	Kohl	Smith
Daschle	Lautenberg	Specter
DeConcini	Leahy	Stevens
Dodd	Levin	Thurmond
Dole	Lieberman	Wallop
Dorgan	Lott	Warner
Durenberger	Lugar	Wofford
Exon	Mack	
Faircloth	Mathews	

NAYS—4

Domenici	Simon
Inouye	Wellstone

NOT VOTING—2

Biden	Pryor

So the amendment (No. 976) was agreed to.

POSITION ON ROLLCALL VOTE NO. 293

Mr. WOFFORD. Mr. President, I wish to announce that on rollcall No. 293, the D'Amato amendment, I would have voted "yea."

CENSORSHIP OF BROADCASTING FROM NORTHERN IRELAND

Mr. LAUTENBERG. Madam President, I rise today to express my outrage at the continuing censorship by the British Government of broadcasting related to the conflict in Northern Ireland. As we consider this bill, which contains funding for the Corporation for Public Broadcasting, this is an appropriate time for this body to urge the Corporation, the U.S. Government and all American broadcasters to redouble their efforts to bring about an end to this censorship which is repugnant to American values and traditions.

Since 1988, the British Government has ordered broadcasters in the United Kingdom not to broadcast the voices of members of 11 groups including the Irish Republican Army and Sinn Fein. The British Broadcasting Corporation [BBC] and the British Broadcasting Corp.'s World Service have followed this requirement under protest. In fact, they have avoided the strict requirements of this rule by using actors, in some cases, to repeat the words of banned persons.

Madam President, this would not be an issue before us today except for the fact that many public radio stations in our Nation, funded by the Corporation for Public Broadcasting, air the BBC World Service. The World Service has a strong reputation in this country and around the world. Yet, the censorship that it suffers under is inconsistent with our views on freedom of speech and inconsistent with the need to hear all points of view on the situation in Northern Ireland.

The first amendment is clear on this point. By hearing all views, we can best make up our minds on the critical issues of the day. The long tragedy of conflict in Northern Ireland is certainly one of those issues. To broadcast and hear the views of the banned groups is not to endorse those views. It is simply a matter of hearing all points and positions.

The censorship imposed by the British Government is wrong. All those who value freedom should join in its condemnation. In fact, Mr. President, the Corporation, National Public Radio and the BBC itself have all protested this practice. The BBC airs a warning with all broadcasts that are directly affected by the government ban on using the voices of members of banned groups. The warning states that the government restrictions have prevented the use of the interviewees' voices.

We can and should do more to end this censorship. I rise to urge the Corporation for Public Broadcasting and all those who receive grants from it to take all appropriate steps to encourage the British Government to end this censorship.

Some have suggested that American broadcasters should accompany all BBC broadcasts related to the situation in Northern Ireland with a reminder of the censorship rules. This appears to be a reasonable and appropriate step that is consistent with full disclosure to the public of the restrictions on broadcasters in the United Kingdom. I urge all American broadcasters to consider such a reminder.

I also urge the U.S. Government to do all it can to bring an end to the restrictions. The situation in Northern Ireland remains one of the most troubling unresolved conflicts in the world today. Too many lives have been lost. Too much blood has been shed. We need to face this conflict with our eyes wide open, not blinded by a censor's rules. I urge my colleagues to look into this matter as I have and to join me in condemning this continuing affront to free speech.

DOLE-KASSEBAUM IMPACT AID AMENDMENT

Mr. DOLE. Madam President, for impact aid districts with 50 percent or more federally connected students, regular impact aid payments are not enough to cover the cost of education. As local taxpayers should not foot the bill for a Federal obligation, the 3(d)2(b) program was created to make up for any shortfalls. Realizing that these districts have no alternative revenue streams, the authorizing committee was quite specific that no limitations should be placed on this funding. Unfortunately, the appropriations request for fiscal year 1994 did not meet these needs and eligible school districts would have had this funding supplement cut by 25 percent.

In my home State of Kansas, the Fort Leavenworth budget would have shrunk by $300,000—almost enough money to pay for the education of 100 students. It is my understanding that 10 additional States would have been adversely affected, too.

I am pleased that the managers accepted the Dole-Kassebaum amendment which helped resolve this matter. Furthermore, I appreciate the efforts of Senator PELL and his staff in helping find a workable solution.

Madam President, for 43 years, Congress has supported the education of the sons and daughters of military personnel through the impact aid program. The program has consistently funded strong instruction, and I am pleased that this amendment will enable our most heavily impacted districts to maintain a high standard of excellence.

VOTE ON HELMS AMENDMENT NO. 976

Mr. BIDEN. Madam President, I rise for just a moment to explain my absence on the vote on the Helms amendment. After I voted on the D'Amato amendment, I was meeting with a constituent from Delaware in the President's room off the Senate floor. The room has no bells, and I was not notified that another vote was in progress until after the vote on the Helms amendment was over. I fully intended to participate in the vote, and I regret that I was not notified.

LABOR-HHS APPROPRIATIONS

Mr. KENNEDY. Madam President, I want to commend my colleague from Iowa, the chairman of the Labor-HHS subcommittee, for including two very important items in the National Cancer Institute section of the Appropriations Committee report dealing with issues that are critical to cancer treatment, and central to cancer patients and their families.

There are over 8 million cancer survivors in the United States today. Another million Americans are expected to be diagnosed with cancer this year. It is crucial to the well-being and comfort of these people that NCI find the answers about how to improve quality of life for cancer patients and survivors.

With millions of Americans now living with cancer, NCI should take into account the increasing evidence that psychological and social factors influence the morbidity and mortality of cancer. The institute must increase research on how to lessen the impact of cancer and improve cancer victims' quality of life by managing the disease and its treatment. I commend the subcommittee chairman for directing NCI to do this. Currently, less than 1 percent of NCI's budget is slated for this important research—just $6.5 million of NCI's $1.9 billion budget. Clearly, this isn't enough.

I was especially pleased to note the report language on page 80 of Senate Report 103-43, pointing to the evidence that psychological and social factors influence cancer incidence, morbidity, and mortality, and directing NCI to increase funding for clinical intervention trials that reflect the concerns of cancer patients, survivors, and their families in coping with cancer.

As chairman of the Labor and Human Resources Committee, I supported a provision in the NIH Revitalization Act (Public Law 103-43) setting aside a portion of NCI appropriations for cancer control activities, including psychosocial interventions to improve quality of life and increase treatment compliance. With the set-aside, and the increased funding provided in the House and Senate appropriations bill, NCI will have ample funding for more research on these vital concerns.

Mrs. FEINSTEIN. Madam President, I would like to engage the distinguished Senator from Nevada in a brief colloquy.

Mr. BRYAN. I would be happy to enter into a colloquy with my friend from California.

Mrs. FEINSTEIN. As the distinguished Senator knows, Ukiah Valley Medical Center is a 94-bed hospital located in Ukiah, CA. The 94-bed hospital that exists today is the product of an acquisition that occurred in 1988 when then-Ukiah Adventist Hospital acquired the assets of Ukiah General Hospital. Both hospitals at the time were very small, one 43-beds, the other 51-beds. Both hospitals were experiencing reduced demand and were struggling to survive. The cost of operating both hospitals, given their low occupancy rates, made the outlook for both hospital surviving highly unlikely. Ukiah Valley Medical Center's acquisition of Ukiah General was completed in August 1988. On the eve of the closing, the Federal Trade Commission staff announced it wished to investigate this transaction. Although the FTC chose not to seek an injunction to halt the transaction, the agency did file an administrative complaint 15 months after the hospital was acquired. The FTC did not try the case until November of 1992. Earlier this year, the chief administrative law judge at the FTC, Judge Parker, issued a 45-page opinion which found in favor of Ukiah on virtually every issue, including that the acquisition did not injure competition and that the FTC's proposed remedy, divestiture, should saddle the Ukiah community with two inefficient hospitals that would be less able to deliver improved quality of care.

Despite Judge Parker's clear findings of law and fact in favor of Ukiah Valley, the FTC chose to appeal Judge Parker's decision to the full Commission. The Commission, in doing so, is reviewing the record de novo and is not bound by Judge Parker's findings.

Ukiah now finds that after successfully defending itself from a prosecution that has lasted 5 years it is once again being forced to defend its acquisition before the Federal Trade Commission. During the last 5 years this small rural hospital has spent huge sums on legal fees. It has been hampered by an inability to attract new physicians to its medical staff because of the legal cloud hanging over it. As a not-for-profit concern, the hospital also has been placed at a disadvantage in its quest for charitable contributions.

I ask the distinguished Senator from Nevada if he could assure me that if the Federal Trade Commission does not bring this lengthy prosecution to a conclusion before the end of this calendar year that as chairman of the Subcommittee on Consumer Affairs he will hold an oversight hearing at the beginning of the second session of this Congress to examine why the prosecution of this small rural hospital in my State is being continued by the FTC.

Mr. BRYAN. Madam President, I would like to thank the Senator from California for bringing this matter to my attention. She and I discussed this issue several days ago when we were considering the Federal Trade Commission reauthorization bill. I informed the Senator at that time that I can appreciate her concerns and certainly would be inclined to hold a hearing in the next session to address any further concerns she may have.

Mrs. FEINSTEIN. I thank the Senator, and commend him on his longstanding concern for the preservation of available health care in rural America.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendment and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass? 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 Arkansas [Mr. PRYOR] is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 82, nays 17, as follows:

[Rollcall Vote No. 295 Leg.]

YEAS—82

Akaka	Durenberger	Metzenbaum
Baucus	Exon	Mikulski
Bennett	Feingold	Mitchell
Biden	Feinstein	Moseley-Braun
Bingaman	Ford	Moynihan
Bond	Glenn	Murkowski
Boren	Gorton	Murray
Boxer	Graham	Nunn
Bradley	Grassley	Packwood
Breaux	Harkin	Pell
Bryan	Hatfield	Reid
Bumpers	Hollings	Riegle
Burns	Inouye	Robb
Byrd	Jeffords	Rockefeller
Campbell	Johnston	Sarbanes
Chafee	Kassebaum	Sasser
Coats	Kennedy	Shelby
Cochran	Kerrey	Simon
Cohen	Kerry	Simpson
Coverdell	Lautenberg	Specter
D'Amato	Leahy	Stevens
Danforth	Levin	Thurmond
Daschle	Lieberman	Wallop
DeConcini	Lott	Warner
Dodd	Lugar	Wellstone
Dole	Mack	Wofford
Domenici	Mathews	
Dorgan	McConnell	

NAYS—17

Brown	Hatch	McCain
Conrad	Heflin	Nickles
Craig	Helms	Pressler
Faircloth	Hutchison	Roth
Gramm	Kempthorne	Smith
Gregg	Kohl	

NOT VOTING—1

Pryor

So the bill (H.R. 2518), as amended, was passed.

Mr. HARKIN. Madam President, I move to reconsider the vote by which the bill, as amended, was passed.

I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. HARKIN. Madam President, that finishes the Labor, Health and Human Services, Education appropriations bill. I want to thank all Senators for their indulgence, for their bringing their amendments to the floor and getting this through.

THANKS TO THE STAFF

I want to especially thank the staff who have worked so long and so hard on this bill. It was not an easy year as Senator SPECTER said earlier. We had some pretty tight budget constraints we had to work under. But we got it through, I think as the vote indicates in a strong bipartisan manner. But a lot of the credit has to go to our staff who worked so long and hard.

On the majority side, staff director, Ed Long, Jim Sourwine, Carol Mitchell, Roberta Jones, Bill Cordis, Carol Ortega, Susan McGovern, and Gladys Clearwaters; on the minority side, Craig Higgins, Bettilou Taylor, and Margaret Snyder.

To all of them, my heartfelt thanks and gratitude for so many hours put in on this bill.

Now it is on to the conference. The conference last year lasted less than 6 hours. I was chair of that conference. So I have issued a challenge to my counterpart on the House side to see if he can break that record this year; see if we can do our conference in less than 5 or 6 hours this year. Let us hope we can get that done.

Again, I thank all Senators.

The PRESIDING OFFICER. Under the previous order, the Senate insists on its amendments, requests a conference with the House on the disagreeing votes, and the Chair is authorized to appoint conferees on part of the Senate.

The Presiding Officer (Ms. MOSELEY-BRAUN) appointed Mr. HARKIN, Mr. BYRD, Mr. HOLLINGS, Mr. INOUYE, Mr. BUMPERS, Mr. REID, Mr. KOHL, Mrs. MURRAY, Mr. SPECTER, Mr. HATFIELD, Mr. STEVENS, Mr. COCHRAN, Mr. GORTON, Mr. MACK, and Mr. BOND conferees on the part of the Senate.

MORNING BUSINESS

Mr. HARKIN. Madam President, I now ask unanimous consent that there be a period for morning business with Senators permitted to speak therein for up to 10 minutes each.

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

Mr. GRASSLEY addressed the Chair.

The PRESIDING OFFICER. The Senator from Iowa.

CHILD PORNOGRAPHY

Mr. GRASSLEY. Madam President, I rise because I am a member of the Judiciary Committee, and the Justice Department has filed a brief on a child pornography case that is soon going to be before the Supreme Court.

I want to express my dissatisfaction with the action of the Justice Department in doing this.

I do this not only because I am a member of the Judiciary Committee but also because, in 1985 and 1986, I was involved in the federalization of the Ferber case, which was a 1982 Supreme Court decision in which the Supreme Court said that freedom of press and freedom of speech did not cover child pornography, as previously they had said it did not cover obscenity.

Solicitor General Days is the one that is obviously involved in arguing this administration's case before the Supreme Court. When he appeared before the Judiciary Committee for his confirmation hearings, I praised the administration for its decision to appeal an adverse pornography ruling.

Now, however, the Solicitor General has taken an extremely disturbing stand on child pornography. The case I am talking about is Knox v. United States. It concerns the child pornography conviction of a repeat offender who received and possessed videos of minors. These tapes contain pictures of girls, age 10 to 17, striking provocative poses for the camera. Although the girls had some clothing on, the photographer zoomed in on particular parts of the body for extended periods of time.

The Solicitor General represents the Government in cases before the Supreme Court. He defends the constitutionality of statutes and seeks to persuade the Court to adopt interpretations of statutes that further our Government's objectives. Imagine my surprise, then, when I learned that in this case, the Government was arguing that the child pornography conviction that it had won in both the district court and in the court of appeals should be thrown out. In short, our Government is arguing that it should not have won its cases at the district court and appeals level.

Instead, the Government should argue vigorously, in my opinion, for upholding the court of appeals' decision. That decision implements congressional intent. Congress passed this legislation to stop the exploitation of children.

The court of appeals was obviously right. By zooming in on those areas of the body, the photographer was exhibiting the children, taking advantage of young children by putting them on display and attracting notice. The statute applies even to clothed displays of these body parts. Moreover, by depicting the children suggestively, the production of the video violated the statute by using minors engaged in prohibited lascivious conduct.

Unfortunately, the Solicitor General now argues that unless the body part outlines can be perceived through the clothing, there is no prohibited exhibition.

Second, the brief says that the child herself—not at the pornographer's direction—must be engaged in the lascivious conduct. It troubles me that the Government now adopts the erroneous arguments that the criminal made in the court below.

Our Government is saying in this appeal exactly the same thing, that the person who was convicted said on appeal.

There are three significant problems with the Solicitor General's argument. First, it cannot be squared with the statutory language. Body parts can be exhibited through drawing attention to them, and the Solicitor General's focus on the child's acts reads out of the statute the requirement that the "producing of such visual depiction involves the use of a minor engaging in" the conduct.

The production of the videos at issue involved the literal "using" of these children within the words of the statute. Because he ignored these important words in the statute, the Solicitor General erroneously argued that the child—not the pornographer—must be the one lasciviously doing the exhibiting.

Second, the Solicitor General's argument is completely contrary to congressional intent.

Congress passed this statute to stop the victimization of children. We found that these materials were made through exploitation. We also found that the production of these materials harm children psychologically, emotionally, and sometimes even physically. Moreover, we found that child abusers use these materials to seduce other children.

These children are being exploited in a way that Congress, in the 1970's, and again later in the 1980's when I was involved, wanted to make sure it would stop. Children were being exploited for pornographic purposes—and not just for the sake of a picture, but I hope all understand that in child pornography, there are billions and billions of dollars that are being realized from the sale of child pornography.

The Solicitor General reads the statute as turning on the intent of the child. The child is the victim. But the Solicitor General reads the statute to require that the child, rather than the criminal, who happens to be the pornographer, must be acting in a suggestive way. We did not intend that. These are young people that we are talking about here. And the people who are the pornographers, the people who are getting rich off of this process, and probably enjoying it at the same time, are the ones that the statute was intended to go after.

We did not enact statutory language that based convictions on the intent of the victim, and the Solicitor General is wrong to ask the Supreme Court to hold that we did.

Third, the Solicitor General's argument will lead to more child pornography, and it is going to lead to more children being victims of pornography. If the key issue is the child's conduct, consider what kinds of child pornography production could never be prosecuted: Drugged children, threatened children, and very young children who could not possibly intend to display their bodies in any lascivious way. Moreover, how could the Government prove that the child engaged in the exhibition?

The Government would have to track down the victims and would have to ask them to relive the entire humiliating experience in court. Of course, if the child stated truthfully that she had no intent to display herself in a suggestive way, and that the idea was entirely the pornographer's, there could be no prosecution under the Solicitor General's argument.

Needless to say, the Solicitor General's brief is startling. It threatens a vast proportion of the child pornography cases that have been brought.

It asks the Court to reverse a case that it won, which would subvert the entire point of the statute. What is going on here? We know the administration sincerely desires to protect children. In their confirmation hearings that we had at almost any level of the Justice Department, the Attorney General and assistant and associate attorney generals told us of their commitment to children. So why is the Department abandoning the children and taking the side of the pornographer in this brief? I certainly hope that this brief does not signal the Solicitor General's willingness to pursue political goals rather than assisting the Court in understanding the intent of Congress, which is most often the role of the Solicitor General.

Madam President, the Government's brief is an insult to our children. It is also an insult to Congress because it misreads statutory language to seek a result contrary to congressional intent. Child pornography is an unspeakable horror. Congress acted to prohibit it in cases such as this. I hope the administration will reconsider its position. And I remind the Supreme Court that it need not adopt the child pornography user's interpretation of the statute merely because the Solicitor General happens to agree with it. The Supreme Court can adhere to the statute and to congressional intent by upholding the conviction, and I hope that it does. I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Madam President, I commend the distinguished Senator from Iowa for his cogent remarks on the floor at this time. He makes some very good points. I think it is about time people in America understand what really has been going on. I agree with what he said, and I am very happy he has taken time to educate all of us here today.

THE NEED FOR A NATIONAL DRUG CONTROL STRATEGY

Mr. HATCH. Madam President, it is fine to talk about reinventing Government. We might start by adhering to some of the laws that we already have on the books. For instance, on February 1, 1993, the Clinton administration was required by law to submit to Congress its first national drug control strategy. That was February 1, 1993. I do not think any of us will hold them to that date, but it is now September 29 and we still have not had their submission on its first national drug control strategy. Where is that drug strategy? Where is the Presidential leadership in the war on drugs? This administration is sending a terrible signal to our country: drug control is no longer a national priority.

This administration has slashed the drug czar's office to the bone, from 146 positions to 25, below the level needed to devise a drug strategy, and that is part of the reason why they still have not gotten it to us. It has sought to cut funding in the drug war. Budget allocations for prosecutors have been reduced, prison construction is being cut, there is talk about not prosecuting certain drug offenses, and it appears interdiction efforts will be cut back.

In July, the Washington Post reported that the Clinton administration had agreed to a $231 million cut in drug treatment and education funds in the House of Representatives.

Administration officials from the Office of Management and Budget were reported to have privately suggested many of the cuts. And, to give a misleading image of being aggressive in the drug war, the administration made a paper promotion of the drug czar to the Cabinet, yet appears to have cut him out of the loop.

Is this what it means to be a new Democrat? Hardly. Instead, this administration is turning the clock back on drug control, slipping inexorably into the old permissiveness of the Carter era. As A.M. Rosenthal observed in March, in the New York Times, as I recall, President Clinton's interest in fighting drugs can be summed up as: "No leadership. No role. No alerting. No policy." (New York Times, Mar. 26).

In May, Mr. Rosenthal warned that the "concept of the war on drugs is in danger of being dismantled and the result will be creeping legalization. If that is what Americans want, fine—they can get it by just keeping silent." (New York Times, May 18).

I am not trying to be partisan here. I am trying to wake this administration up. On May 18, 1993 at Philip Heymann's hearing to be Deputy Attorney General, and on May 25, 1993, at Lee Brown's confirmation hearing to be Director of the Office of National Drug Control Policy, I prodded the administration, acknowledging that it could not be expected to produce a strategy on February 1, less than 2 weeks after President Clinton was sworn into office. On the Senate floor, on July 13, I again called on the President to produce a national drug strategy and, again, in fairness, acknowledged that the administration needed time to devise a drug strategy.

I call upon editorial writers and columnists to draw attention to this issue and the need for Presidential leadership. I have my own views on this subject. I fought for additional funding for the DEA and Marshals Service. As well, Senator DOLE and I recently introduced a comprehensive crime bill which will provide law enforcement aid to drug ravished urban and rural communities. It beefs up the number of DEA and border patrol agents, increases the size of the drug czar's office, and provides drug control assistance to rural areas. But my purpose today is not to ask for endorsements of our legislation. Rather, I am asking that those who agree drug control should be made a higher priority by this President to let their concerns be known.

I understand that an outline of a drug strategy may be presented to Congress this month but the President's comprehensive strategy will not be presented to the Nation until next February, 1 year late. This is wholly inadequate.

Why do we need a strategy and Presidential leadership in the drug war? A recent University of Michigan study demonstrates why. The study shows that the decline of drug use among our Nation's young people, which began during the Reagan-Bush years, has virtually halt and that marijuana and LSD use are on the rise. Dr. Mitchell Rosenthal, the president of Phoenix House, the Nation's largest residential treatment organization stated that the study "ought to be a big signal to the President and his Cabinet that they have got to pay serious attention to the drug problem"—New York Times, July 16. The New York Times reported that Dr. Lloyd Johnson, who headed up the research team, concluded that the study indicates a more tolerant attitude toward drugs and the possibility of a steep increase in drug abuse. This study demonstrates the risk we face if the administration continues to ignore the drug problem.

The administration's proposal to merge the Drug Enforcement Administration into the Federal Bureau of Investigation also indicates why we need a cohesive national drug strategy. This merger, which is a part of the administration's proposal to reinvent Government, could seriously disrupt our Nation's drug control efforts. I do not want to dismiss the proposal out of hand. I personally thank the distinguished Attorney General of the United States for spending personal time with me on this effort. So I will keep an open mind on it but I am concerned about it and I am not sure it is the right thing to do. I support efforts to streamline Government. Yet, I believe the elimination of our Nation's premier drug control agency will likely undermine the effectiveness of our domestic and international counternarcotics efforts.

The DEA's mission is clearly defined and the DEA has proven itself to be very effective. Elimination of the DEA calls into question this administration's commitment to fighting the drug war. Frankly, I am also concerned that the merger could be used to hide major cuts to Federal law enforcement. Indeed, according to Vice President GORE's Report of the National Performance Review, the administration claims the merger will permit $187 million in cuts to law enforcement spending. I am not persuaded that these cuts will be purely the result of savings through increased efficiency. Rather, I suspect the administration may plan to cut into the muscle of our antidrug initiatives.

Had this administration developed a comprehensive drug strategy, one must question whether this proposal would even be discussed. Important questions need to be asked, the most important of which is: Will such a merger further the implementation of the administration's long term drug control goals and strategy? In order to answer this, and other questions, the Congress first needs to know what this administration's goals and strategy actually are.

I do not think I can be for a merger unless I will know what their strategies are. How could anybody be, if it is going to lead to a reduction in an effort against drugs?

Another recent example of the need for leadership and a national strategy is the recently reported plans to shift resources away from interdiction and toward greater military and economic aid for Andean nations—the Washington Post, September 16. As the administration ponders cutting interdiction, a move I seriously question the wisdom of, the Congress is preparing to cut the very foreign aid programs the White House wants to increase support for. The Senate will soon be considering a bill which cuts U.S. aid to foreign antidrug programs by $47 million. If the Congress had a strategy on which to base its decisions, we might not be seeing these cuts. The Washington Post

reported last Thursday, September 16, "administration officials * * * acknowledged that events may be overtaking them."

Look. I have been all over Mexico, Central and South America. I have gone to some of these Andean countries. I have seen the DEA agents down there. And for the want of peanuts, absolutely hardly any money, they could have interdicted a lot more drugs. They could have stopped a lot more drug activity. We are not putting our money where our mouths are.

When President Clinton was running for office he said, in recognition of the link between drugs and crime, that "we have a national problem on our hands that requires a tough national response." New York times, March 26, quoting an earlier Clinton statement. Yet, the President's own drug czar, Lee Brown, has conceded that drugs are no longer "at the top of the agenda" as a political issue and that it is this administration's duty to "raise the consciousness of the American people."—Washington Post, July 8. Nearly 8 months into his term, however, the President has failed to demonstrate a true commitment to combating the drug problem. In April of this year, former drug czar officials Terrence Pell and John Walters warned of the President's lack of commitment. They wrote that his lack of interest "rests on a widespread mythology minimizing the importance of Presidential leadership."—Washington Post, April 16.

I do not know whether that is fair, but the fact is that is what is being written, and it bothers me.

Madam President, I suggest to my colleagues that we can no longer be silent about the administration's failure to carry out its obligations under the law or about its failure to recognize and address one of the most insidious threats to our families and our communities. I believe the University of Michigan study is an omen of things to come if we persist in allowing this administration's drug policies to drift aimlessly.

I hope President Clinton and the rest of the administration will begin to demonstrate a stronger commitment to sustaining a vigorous national effort against drugs. They can begin to do so by delivering to Congress the national drug strategy—not a summary.

As I have stated on numerous occasions, I stand ready to work with President Clinton and Lee Brown in continuing the fight against drugs. When a strategy is presented to Congress, I look forward to reviewing it, discussing it with the drug czar and the Attorney General and, where appropriate, suggesting changes. Through a sustained effort on the part of the Clinton administration, I believe we can continue to make progress in fighting drug abuse and drug-related violence throughout all of America.

In fact, I suggest this President probably would have a better chance to lead this fight than anybody else in the history of this country, because he is truly a younger man, he truly comes out of that sixties generation, and he truly understands, it seems to me, all of the ramifications.

He is very bright and intelligent. His wife is leading the health fight in this country and he has mastered those details, all of which I admire. I want to help him. I think I have had the reputation of helping him over these past 9 months and I intend to continue to.

But I want to see this defect remedied, and I want to see it remedied now. I think it is time for this administration to get it done. And if people below him are not going to do it, he has to crack the whip and get it done.

In the process, he is going to find a great ally in ORRIN HATCH and, I might add, he will find a great ally in a lot of other people that we can bring along to help support him in this great battle. Our kids and our families and our States and local areas need this done. We need to get this accomplished. We must work together and we have to start now. We cannot wait any longer.

Thank you, Madam President.

I yield the floor.

IRRESPONSIBLE CONGRESS? HERE IS TODAY'S BOXSCORE

Mr. HELMS. Madam President, the Federal debt stood at $4,384,313,074,547.91 as of the close of business on Monday, September 27. Averaged out, every man, woman, and child in America owes a part of this massive debt, and that per capita share is $17,068.95.

FEDERAL FUNDS FOR ABORTION SERVICES

Mr. DORGAN. Madam President, since I came to Congress in 1981, I have supported restrictions on the use of Federal funds for abortion services and I have consistently voted in favor of the Hyde amendment. In the past, the Hyde amendment has banned Medicaid funds from being used for abortions except to save the life of the mother. I have supported extending those exceptions to include rape and incest. This year, the Hyde amendment has been modified to allow Medicaid funds to be used for abortions in the case of rape or incest in addition to saving the life of the mother. I am pleased that the Senate is considering what I believe to be a more reasonable version of the Hyde amendment.

Americans on both sides of this issue have indicated that they are very concerned about the number of abortions in this country and are opposed to the use of Federal funds for abortion services. To me, it just does not make sense to use taxpayer dollars to fund abortions.

Instead, we should use our precious resources to educate the American people about how to avoid unwanted pregnancies and about the alternatives that are available when an unwanted pregnancy occurs rather than pay for abortion services. This is the most realistic and effective plan to reduce the number of abortions in our country.

I do not view the abortion debate lightly. I give careful consideration to every vote on this issue. After careful reflection, I believe that a Hyde amendment that makes exceptions for rape and incest as well as when the mother's life is endangered is a reasonable and fair approach. It respects the consciences of millions of Americans and it reaffirms our commitment to reducing the number of abortions in this country.

A VERY SPECIAL LADY

Mr. SIMPSON. Mr. President, on June 26, 1993, I was so very honored and proud to be in attendance at the funeral of our beautiful former first Lady Pat Nixon. Prior to departing for the funeral I made some brief comments on the Senate floor with the intention of extending those remarks at a later date. And that is the purpose, Mr. President, for which I rise.

Mr. President, Pat Nixon was always—always—a very special lady. I first met her while my father was serving as Governor and my mother was First Lady of the State of Wyoming. The highest tribute I can pay to Pat Nixon is that she reminded me very much of my own dear and magnificent mother. I had watched both of these two ladies, Pat Nixon and Lorna Simpson, stand closely by the side of their spouses as they carried out their duties of governing and concluding legislation. Pat Nixon stood by her husband in a very noble, stoic and compassionate way. She always held her head high—even in the midst of an all out media blitzkrieg of political and personal attacks upon her husband. And when the end of the Nixon Presidency came, she never lost her splendid grace in any way. She was always the lady.

No American can ever fully appreciate how hideously difficult it is to be the President's spouse, the life partner and the support system in this giddy goldfish bowl of existence. Pat Nixon would not have chosen that life—and may not even have enjoyed that life. But because of that inner discipline, and inner energy, and rare spirit, and gentle fire she served as a truly generous and gracious First Lady who always conducted herself with great style, class, character and distinction.

She was one of nature's noblewomen. She touched this country's heart and the entire world with her quiet grace and dignity. Before that tremendous strong heart ceased to beat, her list of accomplishments were truly extraordinary. She had an unlimited measure

of compassion for all humanity. She involved herself in so many things. She worked to make national parks and other recreational areas more accessible for Americans. She was a pioneer of the literacy movement and was a great advocate for true voluntarism. The American people owe her a sincere debt of gratitude for all of her extraordinary efforts in these areas.

According to historian William Seale:

> The great collection of White House Americana today is the result of exhaustive long hours spent by Pat Nixon. The impulse, the idea, and the energy were hers.

And we can never forget that she was the one responsible for making the White House accessible to hearing and visually handicapped Americans. Remarkable achievements by a remarkable First Lady.

But perhaps, Mr. President, the most impressive legacy of Pat Nixon was her total devotion and commitment to her family. Here was the tap root that sustained her. The family. There is not a soul among us who does not know of the unwavering support for her husband. But there was so much more. At a young age she lost her mother to cancer, and her brothers and father came to rely heavily upon her. She nurtured and sustained them, too, even at that tender age. She also raised two successful and beautiful daughters, Tricia and Julie. When you come to know them you know truly the old adage, "The Apple Doesn't Fall Far From the Tree." They are very dear and special people and they have supportive and fine spouses of their own and dear children, too. She was a kind, loving and wonderful grandmother to her four doting grandchildren. She loved them dearly. They loved her. It was Winston Churchill who once said that his children were his greatest memorial. For Pat Nixon, I can think of no finer monument. She will be remembered by a grateful citizenry who appreciate all that she gave to this country and its people.

Former President Nixon spoke so tenderly of his departed and beloved, Pat, at an event after the services in Yorba Linda, CA. He said: "I can never forget her smile—who could forget her smile?" I shall never forget the import of those remarks at that very moving remembrance ceremony.

So the great accomplishments of both President and Mrs. Nixon will be felt by future generations of Americans—and the thoughts and prayers of a grateful Nation go winging out to the entire family. The lives of many of us are richer for having shared a portion of them with Pat Nixon. America will always remember her as one of our country's sweetest and kindest and most compassionate First Ladies—and none shall ever forget her smile.

ART BY ANY OTHER NAME

Mr. FAIRCLOTH. Madam President, I have at hand a syndicated column written by Thomas C. Goolsby of Wilmington, NC.

On September 20, Mr. Goolsby wrote an especially refreshing column which was published by a number of newspapers. It was headed, "Art by Any Other Name," and I ask unanimous consent that the text of the column be printed in the RECORD at the conclusion of my remarks.

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

ART BY ANY OTHER NAME

RALEIGH, September 20.—Senator Helms and his fellow conservatives in the U.S. Senate may have lost their recent battles over funding for the National Endowment for the Arts (NEA), but "the times, they are a changing." Almost one-third of the Senate backed Senator Helms and his proposed changes in federal spending on the "arts."

Once again the cries of "censorship" and "totalitarianism" were heard in the halls of Congress, but if we get past the rhetoric to the reality, we see a totality different picture. One of our Senior Senator's common sense proposals was merely to require that NEA funding be restricted to nonprofit organizations. It sounds sensible. Let's only allow nonprofit groups to apply for and receive the free, hard-earned tax dollars of working Americans. As Senator Helms said, "I never heard a symphony orchestra that offended anyone." Wrong, Senator Helms—you should know better that to question the omnipotent wisdom of the NEA.

In response, the Senate came down against such restrictions on funding. The NEA can continue to fund any number of individual artists of questionable skill and taste. Don't forget—it's art and we little people have no right to question its value to society. We are just expected to pay for it.

The other "offensive" action by conservatives in the U.S. Senate was to require that no less than 70 percent of NEA funds be sent to the states for local distribution. Another critical and "dictatorial" error. How dare anyone question the power of the NEA and their ability to decide what is "art" and what art is worthy of funding. To trust decisions of such extreme import to "provincials" in Any Town, U.S.A. is patently absurd.

If Bill Clinton has his way, we will soon have a new "Madame of the Arts." Actress Jane Alexander is the President's choice as the new chairman for NEA. When Senator Helms was suggesting the previously mentioned changes to the NEA's spending habits, Senator Barbara Boxer, D-California, told him, "I am not an art critic. The senator from North Carolina is not an art critic. We will make mistakes, yes, but give Jane Alexander a chance." Senator Boxer left out that Ms. Alexander is not an art critic either, but even if she were, what gives her the right to decide what is art and what is not?

I freely admit that I don't agree with any federal funding of the arts. When so many Americans need so many things and when our Nation is trillions of dollars in debt, how can we take 180 million additional dollars away from those who need it in order to give it away to something as vague as "art?" Even if you disagree and believe in taxpayer funding of the arts, what is wrong with requiring that 70 percent or more of the money be distributed by local officials. At least then the "little guy" has more of a chance in deciding how his money is spent?

The best analogy to use for describing the attitude that exists in the minds of our so-called art critics at the NEA is to pretend that they hire house painters. You may not have even decided if your house needed painting. However, for the sake of make believe, a government bureaucrat shows up and says not only does your house need painting, but you will pay for it whether you like it or not. Further, you don't even have a choice on the color of paint—that's for the "artist" to decide.

Just remember—It's a crazy world we live in and you're paying the tab.

DEATH OF SGT. EUGENE WILLIAMS AND PVT. MATTHEW K. ANDERSON

Mr. McCONNELL. Mr. President, last Saturday 26-year-old Sgt. Eugene Williams and 21-year-old Pvt. Matthew K. Anderson from the 101st Airborne Division at Fort Campbell, KY, were shot down in an Army Blackhawk helicopter over Somalia and killed. Both of these men had been members of the Screaming Eagle Division for 1 year.

I want to express my sympathy to these men's friends and the Fort Campbell community. They served our Nation with distinction and honor, and we are all eternally grateful for their loyalty and courage. I extend my deepest condolences to their families and General Keane, the 101st's commander. Their loss is felt not only by those who knew them, but it is felt by me and the entire Nation as well.

ENERGY AND WATER APPROPRIATIONS ACT OF 1994

Mr. JOHNSTON. Madam President, I ask unanimous consent that we proceed to the consideration of H.R. 2445, an act making appropriations for energy and water development for the fiscal year ending September 30, 1994, and for other purposes.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

> A bill (H.R. 2445) making appropriations for energy and water development for the fiscal year ending September 30, 1994, and for other purposes.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Energy and Natural Resources, with amendments; as follows:

(The parts of the bill intended to be stricken are shown in boldface brackets and the parts of the bill intended to be inserted are shown in italics.)

H.R. 2445

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the

Treasury not otherwise appropriated, for the fiscal year ending September 30, 1994, for energy and water development, and for other purposes, namely:

TITLE I

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

The following appropriations shall be expended under the direction of the Secretary of the Army and the supervision of the Chief of Engineers for authorized civil functions of the Department of the Army pertaining to rivers and harbors, flood control, beach erosion, and related purposes.

GENERAL INVESTIGATIONS

For expenses necessary for the collection and study of basic information pertaining to river and harbor, flood control, shore protection, and related projects, restudy of authorized projects, miscellaneous investigations, and when authorized by laws, surveys and detailed studies and plans and specifications of projects prior to construction, [$207,540,000] *$208,544,000*, to remain available until expended, of which funds are provided for the following projects in the amounts specified:

[Central Basin Groundwater Project, California, $750,000;

[Los Angeles County Water Conservation, California, $100,000;

[Los Angeles River Watercourse Improvement, California, $300,000;

[Norco Bluffs, California, $150,000;

[Rancho Palos Verdes, California, $80,000;

[Biscayne Bay, Florida, $700,000;

[Tampa Harbor, Alafia River and Big Bend, Florida, $250,000;

[Indianapolis, White River, Central Waterfront, Indiana, $4,000,000;

[Lake George, Hobart, Indiana, $200,000;

[Little Calumet River Basin (Cady Marsh Ditch), Indiana, $310,000;

[Ohio River Shoreline Flood Protection, Indiana, $400,000;

[Hazard, Kentucky, $250,000;

[Brockton, Massachusetts, $350,000;

[Passaic River Mainstem, New Jersey, $17,000,000;

[Broad Top Region, Pennsylvania, $400,000;

[Juniata River Basin, Pennsylvania, $450,000;

[Lackawanna River Basin Greenway Corridor, Pennsylvania, $300,000;

[Pocotaligo River and Swamp, South Carolina, $400,000;

[Jennings Randolph Lake, West Virginia, $400,000;

[Monongahela River Comprehensive, West Virginia, $600,000; and

[West Virginia Comprehensive, West Virginia, $500,000.]

Central Basin Groundwater Project, California, $750,000;

McCook and Thornton Reservoirs, Illinois, $5,500,000;

Indianapolis, White River, Central Waterfront, Indiana, $900,000;

Little Calumet River Basin (Cady Marsh Ditch), Indiana, $310,000;

Ohio River Shoreline Flood Protection, Indiana, $400,000;

Hazard, Kentucky, $250,000;

Brockton, Massachusetts, $350,000;

Passaic River Mainstem, New Jersey, $10,000,000;

Pocotaligo River and Swamp, South Carolina, $400,000;

Jennings Randolph Lake, West Virginia, $400,000;

Monongahela River Comprehensive, West Virginia, $600,000; and

West Virginia Comprehensive, West Virginia, $500,000:

Provided, That notwithstanding ongoing studies using previously appropriated funds, and using $2,500,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to conduct hydraulic modeling, foundations analysis and related design, and mapping efforts in continuing preconstruction engineering and design for the additional lock at Kentucky Dam, Kentucky project, in accordance with the Kentucky Lock Addition Feasibility Report approved by Report of the Chief of Engineers, dated June 1, 1992: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use $250,000 of available funds to complete a detailed project report, and plans and specifications for a permanent shore erosion protection project at Geneva State Park, Ashtabula County, Ohio: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use $400,000 appropriated herein to continue preconstruction engineering and design, including preparation of the special design report, initiation of National Environmental Policy Act document preparation, and initiation of hydraulic model studies for the Kaumalapau Harbor navigation study, Lanai, Hawaii: Provided further, That the Secretary of the Army is directed to limit the Columbia River Navigation Channel, Oregon and Washington feasibility study to investigation of the feasibility of constructing a navigation channel not to exceed 43-feet in depth from the Columbia River entrance to Port of Portland/Port of Vancouver and to modify the Initial Project Management Plan accordingly: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use $400,000 of funds appropriated herein to initiate a reconnaissance study, including economic and environmental studies, for the Pocataligo River and Swamp, South Carolina: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use $90,000 of funds appropriated herein to complete the reconnaissance study of the Black Fox and Oakland Spring wetland area in Murfreesboro, Tennessee: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to utilize $200,000 of available funds to initiate the planning and design of remedial measures to restore the environmental integrity and recreational boating facilities at Old Hickory Lake, in the vicinity of Drakes Creek Park, in accordance with the reconnaissance study findings dated September, 1993.

CONSTRUCTION, GENERAL

For the prosecution of river and harbor, flood control, shore protection, and related projects authorized by laws; and detailed studies, and plans and specifications, of projects (including those for development with participation or under consideration for participation by States, local governments, or private groups) authorized or made eligible for selection by law (but such studies shall not constitute a commitment of the Government to construction), [$1,389,138,000] *$1,296,167,000*, to remain available until expended, of which such sums as are necessary pursuant to Public Law 99-662 shall be derived from the Inland Waterways Trust Fund, for one-half of the costs of construction and rehabilitation of inland waterways projects, including rehabilitation costs for the Lock and Dam 25, Mississippi River, Illinois and Missouri, and GIWW-Brazos River Floodgates, Texas, projects, and of which funds are provided for the following projects in the amounts specified:

[Rillito River, Arizona, $4,200,000;

[Red River Emergency Bank Protection, Arkansas, $3,500,000;

[Coyote and Berryessa Creeks, California, $4,000,000;

[Sacramento River Flood Control Project (Glenn-Colusa Irrigation District), California, $400,000;

[San Timoteo Creek (Santa Ana River Mainstem), California, $12,000,000;

[Sonoma Baylands Wetland Demonstration Project, California, $4,000,000;

[Central and Southern Florida, Florida, $17,850,000;

[Kissimmee River, Florida, $5,000,000;

[Melaleuca Quarantine Facility, Florida, $1,000,000;

[Casino Beach, Illinois, $300,000;

[McCook and Thornton Reservoirs, Illinois, $13,000,000;

[O'Hare Reservoir, Illinois, $5,000,000;

[Des Moines Recreational River and Greenbelt, Iowa, $2,700,000;

[Barbourville (Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River), Kentucky, $3,868,000;

[Harlan (Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River), Kentucky, $15,432,000;

[Pike County (Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River), Kentucky, $5,000,000;

[Salyersville, Kentucky, $1,000,000;

[Williamsburg (Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River), Kentucky, $700,000;

[Lake Pontchartrain and Vicinity (Hurricane Protection), Louisiana, $24,119,000;

[Lake Pontchartrain and Vicinity (Jefferson Parish), Louisiana, $200,000;

[Red River Waterway, Mississippi River to Shreveport, Louisiana, $65,000,000;

[Anacostia River, Maryland and District of Columbia, $700,000;

[Clinton River Spillway, Michigan, $2,000,000;

[Silver Bay Harbor, Minnesota, $2,600,000;

[Stillwater, Minnesota, $2,400,000;

[Sowashee Creek, Mississippi, $3,240,000;

[Molly Ann's Brook, New Jersey, $1,000,000;

[New York Harbor Collection and Removal of Drift, New York and New Jersey, $3,900,000;

[Rochester Harbor, New York, $4,000,000;

[Wilmington Harbor Ocean Bar, North Carolina, $5,266,000;

[West Columbus, Ohio, $5,000,000;

[Lackawanna River Greenway Corridor, Pennsylvania, $2,000,000;

[South Central Pennsylvania Environmental Restoration Infrastructure and Resource Protection Development Pilot Program, Pennsylvania, $10,000,000;

[Fort Point, Galveston, Texas, $1,500,000;

[Lake O' The Pines-Big Cypress Bayou, Texas, $300,000;

[Red River Basin Chloride Control, Texas and Oklahoma, $4,000,000;

[Wallisville Lake, Texas, $1,000,000;

[Richmond Filtration Plant, Virginia, $1,000,000;

[Southern West Virginia Environmental Restoration Infrastructure and Resource Protection Development Pilot Program, West Virginia, $3,500,000; and

[State Road and Ebner Coulees, LaCrosse and Shelby, Wisconsin, $1,467,000.]

Rillito River, Arizona, $4,200,000;

Coyote and Berryessa Creeks, California, $4,000,000;

Sacramento River Flood Control Project (Glenn-Colusa Irrigation District), California, $400,000;

San Timoteo Creek (Santa Ana River Mainstem), California, $12,000,000;

Sonoma Baylands Wetland Demonstration Project, California, $4,000,000;

Central and Southern Florida, Florida, $9,500,000;

Kissimmee River, Florida, $5,000,000;

Casino Beach, Illinois, $300,000;

O'Hare Reservoir, Illinois, $5,000,000;

Des Moines Recreational River and Greenbelt, Iowa, $1,700,000;

Pike County (Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River), Kentucky, $5,000,000;

Salyersville, Kentucky, $1,000,000;

Williamsburg (Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River), Kentucky, $700,000;

Lake Pontchartrain and Vicinity (Jefferson Parish), Louisiana, $200,000;

Anacostia River, Maryland and District of Columbia, $700,000;

Stillwater, Minnesota, $2,400,000;

Sowashee Creek, Mississippi, $3,240,000;

Molly Ann's Brook, New Jersey, $1,000,000;

New York Harbor Collection and Removal of Drift, New York and New Jersey, $2,900,000;

Lake O' The Pines-Big Cypress Bayou, Texas, $300,000;

Red River Basin Chloride Control, Texas and Oklahoma, $4,000,000;

Wallisville Lake, Texas, $1,000,000; and

Southern West Virginia Environmental Restoration Infrastructure and Resource Protection Development Pilot Program, West Virginia, $3,500,000:

Provided, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use $3,500,000 of available funds to initiate and complete construction of the Finn Revetment portion of the Red River Emergency Bank Protection, Arkansas and Louisiana project: Provided further, That the Chief of Engineers is directed to use a fully funded contract for the construction of the Finn Revetment: Provided further, That the Secretary of the Army is directed to use $3,500,000 of funds appropriated herein to continue the Red River Levees and Bank Stabilization below Denison Dam, Arkansas project, including completion of studies to improve the stability of the levee system from Index, Arkansas to the Louisiana State line and continuation of rehabilitation work underway: Provided further, That with $2,000,000 appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to continue construction of the Bethel, Alaska project authorized by Public Law 99-662, including but not limited to initiating lands and damages, erosion control construction, and continued related engineering and construction management: Provided further, That no fully funded allocation policy shall apply to the construction of the Bethel, Alaska project: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use $24,119,000 of the funds appropriated herein to continue the Lake Pontchartrain and Vicinity, Louisiana, Hurricane Protection project, including continued construction of parallel protection along Orleans and London Avenue Outfall Canals and the award of continuing contracts for construction of this parallel protection under the same terms and conditions specified for such work under this heading in Public Law 102-377: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use $450,000 of funds appropriated herein to complete the repair and restoration to a safe condition of the existing Tulsa and West Tulsa local protection project, Oklahoma, authorized by the Flood Control Act of 1941, Public Law 73-228: Provided further, That with $19,300,000 of the funds appropriated herein, to remain available until expended, the Secretary of the Army, acting through the Chief of Engineers, is directed to continue to undertake structural and nonstructural work associated with the Barbourville, Kentucky, and the Harlan, Kentucky, elements of the Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River project authorized by section 202 of Public Law 96-367: Provided further, That with $5,365,000 of the funds appropriated herein, to remain available until expended, the Secretary of the Army, acting through the Chief of Engineers, is directed to continue to undertake structural and nonstructural work associated with Matewan, West Virginia, element of the Levisa and Tug Forks of the Big Sandy and Upper Cumberland River project authorized by section 202 of Public Law 96-367: Provided further, That with $3,500,000 of the funds appropriated herein, to remain available until expended, the Secretary of the Army, acting through the Chief of Engineers, is directed to continue construction of the Hatfield Bottom, West Virginia, element of the Levisa and Tug Forks of the Big Sandy and Upper Cumberland River project authorized by section 202 of Public Law 96-367 using continuing contracts: Provided further, That no fully allocated funding policy shall apply to construction of the Matewan, West Virginia, Hatfield Bottom, West Virginia, Barbourville, Kentucky, and Harlan, Kentucky, elements of the Levisa and Tug Forks of the Big Sandy and Upper Cumberland river project: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to initiate and complete construction of offshore breakwaters at Grand Isle, Louisiana, as an integral part of the repair of features of the Grand Isle and Vicinity, Louisiana, project damaged by Hurricane Andrew using funds previously appropriated for the purpose in the fiscal year 1992 Dire Emergency Supplemental Appropriations Act, Public Law 102-368, which are available for this work: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to continue construction of the section 14 bank stabilization program at McGregor Park in Clarksville, Tennessee utilizing heretofore appropriated funds until the Federal funds limit of $550,000 is reached or bank protection for the entire park is completed: Provided further, That using $3,800,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to continue with the authorized Ouachita River Levees, Louisiana project in an orderly but expeditious manner; and in addition, $145,000,000, to remain available until expended, is hereby appropriated for construction of the Red River Waterway, Mississippi River to Shreveport, Louisiana, project, as authorized by laws, and the Secretary is directed to continue the second phase of construction of Locks and Dams 4 and 5; complete construction of Howard Capout, McDade, Elm Grove, Cecile, Curtis, Sunny Point, and Eagle Bend Phase I and Phase II revetments in Pools 4 and 5, and levee modifications in Pool 5, all of which were previously directed to be initiated; and award continuing contracts in fiscal year 1994 for construction of the following features of the Red River Waterway which are not to be considered fully funded: recreation facilities in Pools 4 and 5, Piermont/Nicholas and Sunny Point Capouts, Lock and Dam 4 Upstream Dikes, Lock and Dam 5 Downstream Additional Control Structure, Wells Island Road Revetment, and construction dredging in Pool 4; all as authorized by laws, and the Secretary is further directed to provide annual reimbursement to the projects local sponsor for the Federal share of management costs for the Bayou Bodcau Mitigation Area as authorized by Public Law 101-640, the Water Resources Development Act of 1990.

FLOOD CONTROL, MISSISSIPPI RIVER AND TRIBUTARIES, ARKANSAS, ILLINOIS, KENTUCKY, LOUISIANA, MISSISSIPPI, MISSOURI, AND TENNESSEE

For expenses necessary for prosecuting work of flood control, and rescue work, repair, restoration, or maintenance of flood control projects threatened or destroyed by flood, as authorized by law (33 U.S.C. 702a, 702g-1), [$352,475,000] *$348,875,000*, to remain available until expended, of which $2,400,000 is provided for the Eastern Arkansas Region, Arkansas, project.

OPERATION AND MAINTENANCE, GENERAL

For expenses necessary for the preservation, operation, maintenance, and care of existing river and harbor, flood control, and related works, including such sums as may be necessary for the maintenance of harbor channels provided by a State, municipality or other public agency, outside of harbor lines, and serving essential needs of general commerce and navigation; surveys and charting of northern and northwestern lakes and connecting waters; clearing and straightening channels; and removal of obstructions to navigation, [$1,691,350,000] *$1,673,704,000*, to remain available until expended, of which such sums as become available in the Harbor Maintenance Trust Fund, pursuant to Public Law 99-662, may be derived from that fund, and of which $18,000,000 shall be for construction, operation, and maintenance of outdoor recreation facilities, to be derived from the special account established by the Land and Water Conservation Act of 1965, as amended (16 U.S.C. 4601), and of which funds are provided for the following projects in the amounts specified:

Tucson Diversion Channel, Arizona, $550,000;

[Los Angeles River (Sepulveda Basin to Arroyo Seco), California, $400,000;]

Oceanside Experimental Sand Bypass, California, $4,000,000;

Los Angeles County Drainage Area (Hansen Dam), California, $2,790,000; and

[Flint River Flood Control, Michigan, $2,500,000;]

Sauk Lake, Minnesota, $40,000[; and]:

[New Madrid County Harbor, Missouri, $250,000:]

Provided, That not to exceed $7,000,000 shall be available for obligation for national emergency preparedness programs: *Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use $5,000,000 of available funds to undertake and complete critical maintenance items for water supply of the Kentucky River Locks and Dams 5-14 and to transfer such facilities to the Commonwealth of Kentucky: Provided further, That the Secretary of the Army is directed during fiscal year 1994 to maintain a minimum conservation pool level of 475.5 at Wister Lake in Oklahoma: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use Operation and Maintenance funds and complete, in coordination with the schedule for feasibility phase, studies to deepen the Columbia River navigation channel, long-term dredge disposal plans for the existing authorized Columbia River Navigation Channel project, including associated fish and wildlife studies.*

REGULATORY PROGRAM

For expenses necessary for administration of laws pertaining to regulation of navigable waters and wetlands, $92,000,000, to remain available until expended.

FLOOD CONTROL AND COASTAL EMERGENCIES

For expenses necessary for emergency flood control, hurricane, and shore protection activities, as authorized by section 5 of

the Flood Control Act approved August 18, 1941, as amended, $20,000,000, to remain available until expended.

OIL SPILL RESEARCH

For expenses necessary to carry out the purposes of the Oil Spill Liability Trust Fund, pursuant to title VII of the Oil Pollution Act of 1990, $350,000, to be derived from the Fund and to remain available until expended.

GENERAL EXPENSES

For expenses necessary for general administration and related functions in the Office of the Chief of Engineers and offices of the Division Engineers; activities of the Coastal Engineering Research Board, the Humphreys Engineer Center Support Activity, and the Water Resources Support Center, $148,500,000, to remain available until expended: [*Provided*, That not to exceed $54,855,000 of the funds provided in this Act shall be available for general administration and related functions in the Office of the Chief of Engineers] *Provided, That not to exceed $58,255,000 of the funds provided in this Act shall be available for general administration and related functions in the Office of the Chief of Engineers, unless the Secretary of the Army determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the Secretary's determination and the reasons therefore: Provided further*, That no part of any other appropriation provided in title I of this Act shall be available to fund the activities of the Office of the Chief of Engineers.

ADMINISTRATIVE PROVISIONS

During the current fiscal year the revolving fund, Corps of Engineers, shall be available for purchase (not to exceed 100 for replacement only) and hire of passenger motor vehicles.

GENERAL PROVISIONS

CORPS OF ENGINEERS—CIVIL

SEC. 101. None of the funds provided in this Act may be used to close any Corps of Engineers District Office.

SEC. 102. None of the funds provided in this Act may be used to transfer any functions of any Corps of Engineers District Office.

SEC. 103. None of the funds provided in this Act may be used to fund the activities of the Office of the Assistant Secretary of the Army for Civil Works.

SEC. 104. Any funds heretofore appropriated and made available in Public Law 100-202 to carry out the provisions for the harbor modifications of the Cleveland Harbor, Ohio, project contained in Public Law 99-662; and in Public Law 102-104 for the development of Gateway Park at the Lower Granite Lock and Dam Project, Washington, may be utilized by the Secretary of the Army in carrying out projects and activities funded by this Act.

SEC. 105. None of the funds provided in this Act shall be used to implement Defense Management Review Decision No. 918, dated September 15, 1992, to transfer from the Corps of Engineers property accountability of automated data processing equipment and software acquired with funds from the revolving fund established by the Act of July 27, 1953, chapter 245, 33 U.S.C. 576.

SEC. 106. In fiscal year 1994, the Secretary shall advertise for competitive bid at least 7,500,000 cubic yards of the hopper dredge volume accomplished with Government-owned dredges in fiscal year 1992.

Notwithstanding the provisions of this section, the Secretary is authorized to use the dredge fleet of the Corps of Engineers to undertake projects when industry does not perform as required by the contract specifications or when the bids are more than 25 percent in excess of what the Secretary determines to be a fair and reasonable estimated cost of a well equipped contractor doing the work or to respond to emergency requirements.

SEC. 107. Notwithstanding any other provision of law, the Secretary of the Army, acting through the Chief of Engineers, is authorized to reprogram, obligate and expend such additional sums as necessary to continue construction and cover anticipated contract earnings of any water resources project which received an appropriation or allowance for construction in or through an appropriations Act or resolution of a current or last preceding fiscal year, in order to prevent the termination of a contract or the delay of scheduled work.

TITLE II

DEPARTMENT OF THE INTERIOR

CENTRAL UTAH PROJECT COMPLETION ACCOUNT

For the purpose of carrying out provisions of the Central Utah Project Completion Act, Public Law 102-575 (106 Stat. 4605), [$25,770,000] *$24,770,000*, to remain available until expended, of which [$15,920,000] *$14,920,000* shall be *available* to carry out the activities authorized under title II of the Act *and for feasibility studies of alternatives to the Uintah and Upalco Units*, and of which $9,850,000 shall be deposited into the Utah Reclamation Mitigation and Conservation Account: *Provided*, That of the amounts deposited into the Account, $5,000,000 shall be considered the Federal Contribution authorized by paragraph 402(b)(2) of the Act and $4,850,000 shall be available to the Utah Reclamation Mitigation and Conservation Commission to carry out the activities authorized under title III of the Act[: *Provided further*, That, notwithstanding any other provision of law, of the amounts available for activities authorized under title II of the Act, not to exceed $500,000 shall be available for necessary expenses incurred in carrying out the responsibilities of the Secretary of the Interior under the Act].

In addition, for necessary expenses incurred in carrying out responsibilities of the Secretary of the Interior under the Act, $1,000,000, to remain available until expended.

BUREAU OF RECLAMATION

For carrying out the functions of the Bureau of Reclamation as provided in the Federal reclamation laws (Act of June 17, 1902, 32 Stat. 388, and Acts amendatory thereof or supplementary thereto) and other Acts applicable to that Bureau as follows:

GENERAL INVESTIGATIONS

For engineering and economic investigations of proposed Federal reclamation projects and studies of water conservation and development plans and activities preliminary to the reconstruction, rehabilitation and betterment, financial adjustment, or extension of existing projects, to remain available until expended, [$13,109,000] *$14,409,000*: *Provided*, That, of the total appropriated, the amount for program activities which can be financed by the reclamation fund shall be derived from that fund: *Provided further*, That funds contributed by non-Federal entities for purposes similar to this appropriation shall be available for expenditure for the purposes for which contributed as though specifically appropriated for said purposes, and such amounts shall remain available until expended.

CONSTRUCTION PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For construction and rehabilitation of projects and parts thereof (including power transmission facilities for Bureau of Reclamation use) and for other related activities as authorized by law, to remain available until expended, [$464,423,000] *$460,898,000* of which $46,507,000 shall be available for transfer to the Upper Colorado River Basin Fund authorized by section 5 of the Act of April 11, 1956 (43 U.S.C. 620d), and $160,470,000 shall be available for transfer to the Lower Colorado River Basin Development Fund authorized by section 403 of the Act of September 30, 1968 (43 U.S.C. 1543), and such amounts as may be necessary shall be considered as though advanced to the Colorado River Dam Fund for the Boulder Canyon Project as authorized by the Act of December 21, 1928, as amended: *Provided*, That of the total appropriated, the amount for program activities which can be financed by the reclamation fund shall be derived from that fund: *Provided further*, That transfers to the Upper Colorado River Basin Fund and Lower Colorado River Basin Development Fund may be increased or decreased by transfers within the overall appropriation under this heading: *Provided further*, That funds contributed by non-Federal entities for purposes similar to this appropriation shall be available for expenditure for the purposes for which contributed as though specifically appropriated for said purposes, and such funds shall remain available until expended: *Provided further*, That no part of the funds herein approved shall be available for construction or operation of facilities to prevent waters of Lake Powell from entering any national monument: *Provided further*, That all costs of the safety of dams modification work at Coolidge Dam, San Carlos Irrigation Project, Arizona, performed under the authority of the Reclamation Safety of Dams Act of 1978 (43 U.S.C. 506), as amended, are in addition to the amount authorized in section 5 of said Act.

OPERATION AND MAINTENANCE

For operation and maintenance of reclamation projects or parts thereof and other facilities, as authorized by law; and for a soil and moisture conservation program on lands under the jurisdiction of the Bureau of Reclamation, pursuant to law, to remain available until expended, $282,898,000: *Provided*, That of the total appropriated, the amount for program activities which can be financed by the reclamation fund shall be derived from that fund, and the amount for program activities which can be derived from the special fee account established pursuant to the Act of December 22, 1987 (16 U.S.C. 460l-6a, as amended), may be derived from that fund: *Provided further*, That of the total appropriated, such amounts as may be required for replacement work on the Boulder Canyon Project which would require readvances to the Colorado River Dam Fund shall be readvanced to the Colorado River Dam Fund pursuant to section 5 of the Boulder Canyon Project Adjustment Act of July 19, 1940 (43 U.S.C. 618d), and such readvances since October 1, 1984, and in the future shall bear interest at the rate determined pursuant to section 104(a)(5) of Public Law 98-381: *Provided further*, That funds advanced by water users for operation and maintenance of reclamation projects or parts thereof shall be deposited to the credit of this appropriation and may be expended for the same purpose and in the same manner as sums appropriated herein may be expended, and such advances shall remain available until expended: *Provided further*, That revenues in the Upper Colorado River Basin Fund shall be available for performing examination of existing structures on participating projects of the Colorado River Storage Project.

In addition, to remain available until expended, such sums as may be necessary to cover the cost of work associated with rebuilding the Minidoka Powerplant, Minidoka Project, Idaho, to be offset by funds provided by the Bonneville Power Administrator as authorized by section 2406 of Public Law 102-486. Such offset will result in a final appropriation estimated at no more than $282,898,000.

BUREAU OF RECLAMATION LOANS PROGRAM ACCOUNT

For the cost, as defined in section 13201 of the Budget Enforcement Act of 1990, of direct loans and/or grants, [$11,563,000] *$12,900,000*, to remain available until expended, as authorized by the Small Reclamation Projects Act of August 6, 1956, as amended (43 U.S.C. 422a-422l): *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed [$18,726,000] *$21,000,000*.

In addition, for administrative expenses necessary to carry out the program for direct loans and/or grants, $600,000: *Provided*, That of the total sums appropriated, the amount of program activities which can be financed by the reclamation fund shall be derived from the fund.

CENTRAL VALLEY PROJECT RESTORATION FUND

For carrying out the programs, projects, plans, and habitat restoration, improvement, and acquisition provisions of the Central Valley Project Improvement Act, to remain available until expended, such sums as may be assessed and collected in the Central Valley Project Restoration Fund in fiscal year 1993 and such sums as become available in, and may be derived from, the Central Valley Project Restoration Fund in fiscal year 1994, pursuant to sections 3407(d), 3404(c)(3), 3405(f) and 3406(c)(1) of Public Law 102-575: *Provided*, That the Bureau of Reclamation is directed to levy additional mitigation and restoration payments totaling $30,000,000 (October 1992 price levels), as authorized by section 3407(d) of Public Law 102-575: *Provided further*, That the Bureau of Reclamation is directed to assess and collect payments, revenues and surcharges in the amounts and manner authorized by sections 3404(c)(3), 3405(f) and 3406(c)(1) of Public Law 102-575, respectively.

GENERAL ADMINISTRATIVE EXPENSES

For necessary expenses of general administration and related functions in the office of the Commissioner, the Denver office, and offices in the five regions of the Bureau of Reclamation, $54,034,000, of which $1,171,000 shall remain available until expended, the total amount to be derived from the reclamation fund and to be nonreimbursable pursuant to the Act of April 19, 1945 (43 U.S.C. 377): *Provided*, That no part of any other appropriation in this Act shall be available for activities or functions budgeted for the current fiscal year as general administrative expenses.

EMERGENCY FUND

For an additional amount for the "Emergency fund", as authorized by the Act of June 26, 1948 (43 U.S.C. 502), as amended, to remain available until expended for the purposes specified in said Act, $1,000,000, to be derived from the reclamation fund.

SPECIAL FUNDS

(TRANSFER OF FUNDS)

Sums herein referred to as being derived from the reclamation fund or special fee account are appropriated from the special funds in the Treasury created by the Act of June 17, 1902 (43 U.S.C. 391) or the Act of December 22, 1987 (16 U.S.C. 4601-6a, as amended), respectively. Such sums shall be transferred, upon request of the Secretary, to be merged with and expended under the heads herein specified; and the unexpended balances of sums transferred for expenditure under the head "General Administrative Expenses" shall revert and be credited to the reclamation fund.

ADMINISTRATIVE PROVISIONS

Appropriations for the Bureau of Reclamation shall be available for purchase of not to exceed 13 passenger motor vehicles for replacement only.

TITLE III

DEPARTMENT OF ENERGY

ENERGY SUPPLY, RESEARCH AND DEVELOPMENT ACTIVITIES

For expenses of the Department of Energy activities including the purchase, construction and acquisition of plant and capital equipment and other expenses incidental thereto necessary for energy supply, research and development activities, and other activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101, et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion; purchase of passenger motor vehicles (not to exceed 24, of which 18 are for replacement only), [$3,167,634,000 to remain available until expended, of which $10,000,000 shall be for hydrogen research and development], *$3,271,286,000, to remain available until expended.*

URANIUM SUPPLY AND ENRICHMENT ACTIVITIES

[For expenses of the uranium program, including payment to the Tennessee Valley Authority under the settlement agreement filed with the United States Claims Court on December 18, 1987, $160,000,000, to remain available until expended.]

For expenses of the Department of Energy in connection with operating expenses; the purchase, construction, and acquisition of plant and capital equipment and other expenses incidental thereto necessary for residual uranium supply and enrichment activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101, et seq.) and the Energy Policy Act (Public Law 102-486, section 901), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion; purchase of electricity as necessary and payment to the Tennessee Valley Authority under the settlement agreement filed with the United States Claims Court on December 18, 1987; purchase of passenger motor vehicles (not to exceed 5, of which 5 are for replacement only), $247,092,000, to remain available until expended: Provided, That revenues received by the Department for residual uranium enrichment activities authorized by section 201 of Public Law 95-238, and estimated to total $70,000,000 in fiscal year 1994, shall be retained and used for the specific purpose of offsetting costs incurred by the Department for such activities, notwithstanding section 3302(b) of title 31, United States Code: Provided further, That the sum herein appropriated shall be reduced as revenues are received during fiscal year 1994 so as to result in a final fiscal year 1994 appropriation estimated at not more than $177,092,000.

URANIUM ENRICHMENT DECONTAMINATION AND DECOMMISSIONING FUND

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses in carrying out uranium enrichment facility decontamination and decommissioning, remedial actions and other activities of title II of the Atomic Energy Act of 1954 and title X, Subtitle A of the Energy Policy Act of 1992, $286,320,000 to be derived from the fund, to remain available until expended; [and in addition, $49,679,000 in unexpended balances, consisting of $6,267,000 of unobligated balances and $43,412,000 of obligated] *and in addition, an estimated $49,679,000 in unexpended balances, consisting of an estimated $6,267,000 of unobligated balances and an estimated $43,412,000 of obligated* balances, are transferred from the Uranium Supply and Enrichment Activities account, to be available for such expenses.

GENERAL SCIENCE AND RESEARCH ACTIVITIES

For expenses of the Department of Energy activities including the purchase, construction and acquisition of plant and capital equipment and other expenses incidental thereto necessary for general science and research activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101, et seq.), including the acquisition or condemnation of any real property or facility or for plant or facility acquisition, construction, or expansion; purchase of passenger motor vehicles (not to exceed 15 for replacement only), [$1,194,114,000, to remain available until expended: *Provided*, That no funds may be obligated for construction of a B-factory until completion, by October 31, 1993, of a technical review of the Cornell and Stanford linear accelerator proposals by the Department of Energy and the National Science Foundation: *Provided further*,] *$1,615,114,000, to remain available until expended: Provided*, That none of the funds made available under this section for Department of Energy facilities may be obligated or expended for food, beverages, receptions, parties, country club fees, plants or flowers pursuant to any cost-reimbursable contract.

NUCLEAR WASTE DISPOSAL FUND

[For nuclear waste disposal activities to carry out the purposes of Public Law 97-425, as amended, including the acquisition of real property or facility construction or expansion, $260,000,000, to remain available until expended, to be derived from the Nuclear Waste Fund. To the extent that balances in the fund are not sufficient to cover amounts available for obligation in the account, the Secretary shall exercise her authority pursuant to section 302(e)(5) of said Act to issue obligations to the Secretary of the Treasury: *Provided*, That of the amount herein appropriated, within available funds, not to exceed $5,500,000 may be provided to the State of Nevada, for the sole purpose in the conduct of its oversight responsibilities pursuant to the Nuclear Waste Policy Act of 1982, Public Law 97-425, as amended: *Provided further*, That of the amount herein appropriated, not more than $7,000,000 may be provided to affected local governments, as defined in the Act, to conduct appropriate activities pursuant to the Act.]

For the nuclear waste disposal activities to carry out the purposes of Public Law 97-425, as amended, including the acquisition of real property or facility construction or expansion, $260,000,000 to remain available until expended, to be derived from the Nuclear Waste Fund. To the extent that balances in the fund are not sufficient to cover amounts available for obligation in the account, the Secretary shall exercise her

authority pursuant to section 302(e)(5) of said Act to issue obligations to the Secretary of the Treasury: Provided, That of the amount herein appropriated, within available funds, not to exceed $5,500,000 may be provided to the State of Nevada, for the sole purpose of conduct of its scientific oversight responsibilities pursuant to the Nuclear Waste Policy Act of 1982, Public Law 97–425, as amended: Provided further, That of the amount herein appropriated, not more than $7,000,000 may be provided to affected local governments, as defined in the Act, to conduct appropriate activities pursuant to the Act: Provided further, That within ninety days of the completion of each Federal fiscal year, each State or local entity shall provide certification to the Department of Energy, that all funds expended from such payments have been expended for activities as defined in Public Law 97–425, as amended. Failure to provide such certification shall cause such entity to be prohibited from any further funding provided for similar activities: Provided further, That none of the funds herein appropriated may be used directly or indirectly to influence legislative action on any matter pending before Congress or a State legislature or for any lobbying activity as provided in 18 U.S.C. 1913: Provided further, That none of the funds herein appropriated may be used for litigation expenses: Provided further, That none of the funds herein appropriated may be used to support multistate efforts or other coalition building activities inconsistent with the restrictions contained in this Act.

ISOTOPE PRODUCTION AND DISTRIBUTION PROGRAM FUND

For Department of Energy expenses for isotope production and distribution activities, $3,910,000, to remain available until expended.

ATOMIC ENERGY DEFENSE ACTIVITIES

WEAPONS ACTIVITIES

For Department of Energy expenses, including the purchase, construction and acquisition of plant and capital equipment and other incidental expenses necessary for atomic energy defense weapons activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101, et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion; the purchase of passenger motor vehicles (not to exceed 109 for replacement only, including one police-type vehicle), and the purchase of one rotary-wing aircraft, **[$3,572,198,000]** *$3,597,482,000*, to remain available until expended.

DEFENSE ENVIRONMENTAL RESTORATION AND WASTE MANAGEMENT

For Department of Energy expenses, including the purchase, construction and acquisition of plant and capital equipment and other incidental expenses necessary for atomic energy defense environmental restoration and waste management activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101, et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion; and the purchase of passenger motor vehicles (not to exceed 125 of which 122 are for replacement only including 9 police-type vehicles), **[$5,185,877,000]** *$5,106,855,000*, to remain available until expended: *Provided, That a total of $8,000,000 shall be transferred from this account to the Environmental Protection Agency for the implementation of the Waste Isolation Pilot Plan Land Withdrawal Act of 1992 and the development of cleanup standards to guide the Department of Energy's environmental restoration efforts.*

MATERIALS SUPPORT AND OTHER DEFENSE PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For Department of Energy expenses, including the purchase, construction and acquisition of plant and capital equipment and other incidental expenses necessary for atomic energy defense materials support, and other defense activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101, et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion; and the purchase of passenger motor vehicles (not to exceed 45 for replacement only), **[$2,046,592,000]** *$1,963,755,000*, to remain available until expended: *Provided*, That the New Production Reactor Appropriation Account shall be merged with and the balances made available to this appropriation.

DEFENSE NUCLEAR WASTE DISPOSAL

For nuclear waste disposal activities to carry out the purposes of Public Law 97–425, as amended, including the acquisition of real property or facility construction or expansion, $120,000,000, to remain available until expended, all of which shall be used in accordance with the terms and conditions of the Nuclear Waste Fund appropriation of the Department of Energy contained in this title.

DEPARTMENTAL ADMINISTRATION

For salaries and expenses of the Department of Energy necessary for Departmental Administration and other activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101, et seq.), including the hire of passenger motor vehicles and official reception and representation expenses (not to exceed $35,000), $401,238,000 to remain available until expended, plus such additional amounts as necessary to cover increases in the estimated amount of cost of work for others notwithstanding the provisions of the Anti-Deficiency Act (31 U.S.C. 1511, et seq.): *Provided*, That such increases in cost of work are offset by revenue increases of the same or greater amount, to remain available until expended: *Provided further*, That moneys received by the Department for miscellaneous revenues estimated to total $239,209,000 in fiscal year 1994 may be retained and used for operating expenses within this account, and may remain available until expended, as authorized by section 201 of Public Law 95–238, notwithstanding the provisions of section 3302 of title 31, United States Code: *Provided further*, That the sum herein appropriated shall be reduced by the amount of miscellaneous revenues received during fiscal year 1994 so as to result in a final fiscal year 1994 appropriation estimated at not more than $162,029,000.

OFFICE OF THE INSPECTOR GENERAL

For necessary expenses of the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, **[$31,757,000]** *$30,362,000*, to remain available until expended.

POWER MARKETING ADMINISTRATIONS

OPERATION AND MAINTENANCE, ALASKA POWER ADMINISTRATION

For necessary expenses of operation and maintenance of projects in Alaska and of marketing electric power and energy, $4,010,000, to remain available until expended.

BONNEVILLE POWER ADMINISTRATION FUND

Expenditures from the Bonneville Power Administration Fund, established pursuant to Public Law 93–454, are approved for official reception and representation expenses in an amount not to exceed $3,000.

During fiscal year 1994, no new direct loan obligations may be made.

OPERATION AND MAINTENANCE, SOUTHEASTERN POWER ADMINISTRATION

For necessary expenses of operation and maintenance of power transmission facilities and of marketing electric power and energy pursuant to the provisions of section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the southeastern power area, $29,742,000, to remain available until expended.

OPERATION AND MAINTENANCE, SOUTHWESTERN POWER ADMINISTRATION

For necessary expenses of operation and maintenance of power transmission facilities and of marketing electric power and energy, and for construction and acquisition of transmission lines, substations and appurtenant facilities, and for administrative expenses, including official reception and representation expenses in an amount not to exceed $1,500 connected therewith, in carrying out the provisions of section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the southwestern power area, $33,587,000, to remain available until expended; in addition, notwithstanding the provisions of 31 U.S.C. 3302, not to exceed $5,583,000 in reimbursements, to remain available until expended.

CONSTRUCTION, REHABILITATION, OPERATION AND MAINTENANCE, WESTERN AREA POWER ADMINISTRATION

(INCLUDING TRANSFER OF FUNDS)

For carrying out the functions authorized by title III, section 302(a)(1)(E) of the Act of August 4, 1977 (42 U.S.C. 7101, et seq.), and other related activities including conservation and renewable resources programs as authorized, including official reception and representation expenses in an amount not to exceed $1,500, the purchase, maintenance, and operation of one fixed-wing aircraft for replacement only, **[$287,956,000]** *$272,956,000*, to remain available until expended, of which **[$275,400,000]** *$260,400,000* shall be derived from the Department of the Interior Reclamation fund; in addition, $5,000,000 is appropriated for deposit into the Utah Reclamation Mitigation and Conservation Account pursuant to title IV of the Reclamation Projects Authorization and Adjustment Act of 1992: *Provided further*, That the Secretary of the Treasury is authorized to transfer from the Colorado River Dam Fund to the Western Area Power Administration $7,168,000, to carry out the power marketing and transmission activities of the Boulder Canyon project as provided in section 104(a)(4) of the Hoover Power Plant Act of 1984, to remain available until expended.

FEDERAL ENERGY REGULATORY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Energy Regulatory Commission to carry out the provisions of the Department of Energy Organization Act (42 U.S.C. 7101, et seq.), including services as authorized by 5 U.S.C. 3109, including the hire of passenger motor vehicles; official reception and representation expenses (not to exceed $3,000); $165,375,000 to remain available until expended: *Provided*, That hereafter and notwithstanding any other provision of law, not to exceed $165,375,000 of revenues from fees and annual charges, and other services and collections in fiscal year 1994, shall be retained and used for necessary expenses in

this account, and shall remain available until expended: *Provided further*, That the sum herein appropriated shall be reduced as revenues are received during fiscal year 1994, so as to result in a final fiscal year 1994 appropriation estimated at not more than $0.

TITLE IV

INDEPENDENT AGENCIES

APPALACHIAN REGIONAL COMMISSION

For expenses necessary to carry out the programs authorized by the Appalachian Regional Development Act of 1965, as amended, notwithstanding section 405 of said Act, and for necessary expenses for the Federal Co-chairman and the alternate on the Appalachian Regional Commission and for payment of the Federal share of the administrative expenses of the Commission, including services as authorized by section 3109 of title 5, United States Code, and hire of passenger motor vehicles, to remain available until expended, **[$189,000,000]** *$249,000,000*.

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

SALARIES AND EXPENSES

For necessary expenses of the Defense Nuclear Facilities Safety Board in carrying out activities authorized by the Atomic Energy Act of 1954, as amended by Public Law 100-456, section 1441, **[$15,060,000]** *$18,060,000*, to remain available until expended.

DELAWARE RIVER BASIN COMMISSION

SALARIES AND EXPENSES

For expenses necessary to carry out the functions of the United States member of the Delaware River Basin Commission, as authorized by law (75 Stat. 716), $333,000.

CONTRIBUTION TO DELAWARE RIVER BASIN COMMISSION

For payment of the United States share of the current expenses of the Delaware River Basin Commission, as authorized by law (75 Stat. 706, 707), $488,000.

INTERSTATE COMMISSION ON THE POTOMAC RIVER BASIN

CONTRIBUTION TO INTERSTATE COMMISSION ON THE POTOMAC RIVER BASIN

To enable the Secretary of the Treasury to pay in advance to the Interstate Commission on the Potomac River Basin the Federal contribution toward the expenses of the Commission during the current fiscal year in the administration of its business in the conservancy district established pursuant to the Act of July 11, 1940 (54 Stat. 748), as amended by the Act of September 25, 1970 (Public Law 91-407), $498,000.

NUCLEAR REGULATORY COMMISSION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Commission in carrying out the purposes of the Energy Reorganization Act of 1974, as amended, and the Atomic Energy Act of 1954, as amended, including the employment of aliens; services authorized by section 3109 of title 5, United States Code; publication and dissemination of atomic information; purchase, repair, and cleaning of uniforms, official representation expenses (not to exceed $20,000); reimbursements to the General Services Administration for security guard services; hire of passenger motor vehicles and aircraft, $542,900,000, to remain available until expended, of which $22,000,000 shall be derived from the Nuclear Waste Fund: *Provided*, That from this appropriation, transfer of sums may be made to other agencies of the Government for the performance of the work for which this appropriation is made, and in such cases the sums so transferred may be merged with the appropriation to which transferred: *Provided further*, That moneys received by the Commission for the cooperative nuclear safety research program, services rendered to foreign governments and international organizations, and the material and information access authorization programs, including criminal history checks under section 149 of the Atomic Energy Act of 1954, as amended, may be retained and used for salaries and expenses associated with those activities, notwithstanding the provisions of section 3302 of title 31, United States Code, and shall remain available until expended: *Provided further*, That revenues from licensing fees, inspection services, and other services and collections estimated at $520,900,000 in fiscal year 1994 shall be retained and used for necessary salaries and expenses in this account, notwithstanding the provisions of section 3302 of title 31, United States Code, and shall remain available until expended: *Provided further*, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 1994 from licensing fees, inspection services and other services and collections, excluding those moneys received for the cooperative nuclear safety research program, services rendered to foreign governments and international organizations, and the material and information access authorization programs, so as to result in a final fiscal year 1994 appropriation estimated at not more than $22,000,000.

OFFICE OF INSPECTOR GENERAL

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, including services authorized by section 3109 of title 5, United States Code, $4,800,000 to remain available until expended; and in addition, an amount not to exceed 5 percent of this sum may be transferred from Salaries and Expenses, Nuclear Regulatory Commission: *Provided*, That notice of such transfers shall be given to the Committees on Appropriations of the House and Senate: *Provided further*, That from this appropriation, transfers of sums may be made to other agencies of the Government for the performance of the work for which this appropriation is made, and in such cases the sums so transferred may be merged with the appropriation to which transferred: *Provided further*, That revenues from licensing fees, inspection services, and other services and collections shall be retained and used for necessary salaries and expenses in this account, notwithstanding the provisions of section 3302 of title 31, United States Code, and shall remain available until expended: *Provided further*, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 1994 from licensing fees, inspection services, and other services and collections, so as to result in a final fiscal year 1994 appropriation estimated at not more than $0.

NUCLEAR WASTE TECHNICAL REVIEW BOARD

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Nuclear Waste Technical Review Board, as authorized by Public Law 100-203, section 5051, $2,160,000, to be transferred from the Nuclear Waste Fund and to remain available until expended.

OFFICE OF THE NUCLEAR WASTE NEGOTIATOR

SALARIES AND EXPENSES

For necessary expenses of the office of the Nuclear Waste Negotiator in carrying out activities authorized by the Nuclear Waste Policy Act of 1982, as amended by Public Law 102-486, section 802, $1,000,000 to remain available until expended.

SUSQUEHANNA RIVER BASIN COMMISSION

SALARIES AND EXPENSES

For expenses necessary to carry out the functions of the United States member of the Susquehanna River Basin Commission as authorized by law (84 Stat. 1541), $308,000.

CONTRIBUTION TO SUSQUEHANNA RIVER BASIN COMMISSION

For payment of the United States share of the current expenses of the Susquehanna River Basin Commission, as authorized by law (84 Stat. 1530, 1531), $298,000.

TENNESSEE VALLEY AUTHORITY

TENNESSEE VALLEY AUTHORITY FUND

For the purpose of carrying out the provisions of the Tennessee Valley Authority Act of 1933, as amended (16 U.S.C. ch. 12A), including purchase, hire, maintenance, and operation of aircraft, and purchase and hire of passenger motor vehicles, **[$138,973,000]** *$140,473,000*, to remain available until expended.

TITLE V—GENERAL PROVISION

MINORITY PARTICIPATION IN THE SUPERCONDUCTING SUPER COLLIDER

SEC. 501. (a) PROGRAM IMPROVEMENTS.—Section 304 of the Energy and Water Development Appropriations Act, 1993 (Public Law 102-377; 106 Stat. 1339) is amended—

(1) in subsection (a)—

(A) by striking "owned or controlled" and inserting "that (1) are owned and controlled";

(B) by inserting after "Native Americans" the following: "; or (2) are small business concerns that are at least 51 percent owned by 1 or more women and whose management and daily business operations are controlled by 1 or more women"; and

(C) by striking the last sentence;

(2) by inserting "and (d)" after "(6)" each place it appears; and

(3) by adding at the end the following new subsection:

"(c) ADMINISTRATION OF PROGRAM.—

"(1) CERTIFICATION REQUIREMENT.—A business concern or other organization shall be eligible for participation under this section only if it has been certified as meeting the requirements specified in subsection (a) by the Small Business Administration, or by a State, local, regional, or other organization designated by the Small Business Administration.

"(2) RECORDS AND REPORTS.—The Secretary of Energy, with respect to the Superconducting Super Collider project, shall—

"(A) submit to the Congress copies of—

"(i) each subcontracting report for individual contracts (SF294) required under the Federal Acquisition Regulation (48 CFR chapter 1) to be submitted by a contractor or subcontractor with respect to the project; and

"(ii) each summary subcontract report (SF295) required under the Federal Acquisition Regulation (48 CFR chapter 1) to be submitted by a contractor or subcontractor with respect to the project; and

"(B) maintain accurate information and data on the amount and type of subcontracts awarded by each contractor or subcontractor

under the project and the extent of participation in the subcontracts by socially and economically disadvantaged individuals and economically disadvantaged women referred to in subsection (b).

"(3) CATEGORIES OF WORK TO BE INCLUDED.—The Secretary of Energy shall, to the fullest extent possible, ensure that the categories of work performed under contracts entered into pursuant to this section are representative of all categories of work performed under contract for the Superconducting Super Collider project.

"(4) AUDITS.—The Secretary of Energy shall conduct periodic audits to verify the continuing compliance of prime contractors and subcontractors with the requirements of this section. For such purpose, the Secretary shall have access to such reports and records of prime contractors and subcontractors as the Secretary determines to be necessary.".

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to fiscal year 1994 and thereafter.

SEC. 502. COMPLIANCE WITH BUY AMERICAN ACT.

No funds appropriated pursuant to this Act may be expended by an entity unless the entity agrees that in expending the assistance the entity will comply with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a–10c, popularly known as the "Buy American Act").

SEC. 503. SENSE OF CONGRESS; REQUIREMENT REGARDING NOTICE.

(a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—In the case of any equipment or products that may be authorized to be purchased with financial assistance provided under this Act, it is the sense of the Congress that entities receiving such assistance should, in expending the assistance, purchase only American-made equipment and products.

(b) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance under this Act, the head of each Federal agency shall provide to each recipient of the assistance a notice describing the statement made in subsection (a) by the Congress.

SEC. 504. PROHIBITION OF CONTRACTS.

If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a "Made in America" inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, such person shall be ineligible to receive any contract or subcontract made with funds provided pursuant to this Act, pursuant to the debarment, suspension, and ineligibility procedures described in section 9.400 through 9.409 of title 48, Code of Federal Regulations.

SEC. 505. BONNEVILLE POWER ADMINISTRATION REPAYMENT PROPOSAL

Utilizing funds made available in this Act, the Secretary of Energy is directed to submit to the Congress by February 1, 1994, a legislative proposal to satisfy the Bonneville Power Administration's entire repayment obligation to the United States Treasury for appropriated investment in the Federal Columbia River Power System: Provided, That such a proposal shall result in maximum deficit reduction for the Federal Government in fiscal year 1995 through fiscal year 1999, and shall not increase Bonneville Power Administration rates beyond those rates which would result under existing debt repayment policy and practices.

This Act may be cited as the "Energy and Water Development Appropriations Act, 1994".

PRIVILEGE OF THE FLOOR

Mr. JOHNSTON. Madam President, I ask unanimous consent that floor privileges be granted to Robert Simon, who is a DOE fellow, during the pendency of this bill.

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

Mr. JOHNSTON. Madam President, I ask unanimous consent that the committee amendments, except the amendments on page 2, line 18; page 20, lines 4 through 14; and page 42, line 5, be agreed to en bloc; and that the bill as thus amended be regarded for purposes of amendment as original text; provided that no point of order shall be considered to have been waived by agreeing to this request.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The committee amendments were agreed to en bloc, except the committee amendments on page 2, line 18; page 20, lines 4 through 14; and page 42, line 5.

Mr. JOHNSTON. Madam President, I am pleased to present to the Senate, the energy and water development appropriation bill for the fiscal year beginning on October 1, 1993, and ending on September 30, 1994, This bill, H.R. 2445, passed the House of Representatives on June 24, 1993, by a vote of 350 yeas to 73 nays. The Subcommittee on Energy and Water Development marked up this bill on September 21 and the full Committee on Appropriations marked up and reported this bill on September 23, 1993.

At the outset, Madam President, I want to express my deep appreciation to the chairman of the full Committee on Appropriations, Senator BYRD, for his assistance and for his leadership in moving this bill through both the subcommittee and the full committee and to the Senate.

Madam President, I especially want to express my warm appreciation to my ranking member and coleader in this endeavor, coleader for about 17 years, I think now, Mr. HATFIELD. It is a pleasant and a very productive relationship. I appreciate very much not just his help but his coauthoriship and comanagement of the bill. In addition, I thank all members of the subcommittee for their work on this bill.

PURPOSE OF THE BILL

The purpose of this bill is provide appropriations for the fiscal year 1994 for energy and water development, and for other purposes. It supplies funds for water resources development programs and related activities of the Department of the Army, Civil Functions—U.S. Army Corps of Engineers' Civil Works Program in title I; for the Department of the Interior's Bureau of Reclamation in title II; for the Department of Energy's energy research activities—except for fossil fuel programs and certain conservation and regulatory functions—including atomic energy defense activities in title III; and for related independent agencies and commissions including the Appalachian Regional Commission and Appalachian regional development Programs, the Nuclear Regulatory Commission, and the Tennessee Valley Authority in title IV.

SUMMARY OF RECOMMENDATIONS

Madam President, the fiscal year 1994 budget estimates for the bill total $22,128,500,000. The amount of the bill as reported to the Senate is $21,990,171,000, which is under the 1994 budget estimate by $138,329,000 and over the House-passed bill by $484,173,000.

Madam President, I will briefly summarize the major recommendations provided in the bill. All the details and figures are, of course, included in the Committee Report No. 103–147, accompanying the bill, which has been available since last Friday, September 24.

TITLE I—ARMY CORPS OF ENGINEERS

First, under title I of the bill which provides appropriations for the Department of the Army Civil Works Program, U.S. Army Corps of Engineers, we are recommending a total amount of new budget authority of $3,933,140,000, which is $31.7 million over the House and $307.7 million over the budget estimate.

TITLE II—DEPARTMENT OF THE INTERIOR

For title II, Department of the Interior, Bureau of Reclamation, we recommend a total in new budget authority of $907.3 million, which is $54 million over the budget estimate and $888,000 under the House.

The water resources development activities and programs under titles I and II include appropriations totaling approximately $4,183,620,000 for Federal water resource development programs. This includes projects and related activities of the U.S. Army Corps of Engineers—Civil, the Bureau of Reclamation of the Department of the Interior, and the Tennessee Valley Authority. The Federal water resource development program provides lasting benefits to the Nation in the area of flood control, municipal and industrial water supply, irrigation of agricultural lands, water conservation, commercial navigation, hydroelectric power, recreation, and fish and wildlife enhancement.

The water resources appropriations are: $222,953,000 for general investigations; $1,902,065,000 for construction; $1,956,602,000 for operations and maintenance; and $92,000,000 for Corps of Engineers, regulatory activities.

TITLE III—DEPARTMENT OF ENERGY

Under title III, Department of Energy, the committee provides a total of $16.9 billion. This amount includes approximately $10.8 billion for atomic energy defense activities, for research and development, including national

laboratories, $1,357,622,000; testing, $403,400,000; verification and control technology, $366,029,000; materials support, $1,092,193,000 for defense waste management and environmental restoration, $5,106,855,000.

For Energy supply, research, and development, a total of $3,271,286,000 is provided, which includes $252,349,000 for solar energy; $717,478,000 for environmental restoration and waste management—nondefense; $353,964,000 for nuclear fission R&D; $342,595,000 for magnetic fusion; $801,965,000 for basic energy sciences; and $416,060,000 for biological and environmental R&D.

An appropriation of $1,614,114,000 is provided for general science and research activities, high energy physics, and nuclear physics. Major programs are: High energy physics research, $612,769,000; nuclear physics, $353,345,000 and superconducting super collider, $640,000,000.

A new appropriation of $177 million is included in the bill for uranium supply and enrichment activities and $286.3 million is for a new appropriation account—uranium enrichment decontamination and decommissioning fund. For nuclear waste disposal an appropriation of $260 million is included out of the waste fund and $120 million is appropriated for defense nuclear waste disposal providing a total appropriation of $380 million to continue scientific characterization of Yucca Mountain and other nuclear waste program activities. For departmental administration $401.2 million is recommended offset with anticipated miscellaneous revenues of $239.2 million for a new appropriation of $162 million. A total of $345.3 million is recommended in the bill for the power marketing administrations and $165 million is for the Federal Energy Regulatory Commission [FERC] offset 100 percent by revenues.

TITLE IV—REGULATORY AND OTHER INDEPENDENT AGENCIES

A total of $435 million for various regulatory and independent agencies of the Federal Government is included in the bill. Major programs include the Appalachian Regional Commission, $249,000,000; Nuclear Regulatory Commission, $542,900,000 and the Tennessee Valley Authority, $140,473,000. The NRC amount is offset by licensing fees since, under law, the commission is required to recover 100 percent of its costs.

The 602B allocation for the bill is $22.1 billion in new budget obligational authority and $21.7 billion in outlays. The bill before the Senate contains $21.99 billion in budget authority and $21.7 billion in outlays. So there is no room to add to the bill because we have reached the outlay allocation number.

At this time, I would like to discuss the major recommendations, the first of which is the superconducting super collider [SSC].

SUPERCONDUCTING SUPER COLLIDER

The committee recommends $640,000,000 for the superconducting super collider to permit continued construction of this high-priority national project.

As the committee has noted for the last several years, construction of the SSC is the highest priority in particle physics today and is a critical necessity to permit progress in the basic understanding of matter into the 21st century. Numerous scientific reviews have affirmed and reaffirmed the fact that the SSC is the next logical and meaningful step in the ages-old quest for a deeper understanding of what things are made of and how they work.

Progress on the SSC has been impressive. Currently the project is about 20 percent complete. All major technical milestones have been met. The critical technical challenge to the project, the design and fabrication of the large superconducting dipole magnets, has been met. Highly successful magnets have been built at our national laboratories and the technology has been transferred to industry from those laboratories. Over 14 miles of the 54-mile collider tunnel have been completed.

The SSC continues to meet its cost and schedule goals as the Secretary of Energy testified before the committee. The committee is aware of a number of criticisms of SSC management that have been made public recently, but notes that those criticisms having any merit at all are aimed principally at the transparency and ease of use of financial and schedule reporting systems and not at any misuse of funds or mismanagement of project activities. The Department and its contractor have outlined the steps that will be taken to improve the performance of the project reporting systems while maintaining the excellent technical progress on the project.

The SSC continues to create excitement and activity in the world scientific community. Over 2,000 scientists from 23 countries are working on the design, development, and construction of the two major detectors that will address the scientific questions at the SSC. More than 100 American universities are involved in this effort.

The SSC is also having an impact on American industry. In addition to the transfer of technology from laboratories to industry that is evident in the SSC's magnet program, new tools, and techniques that are employed to meet the SSC's demanding performance requirements are finding significant application in other areas. The fabrication of high-quality superconducting wire, widespread uses of high-performance parallel computing, development of rapid tunnel-boring machines, and the use of proton beams in cancer therapy are but a few examples.

As it noted last year in its report on the super collider appropriation, the committee recognizes the historically international character of high-energy physics and encourages the Secretary of Energy to continue efforts seeking significant foreign contributions to the construction of the project. The committee recognizes the difficulty of obtaining firm commitments from foreign governments in light of the uncertainty of the United States commitment that is highlighted by the annual debate over continued funding for the project in the U.S. Congress. The committee reiterates its early contention that construction of the SSC should not be made dependent on obtaining foreign contributions. Since the SSC is an important, high-priority project, this Nation should be prepared to complete the project whether or not foreign contributions are obtained. The clear benefits of U.S. industries far outweigh any costs that might be attributed to a lack of foreign contributions.

It is apparent that the SSC has become a symbol of excessive Government spending and that opposition to the project is taken, by some, as a symbol of fiscal responsibility. The committee finds this outlook damaging. The SSC is an investment with great promise of profound new scientific knowledge and demonstrated capacity to develop future technologies and the economic well-being that will accompany those technologies. Terminating the SSC is not a mark of fiscal responsibility; true fiscal responsibility would nurture and encourage such investment and would demonstrate, to the Nation and the world, that this country can successfully complete the challenging projects on which it embarks.

One of the greatest challenges facing the Department of Energy and the country is the matter of environmental cleanup at the defense production sites. The committee is growing increasingly concerned that the cost of the environmental cleanup action that the Department is committed to perform under its' unusual compliance agreements is outpacing Congress' ability to pay for them.

In this bill, a total of $5.1 billion is appropriated for defense environmental restoration and waste management; $717.5 million for nondefense cleanup and management activities and $286 million for uranium enrichment decontamination and decommissioning. A grand total of $6.1 billion is appropriated for DOE programs and activities under environmental and restoration and waste management. The committee is also urging the Department to develop a mechanism for establishing priorities among competing cleanup requirements. The Department will need to address such matters as the risk to the health and safety of the public intended to be addressed by cleanup activities, the health and safety effect and the cost associated with

implementing the requirements. In addition, the committee is concerned that the Department may not be providing sufficient attention and resources for basic science research activities which may lead to the development of new and innovative cleanup technologies.

The Department of Energy maintains our Nation's great scientific capability through the national laboratories and other DOE-related institutions. These are an invaluable resource of mathematical, scientific, and engineering expertise that should be tapped to promote competitiveness through joint scientific and technological ventures with industry and academia and to improve the education of America's youth.

The committee has included in the bill $38,353,000 for technology transfer at the energy research laboratories and $240,000,000 for technology transfer activities at the defense laboratories.

The committee strongly supports the Department's efforts in pursuing technology partnerships between its laboratories and the private sector. This country faces many political and economic changes that are creating new sets of priorities for the national agenda. The restructuring of the former Soviet Union has profound implications for defense priorities. Concern about the technological competitiveness of the United States is at an all-time high. The quality and educational level of our work force is one of the critical issues for our Nation in this decade. Environmental issues, such as global climate change, will play an important role in shaping the research and development agenda for the next several decades.

The Department's laboratories are well-suited to take on these challenges. The Department's laboratories have incomparable resources, and both the Government and the private sector should work to channel those resources. Tremendous opportunity exists for cooperative work with the Department's laboratories to develop new technologies. There are numerous vehicles available to carry out partnerships with the private section. Therefore, a significant portion of the budgets of the laboratories should be directed to activities determined jointly with industry and conducted in close cooperation and industry.

Madam President, in conclusion let me say that this is a good bill that merits the support of the Senate. The budget constraints we are operating under preclude including a number of good projects and activities. We simply had to defer a large number of requests for appropriations because of these constraints. As I mentioned earlier, we have no room to add to the bill which would cause us to exceed the outlay allocation under the 602B assigned this bill by the Committee on Appropriations. I would also urge Members who have questions and concerns to discuss them with the Senator from Oregon and me as soon as possible. We will, of course, be happy to cooperate and work out to the extent we can, problems and issues that we are advised of in advance. Hopefully there are not many amendments, and I hope Members who do contemplate amendments will discuss with us their concerns as soon as possible.

Madam President, for the edification of my colleagues, there are three big amendments that we know about in this bill—one dealing with the integral fast reactor by Senator KERRY, which I believe will come up first; one by Senator BUMPERS, dealing with the superconducting super collider, which I am advised will come up immediately after the Kerry amendment, which should be today; and one dealing with what we used to call the HTGR. It is now called the gas turbine modular helium reactor, a California project that the Russians want to go in 50-50 with us. That should come third after these other amendments.

Madam President, those are the only three amendments that I am aware of a controversial nature, other than housekeeping amendments and agreed to amendments.

I would say to my colleagues that the time is now to come to the floor, because we hope to finish this bill today. It may take a little longer than today, but certainly not beyond tomorrow morning.

I would tell my colleagues, if they are waiting for later in the week to put in amendments, the train will have left the station, because we do not intend to dally. We intend to give Senators a full length of time to debate, but after that, to move on to final passage.

With that, Madam President, I yield the floor.

Mr. HATFIELD addressed the Chair.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. HATFIELD. Madam President, I wish to first thank the chairman of the Energy and Water Appropriations Subcommittee, Senator JOHNSTON, for his excellent work, and that of our staff, our combined staffs, in preparing the bill for Senate consideration.

Madam President, this has been truly a bipartisan effort. The process has reflected again the long tradition, as Senator JOHNSTON already referred to, that we have established through some 17 years of sharing the leadership of this subcommittee. Of that period I was privileged to serve as chairman for 6 years, and Senator JOHNSTON now going onto 10 years. So, I am delighted to recognize that historic event, not only our own experience as individuals but as members of the entire Appropriations Committee.

The Senator from West Virginia, Chairman BYRD, of the full Appropriations Committee, has certainly had his hand in making this bill possible. We take note of that role as well.

Madam President, I again want to take this occasion to emphasize the important role played by staff. I have often said we take the credit and the staff does much of the work. On this particular bill, certainly the work of Proctor Jones, David Gwaltney, Gloria Butland, Mark Walker, Dorothy Pastis, and Virginia James have all contributed to this bill in a very substantial way. We are blessed in our Appropriations Committee with a very professional staff. I would like to take note, too, our staff is very, very professional and nonpartisan.

I cannot help but repeat when the Republicans became the majority party in the Senate in the 1980 election, taking over the Appropriations Committee, my desire to retain all the professional staff on that committee was certainly to the advantage of the new majority party, because they represented the continuity of that staff. And we continued that staff that had been overwhelmingly appointed by the Democratic majority over many, many years prior to the Republicans' taking the majority status in the 1980 election.

Also, then, as we lost control of the Senate in the 1986 election, my successor, Senator John Stennis, of Mississippi, likewise continued the professional staff. We actually have staff on our subcommittee, David Gwaltney being one, who has never worked for other than a majority status staff in his long tradition on that committee. We are proud of that on our Appropriations Committee.

While Senator JOHNSTON has already given a fine summary of the contents of the committee's fiscal year 1994 recommendations, I want to emphasize a few points of my own.

First, this is one of the cleanest Energy and Water bills we have brought before the Senate. Although we were under some pressure to do otherwise, we have not recommended funding for any unauthorized construction projects, or included authorizing bill language for the Army Corps of Engineers or the Bureau of Reclamation. Furthermore, we have reduced drastically the number of specific earmarks for projects within the jurisdiction of the Department of Energy.

With regard to some of the actual programs covered in the bill, I first want to mention a provision we have included in the bill dealing with the Bonneville Power Administration. Section 505 of the bill urges the Secretary of Energy to submit draft legislation to the Congress by February 1, 1994, which would result in a buyout of Bonneville's total appropriated debt. This provision was included in reaction to the Vice President's National Performance Review which was unveiled just a few weeks ago.

In his report, the Vice President advocated reforming the debt repayment schedules for the Nation's Power Market Administrations. He also mentioned the debt buyout as a potential alternative to repayment reform for Bonneville Power. I am a strong supporter of the debt buyout option for Bonneville, and I do want to comply with the administration's request about the specific language.

When I finish my opening remarks I would like to offer a technical amendment, changing the word "direct" to "urge" in order to maintain the constitutional separation of powers, so that the President is unencumbered to offer any legislation by direction from the legislative branch. That has been made very clear to us in a letter from OMB, so I want to comply with that request in just a moment.

The committee's report to the bill also includes a provision on PMA repayment reform. In particular, the committee reminded the administration that Congress has historically opposed repayment acceleration proposals and has sought and received commitments that no changes in repayment would be implemented administratively. The committee also made it clear that any proposals affecting the repayment of debt by PMA's must be fully reviewed by the Congress and the public due to the potential for significant impacts on regional economies.

The committee also included language in its report on the Army Corps of Engineers' reorganization efforts at the division office level. While I empathize with Senators with division offices in their States which are proposed to be closed and merged with offices in other States, I do not believe that the corps will ever be able to alleviate every Members' individual concerns. From a pure efficiency and cost-effectiveness standpoint, the Energy and Water Development Subcommittee has been firm in its position that the corps should reorganize its headquarters and division offices.

In anticipation of these activities, the committee provided $7 million for corps reorganization activities in last year's appropriations bill. It is my understanding that a portion of those funds remain available to initiate reorganization activities as soon as Secretary Aspen issues his anticipated directive.

There should be no misunderstanding by any Member of the Senate about the fiscal urgency of this matter. The corps must either initiate its reorganization activities in the near future, or be forced to reduce its work force, nationwide. Either way, existing budget constraints cannot and will not allow the committee to fund corps activities at current levels indefinitely.

I believe the corps understands that any reorganization proposal that is not based on the basic principles of cost savings and efficiency is doomed to failure. If a proposal does not save money, or cannot be justified adequately on the basis of solid cost savings, then it likely will be rejected by the Congress. The corps has studied its reorganization options ad infinitum. The time has come for implementation.

Finally, I want to mention the committee's recommendation for nuclear weapons activities, and specifically our proposal for the nuclear testing program. The total recommendation for the weapons activities account is $3.597 billion. This is a decrease of $971 million from the fiscal year 1993 level, and a $109 million decrease from the budget request.

These numbers dramatically illustrate how the national security priorities for the United States are changing, and how this committee is keeping in step with those changes. Our recommendations support a program that anticipates a reduced nuclear weapons stockpile, no underground nuclear weapons testing, and no weapons production. I am proud to be associated with these recommendations, and believe they set a prudent and thoughtful course for the United States—one which will assist the President in his efforts to achieve a global ban on nuclear weapons testing, and control the production and distribution of nuclear materials.

Madam President, it has been my thesis for many years that science, in the sense of experimenting in underground testing, is the technology that is driving the weapons race, and unless we get control of that energy that is driving the weapons race, we are not going to really control the arms that are flooding this world.

So when this Senate and House of Representatives passed the Test Ban Treaty, or passed the test ban resolution, signed into law by the President, it became our responsibility to follow up in these appropriations bills, recognizing that new policy.

I am delighted to get at least the impression that the White House is not going to respond to the threatened Chinese underground testing by a knee-jerk reaction that we have to resume testing immediately in order to respond to the Chinese, even though that provision was given in the underground test ban legislation.

I think it shows maturity, it shows wisdom, and I do not think our foreign policy or domestic policy should be determined by another political power, particularly one like China.

With regard to the Nuclear Weapons Testing Program further, the committee is recommending a total of $403 million, $5 million less than the administration request, and $16 million below the fiscal year 1993 enacted level. Although this funding level is more than I personally would prefer to see, it is largely consistent with both the administration's proposed program and the Senate-passed version of the defense authorization.

Once again, Madam President, I want to thank Senator JOHNSTON for his efforts and leadership in developing this bill and delivering an excellent product to the full Senate for consideration. The subcommittee and the committee's recommendation is within the 602(b) allocation, $22.17 billion in budget authority and $21.7 billion in outlays.

AMENDMENT NO. 981

Mr. HATFIELD. Madam President, I would like to send to the desk and ask for its immediate consideration this technical amendment—which I believe has been cleared on both sides—to section 505 of the bill.

Mr. JOHNSTON. Madam President, we have cleared the amendment.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Oregon [Mr. HATFIELD] proposes an amendment numbered 981.

On page 53, line 22, strike the word "directed" and replace in lieu thereof the word "urged".

Mr. HATFIELD. Madam President, the amendment is self-explanatory, and it conforms now to the OMB's request that section be modified.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 981) was agreed to.

Mr. HATFIELD. Madam President, I move to reconsider the vote by which the amendment was agreed to.

Mr. JOHNSTON. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. SASSER. Madam President, the Senate Budget Committee has examined H.R. 2445, the energy and water appropriations bill and has found that the bill is under its 602(b) budget authority allocation by $127 million and under its 602(b) outlay allocation by $2 million.

I compliment the distinguished manager of the bill Senator JOHNSTON, and the distinguished ranking member of the Energy and Water Subcommittee, Senator HATFIELD on all their hard work.

Madam President, I have a table prepared by the Budget Committee which shows the official scoring of the energy and water appropriations bill and I ask unanimous consent that it be inserted in the RECORD at the appropriate point.

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

SENATE BUDGET COMMITTEES SCORING OF H.R. 2445: FISCAL YEAR 1994 ENERGY-WATER DEVELOPMENT APPROPRIATIONS

[In millions of dollars]

Bill summary	Budget authority	Outlays
Discretionary total		
New spending in bill	21,900	12,924
Outlays from prior years appropriations		8,775
Supplementals	0	0
Subtotal, discretionary spending	21,990	21,700
Mandatory total:	0	0
Bill total	21,990	21,700
Senate 602(b) allocation	22,117	21,702
Difference	−127	−2
Discretionary total above (+) or below (−):		
President's request	−133	−100
House—passed bill	484	289
Senate—reported bill		
Senate—passed bill		

Mr. JOHNSTON. Madam President, we await Senators to come to the Floor to offer their amendments. We certainly do not want to hurry Senators but, on the other hand, we do not intend to stay here all afternoon. So at some point we will go to third reading. That is a long way away, certainly not in the next 30 minutes.

So we are particularly waiting for Senator KERRY with an amendment on integral fast reactor and Senator BUMPERS is scheduled to come after him. I wish, if anyone in those offices is listening, if they could give us an indication of when we might expect Senator KERRY on the floor because we are ready to go on that amendment.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. HATFIELD. Madam President, the chairman and comanager of this bill indicated some 40 minutes ago that we were ready for amendments, and I, in addition, had asked the Republican Cloakroom to send out a hotline to all Republican Senators that we were ready for handling any of their amendments. We have had no response, no calls, as to the hotline.

So it seems to me that, bearing the time factor that we have experienced here, we should go to third reading. Therefore, I ask the manager of the bill if there would be any reason why we should not go to third reading of the bill and dispose of it, since there has been no response to our call to our colleagues who might have amendments.

Mr. JOHNSTON. Madam President, I say to my colleague that we have been waiting here now 40 minutes, and I know it does not take that long to get to the floor. Maybe we miscalculated the interest of Senators in bringing up their amendments. But I am advised that there is interest in bringing up the amendments.

I understood Senator KERRY of Massachusetts has an amendment on the integral fast reactor which he wanted to bring up and it was supposed to be brought up first.

At some point, certainly not beyond 3:30—that is another 30 minutes—that is time.

Mr. HATFIELD. Will the Senator compromise at 3 o'clock?

Mr. JOHNSTON. Well, the majority leader may want to come out here and ask for a quorum call and keep this going indefinitely. But I want to put Senators on notice that we will go to third reading, and I say if it has not happened by 3:30, this bill is on the way.

Mr. HATFIELD. I say to my colleague that, obviously, we are being observed by offices of our colleagues, because I have just been given a note on a call from Senator BROWN's office that he is on his way to the floor now to offer an amendment.

So I am happy to report that we may be in business shortly.

Mr. JOHNSTON. I am glad to hear that.

Madam President, in our caucus, we frequently have meetings where we talk about the quality of life, where Senator after Senator gets up and says: Why do we have to meet at night? Why can we not go home and have dinner with our families? Why can we not see our children before they are put to bed?

The distinguished Senator from Michigan [Mr. RIEGLE] just made a statement yesterday announcing that he was not going to run, and one of the reasons is that he has a family, and he is here night after night, losing the opportunity to see his family, because we are here at night. So, consequently, we are going to lose the services of, in my judgment, one of the most outstanding Senators I have ever served with.

Why are we here at night? It is because Senators will not come to the floor and offer their amendments. I think there is only one way to put a stop to that, and that is if Senators do not care enough to come to the floor to offer their amendments, then we go to third reading.

Senators have been put on notice now that at 3:30 we are going to third reading. So let the notice go forth.

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

The PRESIDING OFFICER (Mr. LIEBERMAN). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BROWN. 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. HATFIELD. If the Senator will yield, parliamentary inquiry. Do we not need to ask unanimous consent to set aside the committee amendments for this amendment to be considered?

The PRESIDING OFFICER. The Senator is correct.

Mr. HATFIELD. I ask unanimous consent to set aside the pending committee amendments in order for the Senator from Colorado to offer his amendment.

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

AMENDMENT NO. 982

(Purpose: To limit the expenditure of funds for the superconducting super collider until certain management concerns are addressed)

Mr. BROWN. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated. The assistant legislative clerk read as follows:

The Senator from Colorado [Mr. BROWN] proposes an amendment numbered 982.

On page 34, line 8, insert before the period ": *Provided further*, that none of the funds made available under this section for Department of Energy facilities may be spent to permit the continued construction of the superconducting super collider until after the Secretary delivers to the Committee an implementation plan for the specific recommendations of the Report of the DOE Review Committee on the Baseline Validation of the Superconducting Super Collider and the Secretary certifies that the management issues raised by General Accounting Office in its report dated February 1993, number GAO/RCED-93-87 have been adequately addressed and will not recur".

Mr. BROWN. Mr. President, I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. BROWN. Mr. President, this is a straightforward amendment, and I will not trouble the body with extended debate.

I am happy to respond to comments or inquiries made. I believe it is a legitimate concern for American taxpayers. They insist that Congress and the administration address the observations made by the Government Accounting Office in their report, which was issued earlier this year, entitled "Federal Research Superconductor Is Overbudget and Behind Schedule."

I think it is a relevant factor in these deliberations. I think the American taxpayers have a legitimate right to insist that that report be addressed in detail, that the concerns be reviewed, analyzed, addressed, and answered.

That is what this amendment asks for. It addresses both the DOE Review Committee report and the Government Accounting Office report, the GAO report being dated February 1993. And it asks specifically that the management issues addressed by the GAO report be addressed and that the Secretary assure us that those problems will not reoccur. It carries some teeth.

If the Secretary is not able to address those issues and not able to assure us that they will not reoccur, then the

money cannot be spent. But if, indeed, they are addressed and we are assured they will not reoccur, then the amendment would allow the funding provided in this measure to go forward.

It is straightforward. It is simple. It imposes restriction on further funding until these are taken care of, but I think it is a minimum level of assurance that the taxpayers of this country deserve if the spending on this project is to continue.

I yield the floor.

Mr. JOHNSTON. Mr. President, will the Senator yield?

Mr. BROWN. I am happy to yield.

Mr. JOHNSTON. Mr. President, I do not disagree with the thrust of this amendment because the Secretary of Energy has stated that she is going to do just this. I have given her assurance through me to my colleagues that those issues raised in that report will be addressed.

I have a concern here though that I ask the Senator from Colorado. If we were to adopt this amendment, it would go into effect immediately, and those employees at both places—some 10,000 employees, I think—would have to be immediately blue slipped.

I wonder if we could have a period of grace here. It will take her some time to implement and to certify this issue. I wonder if we could have a period of grace here. I would suggest 120 days, maybe. In other words, if she cannot deal with this under this amendment, the project would stop. But would the Senator be amenable to that kind of change?

Mr. BROWN. I appreciate the distinguished Senator's observation. My understanding is these are both reports that the Secretary is aware of, that they are in the process of trying to address, and I think the Senator's suggestion is a good one.

I am wondering if the Senator would think it would be reasonable to provide 90 days after the beginning of the fiscal year for the implementation of it.

Mr. JOHNSTON. Mr. President, there is nothing magic in my suggestion of 120 days. If we could take the 90 days with the understanding that we contact the Secretary in the meantime and do so jointly and if for whatever reason she needs a few more days, I could work with the Senator as we go to conference and extend that, because not only do I not resist this but I think it is a good amendment because it tightens this thing up and assures that those problems in the DOE review baseline validation committee report be addressed, and I believe it will be done within 90 days.

Mr. BROWN. I would be amenable to that, and I will be happy to work with the Senator to put that understanding into legislative language.

Mr. JOHNSTON. If I may ask my colleague, will this language do the job? It would read as follows:

* * * that none of the funds made available under this section for Department of Energy facilities may be spent 90 days after the beginning of the fiscal year to permit * * * until * * *

Mr. BROWN. And pick up the balance of the amendment.

Mr. JOHNSTON. Yes. I think it would be unless the Secretary delivers.

So there would be two changes. We would put in 90 days after the beginning fiscal year and we would change "until after" to "unless."

AMENDMENT NO. 982, AS MODIFIED

Mr. BROWN. Mr. President, I ask unanimous consent of the Senate to amend my amendment as it has been outlined by the distinguished chairman.

The PRESIDING OFFICER. The Senator is modifying his amendment and he has that right.

Without objection, the amendment is so modified.

The amendment (No. 982), as modified, is as follows:

On page 34, line 8, insert before the period ": *Provided further*, That none of the funds made available under this section for Department of Energy facilities may be spent 90 days after the beginning of the fiscal year to permit the continued construction of the superconducting super collider unless the Secretary delivers to the Committee an implementation plan for the specific recommendations of the Report of the DOE Review Committee on the Baseline Validation of the Superconducting Super Collider and the Secretary certifies that the management issues raised by General Accounting Office in its report dated February 1993, number GAO/RCED-93-87 have been adequately addressed and will not recur".

Mr. BROWN. Mr. President, my understanding is there are other Senators who wish to speak on this subject.

Mr. JOHNSTON. Mr. President, we are prepared to accept this amendment.

Mr. HATFIELD. We are prepared on this side to accept the amendment.

The PRESIDING OFFICER. Is there further debate on the amendment?

The yeas and nays have been ordered on the amendment.

The Senator from Colorado.

Mr. BROWN. Mr. President, it is my understanding that the junior Senator from Texas wishes to address this particular amendment.

I suggest the absence of a quorum.

Several Senators addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Colorado withdraw the request for the quorum call?

Mr. BROWN. Mr. President, I withdraw the request.

Senator BUMPERS and Senator HATFIELD addressed the Chair.

The PRESIDING OFFICER. The Senator from Arkansas is recognized.

Mr. BUMPERS. I am sorry.

Mr. HATFIELD. I want to ask one question.

Will the Senator yield for a question?

Mr. BROWN. I am glad to yield.

Mr. HATFIELD. With the modification and willingness to accept the amendment, will the Senator require a rollcall on this?

Mr. BROWN. I would like to have a rollcall, but I would be happy to adjust the timing.

Mr. HATFIELD. I think the information that has come to me, as well as to you, is that the junior Senator from Texas may wish to speak on this subject. I think the more important part that she wishes to speak on is on the amendment to be offered by the Senator from Arkansas [Mr. BUMPERS]. Therefore, she will have that opportunity to do so.

I just want to know if there is any reason why we have to have a rollcall, if we are willing to accept this amendment.

Mr. BROWN. I would be delighted to have the amendment adopted.

Mr. HATFIELD. Will the Senator vitiate the yeas and nays?

Mr. BROWN. Mr. President, I ask unanimous consent that we vitiate the yeas and nays on this amendment.

The PRESIDING OFFICER. Is there objection? Hearing none, it is so ordered.

Mr. JOHNSTON. Mr. President, I suggest we adopt the amendment but not reconsider it and lay it on the table, and if there is any problem with this, we can come back to it.

But, in the meantime, we can go ahead and adopt the amendment, because I do not believe there is any objection.

The PRESIDING OFFICER. If there is no further debate on this amendment, the question is on agreeing to the amendment offered by the Senator from Colorado [Mr. BROWN].

The amendment (No. 982), as modified, was agreed to.

Mr. JOHNSTON. Mr. President, I thank the Senator from Colorado for really an excellent amendment that I am sure will reassure some Senators who were worried about whether this plan would be timely adopted. This ensures that it will.

The PRESIDING OFFICER. The question then recurs on the committee amendment on page 2, line 18.

Mr. HATFIELD. Mr. President, I again ask unanimous consent to set aside the committee amendment in order that the Senator from Arkansas may be able to offer an amendment.

The PRESIDING OFFICER. Is there objection? Hearing none, that will be the order.

AMENDMENT NO. 983

(Purpose: To reduce the appropriation for General Science and Research Activities and terminate the Superconducting Super Collider program for the purposes of reducing the deficit in the Federal budget)

Mr. BUMPERS. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Arkansas [Mr. BUMPERS], for himself, Mr. WARNER, Mr. SASSER, Mr. COHEN, Mr. BRYAN, Mr. FEINGOLD, Mr. DORGAN, Mr. LAUTENBERG, Mr. BOND, Mr. EXON, Mr. JEFFORDS, Mr. KOHL, Mr. LEAHY, Mr. RIEGLE, Mr. WOFFORD, Mr. DECONCINI, and Mr. KERRY, proposes an amendment numbered 983.

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 33, line 22, after the first comma, strike all through page 3, and insert in lieu thereof the following: "1,195,114,000, to remain available until expended: *Provided*, That of the funds provided under this heading, $220,000,000 shall be made available for termination of the contracts relating to the Superconducting Super Collider program: Provided, that none of the funds"

Mr. JOHNSTON. Mr. President, I wonder if the Senator will yield at this point before we get into this to see if we could discuss a time agreement. Would the Senator be amenable to that?

Mr. BUMPERS. I say to the Senator, I have several cosponsors. I think some of them are on the way to the floor right now. I would be reluctant to enter into a time agreement. I want to enter into an agreement at the earliest possible time, but I do not want to jeopardize anybody's rights on either side who wishes to speak on this amendment.

Mr. JOHNSTON. I would certainly want to do that. Does the Senator have an approximation of time, so we can begin to circulate the idea?

Mr. BUMPERS. It is very difficult to do right now. This amendment has, I do not know, 15 or 20 cosponsors. I do not know how many of them want to speak; I do not think too many of them. Quite frankly, I think there will be more speeches on your side than there will be on this side. But we have no intention of prolonging the debate.

I simply want to say to the distinguished Senator, Mr. President, that there are several things that need to be said to make the record, not for redundancy, only for emphasis to make the point of the amendment. I promise the Senator that is all our intention is.

As I say, we have no intention of delaying it. I would like to get the record made on it. We will have, hopefully, an up or down vote, and then we will go on from there.

Mr. JOHNSTON. I thank the Senator. I hope that we can have, later, when people come to the floor, maybe a time agreement of 3 or 4 hours, if you want it that long. And we can shorten it later, if we can.

Mr. BUMPERS. Mr. President, I hope that it will not take more than 4 hours. But, at this point, I am reluctant to enter into an agreement.

Certainly, Senator SASSER, Senator WARNER, and Senator BRYAN, and a couple of others, wish to speak on it. I am the only one that is going to take a lot of time, and that is not going to be a lot of time by Senate standards on amendments of this magnitude.

Mr. JOHNSTON. I thank the Senator for yielding.

The PRESIDING OFFICER. The Senator from Arkansas has the floor.

Mr. BUMPERS. Mr. President, this is either the third or fourth time now that this issue has been debated on the Senate floor. My amendment leaves $220 million of the $600-plus million in the bill for the super collider. The $220 million I propose to leave is to terminate the project, to fill the big hole in.

Mr. President, I want to start by saying, I said on the floor one time that the only time I have ever seen a project killed in the U.S. Senate—and I believe I am correct on this—I have been here 19 years, and the only time I have ever seen a project of any size killed was on the Clinch River Breeder. I remember Howard Baker, the distinguished Senator from Tennessee, was the majority leader. And I want you to know that was a formidable chore.

Second—and this goes to the heart of why I agree with the distinguished floor manager that we should not belabor this amendment too long—is that debate does not change much of anything around here.

The other day, when we voted on my amendment on the advanced solid rocket amendment, one Senator came up to me and said, "I have been listening to this debate. I had intended to vote on the other side. I am persuaded of your position and I intend to support you."

Mr. President, it was about 1987, I guess, that we fought the third battle of Manassas here, late at night, to preserve the Manassas battlefield. That was the first and only time I have seen debate affect the outcome of a vote. That is a tragedy to say that, and I may be in error, but that is the only time I know of where Senators came in in the evening, took their seats, listened to the debate, happily did not know what the issue was, listened to both sides of the argument, and we were able to preserve the Manassas battlefield as a result.

And then, the other night, one Senator said he changed his mind after listening to the debate.

I do not know whether any minds are going to be changed on this or not. Our checks show that some Senators say they are undecided.

Mr. President, the superconducting super collider is what the Washington Post called this morning elegant science, and that the debate should really be about whether we could afford it or not.

And I could not agree more. The debate ought to be: Can we afford it?

Now, if you want to go back and look at something possibly before that, it is: Is there going to be a payback? Is the staggering cost of this project likely to return benefits in kind to the American people, who are going to be asked to pay for it? I say the answer is an absolute, unequivocal, no.

My amendment is not antiscience. Nobody has stood on the floor longer than I have to try to get more money for the National Institutes of Health. Nobody has fought for good science programs any harder than I have.

The distinguished Senator from Louisiana and I have bantered back and forth a lot about this amendment. I understand how important it is to him. It is important to the State of Louisiana. Louisiana and Texas are the two big winners. The rest of us only have to pick up the tab.

He said Senator BUMPERS is a member of the Flat Earth Society.

I said no, I am a member of the flat broke society.

This Nation is flat broke. I stand here, as I have on many occasions, and talk about a whole host of amendments that I think ought to be enacted in order to try to prove to the American people that they are wrong about Congress, and every year we conclusively prove that the American people are right about Congress—oftentimes for the wrong reasons.

I am reluctant to say some of these things during this debate because I have an excellent relationship with every Member of the Senate. The Governor of Texas, Ann Richards, is certainly one of the most effective lobbyists I have ever run up against. She is not even a member of this body, but there are precious few people, at least on this side of the aisle, who have not had a phone call from Ann Richards. I think she is a wonderful woman and great Governor. And if I lose this amendment, it will be in large measure because of her effective lobbying on behalf of the superconducting super collider. We all understand this is a big, big jobs program for Texas.

It has been said by one Senator that the space station and the superconducting super collider are welfare for Texas and free enterprise for the rest of us. When I think of the needs of this Nation, when I watched Hillary Clinton, as I did yesterday, testifying before a joint House committee, and the question on everybody's mind in the Congress is not whether we should have universal health care, whether it should be more efficiently delivered, whether it should be affordable. The question on everybody's mind is how are we going to afford it? How are we going to pay for it?

Everybody knows that a 75-cent tax on cigarettes is not going to pay for this health care bill.

We are proposing in our budget resolution, and in a reconciliation bill, to

cut $56 billion out of Medicare over the next 5 years. I forget how many billions out of Medicaid. What is that? That is health care for the elderly, that is health care for the poorest of the poor.

Everybody here believes that education and the quality of education is deteriorating in this country. And, while money is not the only solution, certainly money would solve a lot of our educational problems.

When it comes to crime—which is out of control in this country—money will not solve the root causes of crime but it would certainly start an awful lot of programs that could ameliorate the crime rate in this country.

Let me just show my colleagues, when I talk about how much this is going to cost—I will come back to the total cost in a minute—but here is a chart which shows what we are committing ourselves to.

We have already spent $2 billion on this. Listen to this. We have spent $2 billion and that is 50 percent of what Admiral Watkins, Secretary of Energy, told us in 1987 the entire project was going to cost; $4 billion was the first estimate we got.

The next year Admiral Watkins came back and said, "I am sorry." This was in 1990. He came in 1987 and said the cost would be $4.4 billion. In 1990 he came back and said, "It is going to cost $5.9 billion, and if it costs a penny more than that, count me out. I promise you we can do it for $5.9 billion."

In 1991, 1 year later, the same Admiral Watkins came back and said the cost will be $8.2 billion. Stop there for just one moment. From 1987 to 1991—we had hardly broken ground—the cost doubled. In 4 years the cost doubled.

Now, in 1993 the cost is either $11.6 or $13 billion.

You will hear arguments on the other side today saying there are no cost overruns. We are right on target.

Here we have gone from $4.4 billion in 1987 to a short 6 years later, $13 billion, or a tripling of the cost.

When we first started off on this, they said the State of Texas is going to put up $1 billion and we are going to get a couple of billion from foreign contributors. I think Texas is good for $900 million. It issued a bond to do it.

So far as the other foreign contributions are concerned, forget that. It is so minuscule as to be hardly mentionable. What is it, cash? No. Who are the givers? India, Russia, China—they are not going to give us a dime. They are going to build a part of it.

And here we are. The Federal contribution—non-Federal contribution share is still shown as $1.4 billion. And $1 billion of that is supposed to come from Texas. The other $400 million they say is in commitments; not cash, commitments.

Anybody who has ever run for office, you try running on commitments. You will have a bunch of unpaid bills when your campaign is over. And we are going to have a bunch of unpaid bills, too, if we rely on the foreign contributions.

Here is what we are going to be doing. If this amendment is defeated today we are committing ourselves to $620 million next year, approximately the same amount until 1998 when it goes to $1 billion. And then for 4 years, 1999 through the year 2002—

Mr. JOHNSTON. Will the Senator yield?

Mr. BUMPERS. Yes.

Mr. JOHNSTON. Could the Senator tell me where he got those figures, of $1.7 billion starting after 1998?

Mr. BUMPERS. Yes. These figures are based on the DOE baseline validation report.

I might also say to the Senator, the Secretary of Energy, Mrs. O'Leary, appeared and somebody asked her for a definitive figure on what it was going to cost, because she had said she could give that to us.

Mr. JOHNSTON. The baseline validation report? I have it here. If the Senator could direct me to where it states it in the baseline validation, I would appreciate it.

Mr. BUMPERS. Senator, the 1991 baseline validation cost by the DOE was $8.44 billion. But they admitted that there were risks that had been identified by them, in August 1993, of $1.5 billion.

Mr. JOHNSTON. I am familiar with that. I was talking about the other chart that has 4 years at $1.7 billion, as if that were a Department of Energy plan by year to spend. I was not aware that is the figures of any Department of Energy report.

Mr. BUMPERS. You are familiar with this, and I will come back to that in just a moment. But on the figures you have asked me about, this thing is going to be finished in 2002. These figures are what the Department of Energy says will be the annual operating costs, the one-half billion a year. These are the figures that DOE will be requiring for 4 consecutive years, $1.7 billion, just to finish it on time, based on our present projection of what it is going to cost.

Mr. JOHNSTON. My question is, Where has DOE said $1.7 billion commencing in 1998?

Mr. BUMPERS. These are based on their figures. I did not just drag those out of the air.

Mr. JOHNSTON. Their figures, where? I have the baseline validation report, I have testimony of the Secretary of Energy, I have a lot of other reports, and nowhere have I ever seen those figures or anything close to them.

Mr. BUMPERS. Let me stand partially corrected. This is the amount of money that we calculate based on $13 billion. Now, if the Senator has a different figure to reach $13 billion, I would be happy to see it.

Mr. JOHNSTON. First of all, we think the $13 billion—and I will be prepared——

Mr. BUMPERS. I am going to come back to that in a moment.

Mr. JOHNSTON. Is absolutely not correct. I am glad the Senator said these are not the Department of Energy figures, these are a graphmakers' figures that have no relationship to DOE plans.

Mr. BUMPERS. My real, honest gut feeling is these figures will be much higher than this.

Mr. JOHNSTON. Why did you not make them?

Mr. BUMPERS. I am trying to be fair to the Senator. We are talking about $13 billion, and I am going to come to that right now.

Mr. JOHNSTON. I did not mean to interrupt.

Mr. BUMPERS. Anybody here who now believes that a project which started off at $4.4 billion in 1987 and today is at $13 billion, a tripling in 6 years, anybody that believes that is the last word on what the collider is going to cost, we have swampland to sell to you. Everybody knows what happens in projects like this. This thing is hardly off the ground, and we are already at triple what the original estimate was.

How do we reach the $13 billion? We did it with the help of Hazel O'Leary, who is the Secretary of Energy and who testified in the Energy Committee. We started off in—actually started off in 1987 with that figure—but the 1991 baseline report on the cost of the collider was $8.44 billion. But DOE not only does not quarrel with it, they discovered that they had left out $1.5 billion of risks. These are not risks, they are costs that are going to be spent and, in their heart of hearts, they will tell you that.

Add $1.5 billion to $8.44 billion and then here we have costs left out that they admit it is going to cost. No debate whatever, even from the Department of Energy, that when they made their first validation, they simply left out $1.2 billion that should have gone in. Add that in. And now the President says he wants to stretch the completion date by 2 to 3 years. Right now, we are 10 years away from finishing this if the President's request is honored, and it most certainly will be.

What does that cost to stretch it out an additional 2 to 3 years? That will cost another $1.6 to $2.4 billion.

So there it is. There it is, Mr. President, $12.7 to $13.5 billion. As I say, nobody believes for an instant that that is the final word on what this is going to cost.

Mr. President, you hear a lot of talk about what the purpose of this is. You are going to hear everything from cancer to corns to eczema all are going to

be cured as soon as we finish the super collider. You will hear claims that magnetic resonance imaging, which is the state-of-the-art kind of x ray of the human body, is going to be improved or is at least as a result of the superconducting super collider.

The truth of the matter is, Mr. President, this is not unanimous even among physicists. The Senator from Louisiana will give you some statements from Nobel Laureates about how important this project is. There is a physicist from the physics department at Boston University named Steven Ahlen. He is a particle physicist. Of the 40,000 physicists in America, virtually of all of whom belong to the American Physical Society, 10 percent, or roughly 4,000 of them, are particle physicists. Most of them are hot for this because this is a particle physicist's dream. The other 36,000 will tell you privately that this does not amount to a hill of beans. A poll was taken of all the scientists in America, and 98 percent of them—listen to them—98 percent of them said the superconducting super collider is not important.

Mr. JOHNSTON. Mr. President, will the Senator yield? Does the Senator have that poll, because that is not the way the question was asked, as I recall.

Mr. BUMPERS. Give me just a minute to find that, will you?

Mr. JOHNSTON. I have it here. As I understand it, some members of the Sigma Xi were asked in the following question:

> * * * please rank your first three choices, with "1" representing your first choice for use of funds, "2" representing your second choice and "3" your third choice. I think that the three best uses of public funds for scientific research, at this point, are—

And they put—

> untargeted individual research awards; AIDS; biosphere/geosphere systems; engineering research centers and science and technology centers; human genome projects; space station; strategic defense initiative; superconducting materials; superconducting super collider; other.

Of those who replied, only 2 percent of those specified SSC. Not surprisingly untargeted research grants was the top since most of the members of Sigma Xi fraternity are in the business of getting untargeted research grants. They certainly were not asked whether this was an important project. You might as well have asked lawyers or doctors whether legal research is important, or whatever. They certainly were not in this field.

In any event, they did not say it was not important. Would the Senator agree with that?

Mr. BUMPERS. Just a moment.

Mr. JOHNSTON. While the Senator is looking——

Mr. BUMPERS. Let me just say, we had a letter from Dr. Rustum Roy, Penn State University. I do not know whether he is head of the department there. He is a physicist at Penn State. He is the one who gave us that figure. I do not have that poll. He goes on to say in a separate letter:

> The basic parts of medicine, biology, Earth science, chemistry, and material science have not, cannot, and will not be affected one iota by whatever comes out of the SSC and its relatives of the last few decades. Amazingly enough, nor will 95 percent of physics.

Mr. JOHNSTON. If the Senator will yield, and I appreciate him yielding on his time—I do not mean to be discourteous, but I have here on the letterhead of Sigma Xi, the Scientific Research Society, a full description of this in which they state that in 1988, which by the way was before construction began on this, a questionnaire was sent to approximately 10,000 selected members, 3,300 replied, and the sheet here from the fraternity says that the data collected—and I am quoting:

> The data collected in the exercise lacks statistical validity. Thus, the data derived from the returned questionnaires cannot be construed to represent the opinions, experiences, or positions of Sigma Xi members, the Society or the research community as a whole. * * * The data reflects only the views and experiences of the 3,300 respondents.

The letter from Linda Fuge Abruzzini, Ph.D., director of membership, points out what the field of these respondents is, and it is physical sciences, 26 percent; biological sciences, 25 percent; engineering sciences, 22 percent; social sciences, agricultural sciences, health sciences, mathematical and computer sciences, et cetera, are 8, 7, 7, and 5 percent.

So the point is that Sigma Xi itself states that it lacks statistical validity and involves—it was a questionnaire sent to people in fields far afield from physics and certainly high energy physics.

If it is appropriate at this time, Mr. President, I ask unanimous consent that the piece just referred to from Sigma Xi and from Dr. Abruzzini be printed in the RECORD.

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

SIGMA XI,
THE SCIENTIFIC RESEARCH SOCIETY,
Research Triangle Park, NC, August 7, 1992.

DEAR MR. BARNETT: The following is a breakdown by field of respondents to the questionnaire sent to approximately 10,000 Sigma Xi members in 1988.

Field:	*Percent of respondents*
Physical Sciences	26
Biological Sciences	25
Engineering Sciences	22
Social Sciences	8
Agricultural Sciences	7
Health Sciences	7
Mathematical and Computer Sciences	5

About 3,300 individuals returned the questionnaire. Given the low response rate, the exercise cannot be considered statistically valid. Hence, the data collected is representative only of those who responded and should not be construed to be representative of the Sigma Xi membership or the research community as a whole.

I hope you find this information helpful. If you have any questions about this information or any other aspect of the data collected in response to the questionnaire, please contact me. I would be happy to work with you and would especially welcome the opportunity to aid in interpretation of the data.

Sincerely,

LINDA FUGE ABRUZZINI, Ph.D.,
Director of Membership.

SIGMA XI, THE SCIENTIFIC RESEARCH SOCIETY

In 1988 a questionnaire was sent to approximately 10,000 nth selected active members of Sigma Xi, The Scientific Research Society. The questionnaire addressed a broad range of topics. Because a low response rate was achieved (only about 3,300 individuals returned the questionnaire), the data collected in the exercise lacks statistical validity. Thus, the data derived from the returned questionnaires cannot be construed to represent the opinions, experiences, or positions of Sigma Xi members, the Society, or the research community as a whole—the data reflects only the views and experiences of the 3,300 respondents. (A summary of data collected from the returned questionnaires is presented in a booklet, "Sketches of the American Scientist," available from Sigma Xi Headquarters.)

The superconducting super collider (SSC) was addressed in the questionnaire in the following question (response data included):

25. (In the following question, please rank your first three choices, with "1" representing your first choice for use of funds, "2" representing your second choice and "3" your third choice.) I think that the three best uses of public funds for scientific research, at this point in time, are: (Please rank up to three choices)

Respondents identifying project as one of their three best choices for public funding

	Percent
Untargeted individual research awards	23
AIDS	16
Biosphere/geosphere systems	19
Engineering Research Centers and Science and Technology Centers	13
Human genome project	4
Space Station	6
Strategic Defense Initiative	4
Superconducting materials	9
Superconducting super collider	2
Other (Specify:)	4

Care should be taken in interpreting the responses to this question. It is important to bear in mind that the purpose of the question was not to determine personal favor or disfavor with any of the projects listed and such information cannot be concluded from the responses. Rather, the question was designed to identify each of the respondent's top three project choices for use of public funds for scientific research among a list of nine plus "other". Respondents were not asked to provide a rank order for all listed projects and a rank order of the respondents' funding preferences cannot be concluded from the data.

We hope you find this information useful. If you have any questions about the 1988 questionnaire data or its interpretation, please contact the Sigma Xi Headquarters at 800-243-6534. Sigma Xi would appreciate the opportunity to work with you regarding this or other issues pertaining to Sigma Xi or the research community.

Mr. BUMPERS. Will the Senator give me an opportunity to respond?

Mr. JOHNSTON. Of course.

Mr. BUMPERS. I alluded a moment ago to Dr. Rustum Roy, and this is his testimony before the Senator's committee in the Senate. And I assume the Senator was presiding at the time Dr. Roy said this.

Summary. There are 3 overriding reasons why the super collider should not be funded now and by the U.S. alone. First, it takes away resources from other sciences relevant to jobs and industry. Secondly, it distracts the Nation and its scientists from urgent national priorities. Third, it is not materially urgent science and it could wait for a decade with no loss to science or the nation for implementation by an international body.

Now, this is particularly relevant because, as I say, this is his testimony before the Senator's and my Energy Committee.

Mr. JOHNSTON. If the Senator will yield, does the Senator recall what year that was? We do not recall him testifying before the committee.

Mr. BUMPERS. What I have here says, "Written Testimony by Professor Rustum Roy, Senate Hearing on the Superconducting Super Collider, August 4, 1993."

Mr. JOHNSTON. I think he must have submitted a written statement for the record. I do not recall him testifying.

Mr. BUMPERS. This does not say whether he testified or whether he submitted it. I do not really know. He has testified before our committee before, I think.

Mr. JOHNSTON. I think he is one of many scientists who submitted questions for the record and also for the record he is a material scientist, not a physicist.

Will the Senator agree with that?

Mr. BUMPERS. He is a material scientist.

Mr. JOHNSTON. I thank the Senator.

Mr. BUMPERS. "He is among the two or three leading material scientists in the United States. He is author of some 600 papers with major contributions to real science from diamond films to glass ceramics to sol-gel technology and nanocomposites. He is senior-most member of the National Academy of Sciences specializing in ceramic materials—one of the hottest fields in real science; he is a foreign member of the Swedish, Japanese, and Indian National Academies. In 1993, he was inducted into the Hall of Fame of U.S. Engineers, an honor shared by only 41 others in 100 years, by the American Society for Engineering Education."

So even though he is a material scientist, obviously, he just did not fall off a turnip truck.

Let me continue with what he said in that submitted testimony. Whether he said it orally or in writing I think is immaterial. He goes on to say:

I speak for the 98 percent of American scientists who in the Sigma Xi survey—

And I assume it is the same survey the Senator is referring to —

refused to give any priority for public funds for the SSC. We represent the real science, the public always believed it is supporting, as distinct from the speculative, abstract science of the SSC.

The Congress has never heard from any scientist from electrical engineering, biology, theoretical chemistry or environmental science supporting the SSC. Yet the witnesses who testify for the super collider should clearly be recognized as a tiny subset, within physics, which represents a very modest fraction of the American scientific community.

Now, Mr. President, I give you these things to say that outside the field of particle physics—if you just ask every physicist in the country it might be a split decision—it is almost unanimous I think among particle physicists. God knows, with the amount of money we are going to be spending, we ought to be able to employ every one of them. But the point I wish to make is there is a whole raft of great people in this country—physicists, material scientists, doctors of medicine—who say simply that in a perfect world this might be highly acceptable. But we are not in a perfect world. We are a member of the "Flat Broke Society." If you are going to spend the money, spend it where it will do some good. That is what they all say.

Now, Mr. President, here is a portion of a letter from Barry M. McCoy, professor of physics, State University of New York at Stonybrook. And I will insert these in the RECORD in just a moment, Mr. President, but let me just read it:

As a theoretical physicist with 26 years of experience and some 110 publications, I want to strongly express to you my intense dismay at the way the effort to fund the SSC is undermining public credibility in the objectivity of scientific research.

He refers to a forum. He said it "lasted from 10 a.m. to 4 p.m. and in those 6 hours there were exactly two sentences devoted to the scientific goals of the SSC."

Here is another part of his letter, and this is very important for everybody who thinks we have a cancer cure coming up.

The low energy protons useful for cancer research are already available at many laboratories. Protons of the much higher energy produced by the SSC will kill you—

Will kill you—

if you come into contact with them.

DR. BARRY MCCOY,
Theoretical Physicist.

Laurence J. Campbell, who is a physicist at the University of California, wrote:

DEAR SENATOR BUMPERS:

I will just read a highlight.

The astonishing fact, in view of how seriously this project has been taken by Congress, is that there will be no benefits from the results of this research to any science or technology outside the very narrow specialty of particle physics itself. The reason for this gloomy assessment originates from the nature of the phenomena to be studied. They occur naturally nowhere—not on Earth, not in the solar system, not in our galaxy.

Twenty billion dollars. And he says the reason for this assessment is the nature of the phenomena to be studied occurs naturally nowhere—not on Earth, not in the solar system, not in our galaxy.

But the U.S. Senate is never deterred by things like that.

Let me digress just a moment, Mr. President, to say I worked feverishly on this for a long time. But this year I went through it and concluded once again that this is the most abysmal, unalterably abysmal waste of the taxpayers' money.

I concluded, as I lobbied my colleagues who said, I have promised so and so that I will vote with him on that; I had promised somebody else; this is really important to me. We have a lot of jobs. I understand that. We all understand that.

Mr. JOHNSTON. Mr. President, will the Senator yield at that point?

Mr. BUMPERS. Yes.

Mr. JOHNSTON. I thought the Senator had said previously during the hearings and on the floor here, first that this was not the most abysmal waste. I thought I heard that about the space station. Second, I thought I heard the Senator say this is good science, and in a perfect world we would like to do it, but we cannot afford to do it at that time.

Has the Senator changed his view?

Mr. BUMPERS. No. Absolutely not. I will answer that question further in a moment. But let me finish the point I was making.

The point I was making is one that I do not like to make. The point is that there are people in the U.S. Senate who have made up their mind whether that they are going to vote for this. No matter what you say; no matter what an abysmal mess this thing is, they are going to vote for it. You cannot say, do, or demonstrate anything. It is the same way with the space station.

That is the reason I say the American people have our number. I used to say, well, people do not really understand. They just do not understand what a tough job this is the way it works. They understand. They know we are not going to kill this program. They know we are not going to kill the space station. They know we have never killed a spending project in the last 20 years.

Why do you think they are hot for a balanced budget amendment, line-item veto, all the rest of that stuff which I have strenuously opposed? And I am not sure I am going to in the future; absolutely unsure that I am going to resist those things in the future. You cannot stop it. It is a jobs program, simply.

You know the only person that has lobbied a single Senator against this project? Me. You know how many contractors, how many Senators, how many special interest groups have rung the phones off the wall of every Senator in the U.S. Senate? Thousands.

Senator SASSER, and Senator WARNER, Senator COHEN, and I, it is a lonely thing as far as I know. I am about the only one who really buttonholed my colleagues and tried to make the case for the fact that we cannot continue doing business. I read them these quotes as I am reading here on the floor. They get a blank look on their face and walk off.

A letter from Theodore H. Geballe, professor emeritus, Stanford University:

DEAR SENATOR BUMPERS: Briefly I believe the SSC will consume more money than is justified considering the many equally worthwhile smaller projects in other fields of science which are underfunded. . . . Discoveries in the other frontier fields are more apt to be relevant to the needs of society than are those of the SSC, and many more frontiers can be explored with the same amount of money than is required by the SSC project. We are more likely to make new discoveries by fishing in many ponds than by fishing in just one. . . . Many of the spinoffs and claims of the economic benefits of the SSC are simply misleading. . . . The SSC has, at most, caused a blip on the market price of superconducting wire. Last year 1,100 superconducting magnets were manufactured and sold, each made with 20 to 40 miles of the same niobium titanium wire now being used by the SSC.

Officers of the American Society for Microbiology released the following statement: "Under the proposed '94 budget, the number of new and competing grants supported by the NIH."

I want my colleagues to listen to this—virtually all the health research in this country is done by the $10 or $11 billion we give NIH every year that they dole out to universities and scientists. I want you to listen to what is happening to NIH because we cannot fund them. The reason we cannot fund them is because this thing slurps up all the money.

Officers of the American Society for Microbiology released the following statement: Under the proposed '94 budget the number of new and competing grants supported by the National Institutes of Health will decline to 5,594, marking a sharp drop of almost 1,200 from the 6,795 new and competing grants that were given just 2 years ago. No inflationary increases are proposed for the cost of research grants. The success rate would fall to 21.6 percent.

Senator, similar comments about underfunding every basic research by the National Science Foundation can also be made.

Professor Bloembergen of Harvard, President of the American Physical Society, two years ago, President of all the 40,000 physicists in America 2 years ago. Here is what he said:

From high temperature superconductivity the growth hormones to the chemical reactions that devour the ozone, the discoveries that are changing our lives are most often made by individual scientists or small groups and their plight is increasingly desperate.

Testimony from Philip Anderson:

I won the Nobel Prize in 1977 for fundamental research in solid state physics. I may be the physicist most often cited by my colleagues.

Just a couple lines:

Most of that substructure is well understood, in the sense that nothing discovered by the SSC will, for the foreseeable future, change the way we work with, or think about the world; it cannot even change nuclear physics.

That is an interesting statement I will put in the RECORD, and I hope a lot of people will read that.

Mr. President, I am not going to take much more time here. I have all of this information, speeches, and so on. I would like to submit en bloc for the RECORD, and ask unanimous consent that it be entered at the conclusion of my remarks.

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

(See Exhibit 1.)

Mr. JOHNSTON. Mr. President, will the Senator yield?

Mr. BUMPERS. I would be happy to yield.

Mr. JOHNSTON. Mr. President, I ask my colleague if it is not a fact that Dr. Philip W. Anderson, who was just quoted, did he not say that "on the scientific soundness"—that is of the SSC—I agree with almost all of what Steve has said "Steve," Dr. Weinberg, being the Nobel Laureate whose testimony immediately preceded him.

He goes on to say:

On the mismanagement, I am not as closely connected with the inside project, but I know enough to know that it would be very surprising if the accusations on this were really completely true.

Skipping a little bit, he goes onto say:

I well understand that the questions the SSC is designed to answer are deep, fundamental and interesting. . . if the scientists were allowed to carry out their job without interference they would probably do so very efficiently. I do not agree with Steve that it is the only way that the job can be done. I think that represents something of a failure of imagination. The point of my testimony is that of priorities.

Does the Senator recall that testimony, and does that fairly represent the flavor of what Dr. Anderson stated?

Mr. BUMPERS. I just sent his testimony to the desk. So I do not have it in front of me right now. But I can tell you, he is opposed to the super collider for the same reason all the rest of them are. Some of them are more critical than others. I did not read a letter there; I believe it was the last letter in that pack. But it said that Dr. Steven Ahlen—I think he is head of the physics department; he is a professor of physics, and he is a particle physicist at Boston University—He told me himself—and this is not a letter, this is not in testimony—he came into my office; he said, "Senator, every scientist in this country is hurting for research money."

That is exactly what all of these physicists are saying. You are so much more likely to get something beneficial that we can all enjoy the benefits of if you fish in many ponds, instead of looking for one big fish in one big pond.

He went ahead to say, "Do you know what they are looking for?" I said, "Dr. Ahlen, I never even had high school chemistry. I know they are trying to find the origin of mass." He said, "Well, that is correct. What they are looking for is what physicists call the Higgs Boson. The Higgs Boson is a particle that physicists think existed for something like one-millionth or one-thirtieth of one-millionth of a second at some time billions of years ago.

Mr. JOHNSTON. If the Senator will yield at that point, Mr. President, will the Senator not agree with me that scientists believe or theorize that Higgs Boson exists today, and that it is the field through which all energy and particles are propagated, and that it can be found only with the energies of the superconducting super collider? It is not that it existed way back then, it exists today, and they theorize that; will the Senator agree with that?

Mr. BUMPERS. Not totally. The Senator is partially correct. I think Dr. Ahlen—I am reluctant to quote a physicist on a technical matter about which I know very little—but the point I was about to make when the Senator asked me to yield to him is I think Dr. Ahlen thinks the Higgs Boson existed for a second many billions of years ago. But his concluding remark to me was: "I do not believe the Higgs Boson exists."

Let me just make another point. When we started the Manhattan Project, essentially based on a theory of Albert Einstein, to develop a nuclear weapon, every physicist in the country, every physicist in the world knew we had atoms. Everybody knew what an atom was. Einstein had a theory that if we could split that atom, if we could develop the technique for splitting that atom, it was going to make a big noise. And so we undertook the Manhattan Project to split the atom, harness it, put it on an airplane, and unleash it, and we did it. But everybody knew what we were going at.

Now here, there is one physicist in the country that will tell you that he knows that the Higgs Boson exists, and that after we spend probably $20 billion erecting this monstrosity, we are going to find it. If the Senator wants to say that expenditure is just fine, whether we find it or not, that is his prerogative. And I think essentially that is what he is going to be debating. All I am saying is that when you talk about—the Senator wants to challenge the $20 billion figure, I guess.

Mr. JOHNSTON. That is right.

Mr. BUMPERS. Mr. President, we have been through this so many times that I know what the Senator is thinking before he says it.

I simply say that we are not at $20 billion yet. We are not to $13 billion yet, either, but we know we are headed there. Let me just make the point again. If we have gone from $4.4 billion to $13 billion in 6 years, where do you think we are going to go in the next 10 years? You have to be eating and smoking something awfully strong to believe this is the last word. That is all we know right now. So $20 billion to finish the construction of that thing is not out of line at all.

Well, Mr. President, I have taken more time than I really intended to. We will speak further later on, but the Senator from Louisiana certainly is entitled to the floor.

Let me just say before he takes the floor that I think the deficit is the No. 1 problem in this country. The population being out of control is the world's greatest problem, and the deficit is the thing that threatens my children and grandchildren more than any other single thing.

How did we get a $4 trillion deficit? I will tell you exactly how we got it: I promised old so-and-so, and he is up for reelection. I promised so-and-so because he or she called me, and he is a good friend. Well, I do not much like the idea, but I just cannot go against my committee chairman.

See, that is where the people of this country do not understand how this place works. That is the way we got to $4 trillion. If we do not stop it—there is not a soul in this body who believes this country is not in decline politically, educationally, culturally, and economically. We are in decline in every measure. And you are not going to reverse it or make this country more competitive by logrolling gigantic scientific projects, which we know almost to a certainty have no paybacks, no spinoffs.

Mr. WARNER. Will the Senator yield for a quick question?

Mr. BUMPERS. Yes; I am happy to yield.

Mr. WARNER. Mr. President, this body was asked not long ago by the administration to raise taxes, and the American public responded that any increase in taxes should be applied toward reducing the deficit, not additional spending such as you have discussed here today. I think the Senator pointed out in good conscience that we cannot ask the public to accede to our new directive, signed by the President and in formal law, to raise taxes—and, at the same time, increase spending for projects which are not necessary.

My specific question to my good friend is—and I support him 100 percent, as he well knows, on this project—has he had the opportunity to refer to the zero deficit plan program which was carefully drawn up by our two former colleagues?

Mr. BUMPERS. I have not seen that. I have that document on my desk.

Mr. WARNER. Mr. President, I draw the Senator's attention to page 51, where it discusses those programs that we have to stop if there is any hope of dealing with the rising national debt and the ever-present annual deficit. Of course, the first item, which he and I covered before, was the space station.

The next one: Cancel the superconducting super collider.

The SSC is to be the world's largest particle accelerant and would be used to help determine the universe's origin. The SSC is projected to consume 6 percent of all basic research spending over the next 5 years; that is, research on breast cancer and all of the other problems that many of our colleagues have raised here in this session.

Its $8.3 billion price tag is almost double the original $4.4 billion estimate. The scientific value of the SSC is outweighed by its costs.

There is an impartial analysis. I urge the Senator to look at that, because I think if this body and the other body, indeed the Congress as a whole, is ever to begin to grapple with the reduction of the annual deficit and the national debt, we have to follow the objective and fair analysis by persons such as our two former colleagues who have given us this report.

Mr. BUMPERS. I thank my distinguished chief cosponsor, Senator WARNER, for those very cogent, pointed remarks made by himself and quoting former Senators Tsongas and Rudman, both of whom were Members of this body, and we always revered and respected them.

To the distinguished floor manager, let me close by saying once again: I voted for those tax increases; I voted for the budget deficit reduction plan—$250 billion in new taxes, $250 billion in spending cuts. How many times did we hear the cry on this floor: "We have to cut more spending before we raise taxes"? And how many times did I and others on this side respond by saying: "We are going to cut more spending." I really believe it.

I have never heard such fervor in the United States Senate as I heard 45 days ago for more spending cuts. And I applauded that, and I said to all of those who were crying for more spending cuts, "Don't you worry, you are going to get your chance."

Mr. President, since then Senator SASSER and I were able to cut a paltry $400 million out of the SDI budget. It should have been $1.4 billion, but $400 million was all we could cut.

I gave the Senate a chance to kill the National Endowment for Democracy. We lost that 23 to 74. The House killed that sucker overwhelmingly.

Incidentally, Mr. President, do you know what the House did to the super collider? They killed it by 130 votes. They killed it last year. The Senate resurrected it, and it came back to us from the House with everything neat and orderly intact. I am telling you, if we do not kill it today, it will go to conference again despite the fact that the House beat it by 130 votes, and it will come back here with the full $640 million on the bill, I promise you.

But then Senator WARNER, Senator SASSER, Senator COHEN, Senator BRYAN, and I gave you an opportunity to cut the space station, leave $500 million to terminate the project and save $1.6 billion. If we had voted for that, Mr. President, to kill the space station, counting the cost of the space station and interest at 4.5 percent compounded for 35 years, one single vote would have saved the taxpayers of this country $216 billion.

If we kill the super collider, the total cost in today's figures, with no inflation, no increase in cost, do the same thing for it, 35 years, 4.5 percent compounded interest, you can save $39 billion. We are not talking about the $600 million for 1994 or the $2 billion on the space station for 1994. We are talking about the outyears costs $100 billion for the space station and $20 billion for this one. Sure. But over the 35-year period we had an opportunity to cut $255 billion, and we very studiously refused to do it. I take that back. We have not done this one yet.

But, Mr. President, all those cries about, "I am not voting for any tax increases; I am not going to vote for anything but spending cuts." We come to the litmus test where people have an opportunity to put their vote where their mouth is and you cannot get them to say "yes." You cannot get this body to stop its old habits.

I said 45 days ago, if we had offered the super collider and the space station on the floor on the reconciliation bill they would both be dead right now. I said the other day on the floor I have a dog with a longer memory than the U.S. Senate has; 45 days and we have forgotten everything we said.

So, Mr. President, I urge my colleagues——

Mr. WARNER. Mr. President, will the Senator yield for one more question?

Mr. BUMPERS. I am happy to yield.

Mr. WARNER. Mr. President, I say to my good friend, when we stood toe to toe here on the space station, somewhat unexpectedly we suddenly saw letters appear on the desk of our colleagues from the Vice President and from others in the administration. Regrettably the administration came in. Albeit the close affiliation between my good friend from Arkansas and the President, and others, they did not follow the advice that Senator BUMPERS gave them on that.

But I do not see as yet the letters.

My question to the Senator is, does it appear there is an absence of the same strength, conviction, and support from

the present administration as given to the space station as applies to the super collider?

Mr. BUMPERS. I am afraid so. I think the Senator is right.

Mr. WARNER. I see no letters up here from the administration which would indicate to me perhaps the administration is closer to the position taken by the Senator from Arkansas and the Senator from Tennessee and myself.

Mr. BUMPERS. I just want to say I have noted the precise observation the Senator from Virginia has made. Not only did we find a letter from the President and the Vice President on our desk, we got phone calls from the President. I did not. I discussed it with the President earlier, and I just told him there was no need to call me. I am fixed on this and have been for 4 years. But there are no letters here now.

Mr. WARNER. I see none.

Mr. BUMPERS. I do not see any letters on the desk from the President and the Vice President.

Mr. JOHNSTON. Mr. President, will the Senator yield?

Mr. WARNER. Yes, I am happy to yield.

Mr. JOHNSTON. Mr. President, I ask unanimous consent that a letter from the President of the United States to WILLIAM NATCHER, chairman of the Committee on Appropriations in the House, dated June 16, 1993, which states, among other things, "I want you to know of my continuing support for the superconducting super collider," be printed in the RECORD.

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

THE WHITE HOUSE,
Washington, DC, June 16, 1993.

Hon. WILLIAM H. NATCHER,
Chairman, Committee on Appropriations, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: As your Committee considers the Energy and Water Appropriations Act for Fiscal Year 1994, I want you to know of my continuing support for the Superconducting Super Collider (SSC).

The most important benefits of the increased understanding gained from the SSC may not be known for a generation. We can, however, be certain that important benefits will result simply from making the effort. The SSC project will stimulate technologies in many areas critical for the health of the U.S. economy. The superconductor technologies developed for the project's magnets will stimulate production of a material that will be critical for ensuring the competitiveness of U.S. manufacturers, for improving medical care, and a variety of other purposes. The SSC will also produce critical employment and educational opportunities for thousands of young engineers and scientists around the country.

Abandoning the SSC at this point would signal that the United States is compromising its position of leadership in basic science—a position unquestioned for generations. These are tough economic times, yet our Administration supports this project as a part of its broad investment package in science and technology. Our support requires making sure that the project is well managed and that the Congress is informed of the full costs and anticipated benefits of the program. The SSC previously had an unstable funding profile. The stretched-out funding proposed by our Administration of $640 million in FY 94 will allow better control of project costs. The full cost and scheduling implications of this stretch-out will be complete in the early fall, and will be examined carefully by the Administration at that time.

I ask you to support this important and challenging effort.

Sincerely,

BILL CLINTON.

Mr. BUMPERS. Let me say, Mr. President, that does not sound like a very ringing endorsement to me.

Mr. JOHNSTON. I did read the whole letter. The whole letter is in the RECORD, I think.

Mr. WARNER. Mr. President, I would also observe that was before the President came before the Chamber and asked for an increase in taxes, ostensibly to reduce not only Government spending but to reduce the deficit.

Mr. BUMPERS. I think that letter was in June, was it not?

Mr. WARNER. That is correct. It is June 17.

Mr. JOHNSTON. Mr. President, will the Senator further yield?

Mr. BUMPERS. I am happy to yield.

Mr. JOHNSTON. Also, from the Executive Office of the President, dated September 28, 1993, which is yesterday, a Statement of Administration Policy in part says:

The administration commends the committee's action to restore full funding for the SSC. The SSC will maintain U.S. preeminence in basic scientific research, stimulate development of new technology in areas important to the future health of the economy.

Mr. WARNER. Mr. President, who signed the letter?

Mr. JOHNSTON. That is a statement of administration policy. I just read the letter signed by the President. This is from the Executive Office of the President.

Mr. WARNER. The Executive Office has no signature power. Is there a signature on this?

Mr. JOHNSTON. It is OMB. There is a signature on the other one I just put in the RECORD. How many signatures does the Senator want?

Mr. WARNER. Mr. President, we are bringing an updated piece of solid support of the administration. I hope that someone will be identified as coming forth with that solid support comparable to the Vice President of the United States in the case of the space station.

Mr. BUMPERS. Mr. President, let me say that if that is from OMB, things are really strange. As you know, the former colleague, Leon Panetta, now is head of OMB. He was the most ardent opponent of the super collider when he was in the House of anyone in the House.

Let me just close out. I just simply say the one thing that the people understand is that we are not going to cut spending. They were very suspicious of that. They did not want us to vote on the reconciliation bill until we showed our good faith.

But one of the really strange paradoxes of the whole thing is the people who scream the loudest for spending cuts, they are the same ones who voted for the space station, the National Endowment for Democracy, SDI, and the super collider. They cannot spend enough for them. I yield the floor.

EXHIBIT 1

INSTITUTE FOR THEORETICAL PHYSICS, STATE UNIVERSITY OF NEW YORK AT STONY BROOK,
Stony Brook, NY, May 3, 1993.

Senator DALE BUMPERS,
Dirksen Office Building,
Washington, DC.

DEAR SENATOR BUMPERS: I am writing to you because you are the leader of the forces opposing the Superconducting Supercollider in the Senate.

On Thursday, April 29, an "educational forum" on the SSC, sponsored by the Texas Laboratory Commission, was held at the State University of New York at Stony Brook. This forum was moderated by the television commentator Edwin Newman and featured Dr. Roy Schwitters the director of the SSC. This was announced to be the first of several such forums to be held around the country in the next several months.

As a theoretical physicist with 26 years of experience and some 110 publications I want to strongly express to you my intense dismay at the way the effort to fund the SSC is undermining public credibility in the objectivity of scientific research.

The forum lasted from 10 AM to 4 PM and in those 6 hours there were exactly 2 sentences devoted to the scientific goals of the SSC; namely 1) it will give us information about the origin of mass and 2) there may be unexpected discoveries. I repeatedly asked Dr. Schwitters for more scientific justification and even reminded him of the fact that there have been 30 years of theoretical research that have passed since the Higgs mass mechanism was first proposed and that by now there are many physicists who have concluded that this mechanism is not relevant to nature. Nothing could induce Dr. Schwitters to add even one extra sentence to the justification of SSC. This is the same lack of scientific justification which characterized the debate in the Congress last year. I can only conclude that the director has no further relevant scientific arguments to present to the public to support his request for funds.

I have had an NSF grant for 20 years and can assure you that no grant from NSF is funded if there are only 2 sentences of scientific justification.

However, what was even more distasteful was the exploitation of minorities, the totally misleading claims of curing cancer, and the blatant appeal to pork barrel politics made by the director and other speakers.

One of the lunch time speakers was a black undergraduate from Virginia State University. He has a job that is connected with the SSC and gave a very moving presentation of how this experience was changing his life. It was in fact an eloquent demonstration of the need for minority scholarship programs but it has nothing to do with explaining why $8.6

billion should be spent on constructing the SSC.

Dr. Brenda Buckhold Shank, chairman of the radiation department of Mount Sinai hospital, gave a 20 minute presentation on cancer research at the SSC but blatantly ignored the fact that the protons used in cancer research have energies of some 300 Mev whereas the object of the SSC is to produce protons with energies one hundred thousand times greater. The low energy protons useful for cancer research are already available at many laboratories. Protons of the much higher energy produced by the SSC will kill you if you come into contact with them. The fact that the director would allocate 20 minutes for such a presentation indicates that he is either completely ignorant about how protons are to be used in cancer research or that he is blatantly and deliberately misleading the public.

In addition, the director was quite proud of the fact that contracts have been spread out to 48 states in an attempt to win votes in favor of funding. He seemed a quite oblivious to the fact that this is precisely the practice of pork barrel contracting that wastes so much of the taxpayers money.

Finally it must be pointed out that in the printed material passed out to the audience of the forum the proponents of SSC were attempting to take credit for all sorts of scientific discoveries ranging from penicillin to superconducting magnets to parallel processing computers. The fact is that the high energy physics experiments of the last 50 years have lead to none of these advances.

There are tens of thousands of reputable scientists with the highest standards of objectivity and integrity who are doing outstanding research in this country. Many of them are funded by government programs which are administered with the utmost attention to scientific and ethical standards. It is exceedingly unfair and unjust that instead of seeing the work of these many thousands of researchers the public is subjected to year after year of deceptive appeals by the supporters of the Superconducting Supercollider. I applaud you for your work towards the elimination of this tasteful item in the federal budget.

Sincerely,

BARRY M. MCCOY,
Professor of Physics.

LOS ALAMAS, NM,
June 28, 1993.

Senator DALE BUMPERS,
Dirksen Senate Office Building, Washington, DC.

DEAR SENATOR BUMPERS: Because of the Superconducting Super Collider's high cost and poor prospects for strengthening either science or technology I urge you to continue your leadership role in opposing further spending for its construction.

The cost-benefit ratio for this project is highly unfavorable. You are familiar with the costs (which include substantial annual operating costs) so I will review only the benefits.

The astonishing fact, in view of how seriously this project has been taken by Congress, is that there would be no benefits from the results of this research to any science or technology outside the very narrow speciality of particle physics itself. The reason for this gloomy assessment originates from the nature of the phenomena to be studied: they occur naturally nowhere—not on earth, not in the solar system, not in our galaxy, not in the present universe! Moreover, there are no naturally occurring phenomena in the present universe that would even be illuminated by the research of the SSC. No current problems involving existing matter, from nuclear processes to astronomical objects, would be clarified, much less solved.

The energies to be produced by the SSC, 40 teravolts, would have relevance only to the historical physical world during an infinitesimal interval of time near the origin of the universe. Knowing more about this early interval of time will merely raise questions about the preceding intervals, involving ever higher energies—and so on, to absurdity. The brute-force approach to these questions, as exemplified by the SSC, cannot be sustained.

Even though their energies are far closer to the real world than would be the SSC's the present-day high-energy particle accelerators at Fermilab, Illinois, and CERN, Switzerland, already illustrate the esoteric and effectively empty nature of the expected SSC results. For example, the most noteworthy of Fermilab's accomplishments, many would say, has been the discovery of the "upsilon", whose obscurity outside the tiny community of particle physicists is no oversight.

In summary, the SSC is an extravagant luxury whose funding cannot be justified in this time of shrinking budgets and promising alternative research opportunities.

Sincerely,

LAURENCE J. CAMPBELL,
Physicist, Ph.D.
(University of California).

STANFORD UNIVERSITY,
DEPARTMENT OF APPLIED PHYSICS,
Stanford, CA, August 2, 1993.

Hon. DALE BUMPERS,
Dirksen Senate Office Building, Washington, DC.

DEAR SENATOR BUMPERS: I have already had an opportunity to give testimony expressing my opposition to continuing the superconducting supercollider (SSC) project in its present form to the House Committee on Science, Space, and Technology and appreciate the opportunity to give some further thoughts to you. Briefly I believe that the SSC will consume more money than is justified considering the many equally worthwhile smaller projects in other fields of science which are underfunded. These small projects which embrace other branches of physics, chemistry, biochemistry, materials science, molecular biology, et cetera, cumulatively produce more new science, more technological spin-offs, and more new jobs than the SSC, and do it for less money.

Realistically the reason why science is given so much support is because of the uses to society of the new knowledge it produces, not because of its cultural value which some have argued is the justification for the SSC. A policy document released this month by the National Academy of Sciences entitled "National Goals for a New Era" which is meant to be a guide for public policy concerned with science and technology in the post cold war era concludes that the United States can no longer expect to excel in all major areas of science. We should strive to maintain a clear leadership in certain selected fields and to remain among the world leaders in all others. The document notes that "funding in one expensive activity can lead to cutbacks in many smaller activities even though these smaller activities generate the bulk of the new scientific knowledge."

All basic research, the R component of R&D, is concerned with explorations of new frontiers where one does not know ahead of time what will happen. There is always the risk the findings might be uninteresting. This is balanced by findings that lead to new developments and occasionally the discovery of completely unexpected new phenomena and behavior. The many and varied new technologies of today, including the $80 billion world electronics market, all have been made possible by basic research discoveries of the previous generation. Here we are concerned with new discoveries to pass on to future generations.

The possibility for unexpected new discoveries coming from the SSC project is certainly as high as for other frontier research efforts. Discoveries in the other frontier fields are more apt to be relevant to the needs of society than are those of the SSC, and many more frontiers can be explored with the same amount of money than is required by the SSC project. We are more likely to make new discoveries by fishing in many ponds than by fishing in just one. I would like to list a few just for purposes of illustration:

High-temperature superconductors which were unexpectedly discovered at the IBM research laboratory in Switzerland seven years ago are actively being studied because we don't understand how electricity is transported in these materials let alone the mechanism which gives rise to the superconductivity. New understanding is likely to lead to more efficient electrical power technologies, to better methods of nondestructive testing, to more sensitive detectors for medical applications and for magnetotelluric studies, to improved communication circuits, and possibly to a new generation of computers.

Another frontier is in polymer science where an understanding is sought of the principles underlying polymerization reactions which can be used to actually design and build new structures. A recent edition of the New York Times features a story on a new polymer superior to ivory for piano keys which "gladdens the hearts of musicians as well as elephants."

Scanning tunneling microscopes and its many derivatives are now being used to move, probe, and study individual atoms and molecules. Lasers have been turned into optical tweezers which can grab onto individual atoms in space. Scanning with near field light microscopes of provides images tens of times better than the best conventional microscopes. Collectively, these instruments all developed in the past few years represent the greatest advances in microscopy and imaging since the time of Galilee and maybe even in recorded history. They are currently being used in exquisite ways to extend the understanding of the physics, chemistry, biochemistry and materials science of molecules, surfaces, interfaces and other structures.

The SCC has economic potential, but it is less cost effective than many other fields because it almost certainly will produce fewer spin-offs per dollar invested than other fields. The net effect of the SSC on the economy could actually be negative if it were to draw enough resources away from other fields a number of which are acutely underfunded.

Many of the spin-offs and claims of the economic benefits of the SSC are misleading. It has been claimed, for example, that the SSC is providing the first large-scale use of superconductors and that the SSC developments have been responsible for a tenfold reduction in the price of superconducting wire. The facts are that there already exists a large market for superconducting magnets.

The SSC has, at most caused a blip on the market price. Last year, 1,100 superconducting magnets were manufactured and sold, each made with 20 to 40 miles of the same niobium titanium wire now being used by the SSC. These magnets operate at hundreds of hospitals and centers throughout the country used for taking whole body scans by magnetic resonance imaging (MRI).

Contrary to a quote from Admiral Watkins in the Washington Post last year, the superconducting wire needed for liquid helium based applications such as maglev trains, ship propulsion, energy storage magnets, power transmission cables, motors, and generators already exists. Some prototype devices were actually built 10 years ago. The reason they are not used is because the market is not ready. The SSC is investing in a helium-based technology which is too expensive for the marketplace.

Proponents of the SSC argue that stopping the SSC will not result in funds being released to other research areas. This is certainly not obvious particularly when Congress notes the acute underfunding in other research areas. Officers of the American Society for Microbiology released the following statement: "Under the proposed '94 budget, the number of new and competing grants supported by the NIH will decline to 5594, marking a sharp drop of almost 1200 from the 6975 new and competing grants that were given just two years ago. No inflationary increases are proposed for the cost of research grants. The success rate would fall to 21.6 percent."

Similar comments about underfunding of basic research by NSF can also be made. Professor Bloembergen of Harvard, as president of the American Physical Society two years ago, said: "From high-temperature superconductivity to growth hormones to the chemical reactions that devour the ozone, the discoveries that are changing our lives are most often made by individual scientists or small groups, and their plight is increasingly desperate."

I believe the US should join together with other European and Asian nations who also aspire to be world leaders in exploring the frontiers of particle physics to build and operate an SSC facility in Texas or somewhere else if necessary. Considering the alternatives it seems worthwhile even at this late date to try to overcome the difficulties in making the needed arrangements.

Sincerely yours,

THEODORE H. GEBALLE.

PRINCETON UNIVERSITY,
Princeton, NJ, August 4, 1993.

TESTIMONY BEFORE THE COMMITTEE ON ENERGY AND NATURAL RESOURCES AND THE SUBCOMMITTEE ON ENERGY AND WATER DEVELOPMENT OF THE COMMITTEE ON APPROPRIATIONS OF THE DEPARTMENT OF ENERGY'S SUPERCONDUCTING SUPER COLLIDER PROGRAM

My name is Philip Anderson, Joseph Henry Professor of Physics at Princeton University. I worked for many years at AT&T Bell Labs, ending up with the rank of Director on my retirement, and I was a Professor at Cambridge University for a number of years. I won the Nobel Prize in 1977 for fundamental research in solid state physics. I may be the physicist most often cited by colleagues.

On several occasions over the years I have testified against the SSC and other Big Science projects, and in favor of funding a wider variety of fundamental science on a peer-reviewed basis, through institutions such as the NSF and the NIH which have a good record of responsible distribution of funds.

I want, on this occasion, particularly to emphasize that I do not oppose the SSC because it is scientifically unsound or badly mismanaged. Both of these accusations have been made in Congress and in the press, and I want to disassociate myself absolutely from them. These accusations should appropriately be made about Space Station Freedom, and I think it a scandal that the House has chosen to support the scientifically unsound and technologically uninteresting manned space program rather than the SSC, on the basis of fantastically overblown claims of its useful spinoffs. I well understand that the questions the SSC is designed to answer are deep, fundamental, and interesting; and that if the scientists were allowed to carry out their job without bureaucratic interference, they would do so efficiently.

The point of my testimony is that of priorities. The physics being done by the SSC is a very narrow specialized area, with a very narrow focus: on the very tiny and very energetic sub-sub-substructure of the world in which we live. Most of that substructure is well-understood, in the sense that nothing discovered by the SSC will, for the foreseeable future, change the way we work with or think about the world; it cannot change even nuclear physics. Perhaps a couple of hundred theorists—too many, indeed, thinking about such a restricted subject—and a thousand or so experimentalists work in this particular field of science. That is less than 10% of the research physicists, and a much tinier fraction of the research scientists, in the world. Yet the budget for this operation dwarfs the budget of all the rest of physics: particle physicists are funded, on the average, ten times as liberally as all other physicists. The SSC is not a very efficient jobs program, at least for scientists.

At least two books, and many articles, have been published recently trying to justify this special status for particle physics as somehow more fundamental than all other fundamental science. That so many particle physicists have time to write such books and articles may tell you something about the real interest of the field. There are many other really exciting fundamental questions which science can hope to answer, which people like myself are too busy to write books about:

How did life begin?
Why is biological catalysis so efficient?
What is the origin of the human race?
How does the brain work?
What is the theory of the immune system?
Is there a science of economics?

These are only the most obvious questions for the layman; our field, solid state physics, has many, many fascinating and fundamental unsolved mysteries, which are to my mind no less fundamental as to how matter and energy interact in the world around us than the deep interior of the fundamental particles.

In all of these questions, there is the possibility of serendipity; you may find something useful, or something you weren't looking for. The study of real intelligence is bound to tell you things about artificial intelligence, for instance. The theory of the immune system can tell you things about many awful diseases, not just AIDS. The deep questions of biology lead to bioengineering, the deep questions of solid state physics to materials engineering. This kind of relevance and serendipity is what a large inflexible machine such as the SSC does not have.

Particle physicists, naturally, are deeply concerned about the problems of funding and the health of their field. But so are the rest of us; and we feel that in no sense is particle physics the one special field in which it is essential for the U.S. to "stay ahead". If there is such an essential field, I would argue that it is among those I mentioned above. The playing field should be level, not heavily tilted in favor of one historically powerful group.

[From Science & Government Report, Aug. 1, 1991]

A NOBEL PHYSICIST'S HARSH ASSESSMENT OF THE SUPER COLLIDER

(Excerpts from testimony July 11 by Philip W. Anderson, Nobel laureate Professor of Physics, Princeton University, to the House Budget Committee Task Force on Defense, Foreign Policy, and Space.)

Selling Big Science. "It is impossible to emphasize too much that the big science projects, because they are very expensive, allow you to employ public-relations experts. And the political pressure behind them builds up because, of course, they are employing very important contractors and they are representing a large amount of money spent in one Congressional district or another. The small science project has nobody in its favor except the future."

Destructive Effects of the SSC. "The SSC is also a disaster . . . for the education of young physicists, concentrating enormous numbers of them in giant groups away from the intellectual climate of their universities, doing tiny bits of projects which last three or four graduate student PhD thesis times. Even the theoretical students come out trained in esoteric branch of mathematics with no experience of actually thinking about experimental results. In other words, the people spinoff is getting less and less efficient, just as is the technical spinoff, as the projects get bigger and more narrrowly focused on more and more practically irrelevant phenomena."

The High Energy Bandwagon. "Particle physics is a narrow, inbred field, and it is easy for the particle physicists to create an external appearance of unanimity of goals. I do not believe that the community in its private thoughts necessarily believes that a crash program and a rapid program on the SSC is necessarily the best next step. I certainly can find people who will say they don't think so."

Big Science on Campus. "[T]here is a style of research that is characteristic certainly in physics and big science, and you can tell. [In] big science, you see your colleagues spend half a semester teaching and then they are off in some large institution working away . . . for the rest of the time. In small science, they are right there in the department all the time. You also see the style of these . . . very long projects, projects which make it difficult, for instance, in my own department to assess the value or the quality of young assistant professors in that field, because the assistant-professor time for bucking for tenure is six years, and six years is less than the time necessary for these results to come out."

PREPARED STATEMENT OF PHILIP W. ANDERSON

Let me organize my testimony around a series of questions that you might ask me, and the answers that I would give to them.

(1) Is the SSC doing the most important, or the only, really fundamental research in the physical sciences?

I believe the answer is no.

(2) Will the research done by the SSC have any direct relevance to society or to the ostensible mission of the Department of Energy, namely to conserve and contribute to the nation's energy supply?

The answer is no; even its spinoff effect will be negligible.

(3) Are there worthwhile research institutions and projects which are being neglected and starved for money while the SSC is liberally funded?

The answer is yes, very many.

(4) Is the SSC so urgent that we have to go ahead with it at any cost?

Obviously not.

I will elaborate my answers to these questions.

(1) The standard testimony on behalf of the SSC will tell you that in some sense elementary particle physics is the bellwether of the sciences, the one which is out there leading the pack, the one which in some sense is investigating the "deepest" layers of reality in the world around us and the "most fundamental" laws of physics. As part of my testimony I'd like to append copies of an essay which will shortly appear in the American Institute of Physics' house magazine, Physics Today, which is about the subject or science of "complexity", and explains a little about how there is at least one other kind of frontier in the physical sciences, where a lot of action—I would argue more action—is taking place: the frontier of looking at bigger and more complex aggregates of matter, which often behave in new ways, according to new laws. These do not contradict the laws the elementary particle people discover, but are simply independent of them and are in no way less or more "fundamental".

If you were to ask me where in my own field of theoretical physics—and I have worked at least a little in most parts of this field including elementary particles—the most exciting things are happening right at the moment, I would certainly not put elementary particles at the top of the list: in my opinion, that field has wound itself down for the time being. I can tell because many of the young people are voting with their feet and leaving particle physics. Three areas where really exciting things are happening are first, the remarkable outpouring of new theoretical and fundamental physics sparked by the discovery of high Tc, superconductivity. So many radical exciting new ideas are appearing that, as the old theory of superconductivity proved to be a model on which the present standard theory of elementary particles is based, the new ideas may help stimulate the next revolution in theoretical physics generally, entirely aside from opening up many other areas of materials science which had languished for lack of theoretical understanding.

Second, we are close to understanding some century-old problems in hydrodynamics, particularly in turbulence. I am not an expert but I do sense increasing excitement in this and other fields of the physics of classical systems.

Finally, at many points physics and biology, and physics and organic—and biochemistry, are beginning to impinge in a meaningful way, both in experiment and theory, as physics becomes more capable of dealing with complexity.

Incidentally, all three of these fields are ones where funding is hard to come by, for a variety of reasons which to a great extent amount to the same reason: the American funding system is low on what you might call "risk capital": it is set up in such a way that it goes on funding whatever was funded in the past: Institutional rigidity is the name of the game. If you don't believe in institutional rigidity, ask yourself why it is that the DOE is still funding elementary particle physics, which whatever else you may say about it will never have an impact on the energy which comes out of the plug in your wall.

(2) Does the SSC and elementary particles physics have social relevance? We must concede immediately that the best of the elementary particle people base the whole of their pitch on the intellectual excitement of the search for fundamental laws. But as this message is diluted in the DOE and in the political rhetoric one finds claims that particle physics did everything from MRI and the computer revolution to the television screen and sliced bread. It is worth reiterating, then, that particle physics has not led to many technical breakthroughs; that if you want to solve technical problems the best way to spend your money is on the sciences which are relevant to your technical problem. The technical problem the SSC is setting out to solve is accelerating protons, and if they have any sense they will choose the most conservative possible technical means. That means they will be trying their best to avoid making breakthroughs in technology.

To me the saddest sight of all is to see officials of the department responsible for our energy supply deliberately misleading Congress with these false claims; and to see my particle physics colleagues, many of whom I admire and respect, sitting by and acquiescing in them.

The small sciences, on the other hand, the individual investigator fields such as the sciences of complexity, can and do live in a win-win world in technology. The science can feed on advances in technology and almost automatically feeds back into technology. In recent testimony I used the example of the late John Bardeen, who won one Nobel prize for a great technical breakthrough and a second one for a great fundamental science one.

The SSC is also a disaster for the education of young physicists, concentrating enormous numbers of them in giant groups, away from the intellectual climate of their universities, doing tiny pieces of projects which last three or four graduate student Ph.D. thesis times. Even the theoretical students come out trained in caoteric branches of mathematics and with no experience of actually thinking about experimental results. In other words, the people spinoff is getting less and less efficient, just as is the technical spinoff, as the projects get bigger and more narrowly focused on more and more practically irrelevant phenomena.

(3) Are there things which are being seriously underfunded? You would only have to chat with a few physics postdocs this year to realize how serious the situation really is. One of the worst situations is at the NSF Institute of Theoretical Physics of Santa Barbara, which if anything, should be the nation's most important reservoir of new ideas and future talent. The director has had to make an impossible choice between postdocs and programs. Second, the neutron diffraction facilities of this nation are an open scandal. The world's greatest scientists in this field have been for a couple of years completely devoid of facilities on which to work, facilities which even before that had not been upgraded for two decades. This is one of the most important single instruments for work in fundamental materials science.

A third field where one is seeing laboratory after laboratory drop out of the fundamental scientific race is superconductivity. Both governmental and industrial funding have been concentrated on short-term payoffs and purely technical goals; cook book science, mixing and baking and producing technically useful but scientifically uninteresting thin films and ceramics. The amount of money being spent on the large single crystals, special dopants, and careful measurements necessary to make scientific progress has contracted sharply; I would estimate that the total result of the fervor over high T, has been simply transfer of personnel from other useful fields, and the same people are in general working with less support than they had 5 years ago. Frankly, I think we in this country are saved in this as a scientific field only by the inability of the Japanese and the Germans to develop really innovative, original theoretical scientists; in the technology we are perhaps even worse off. Here the recent moves toward a really hefty materials initiative by the administration are much to be welcomed, but I hope the money will be spent wisely with an eye to the importance of fundamental science as well as technology as e.g., some should go to neutron diffraction.

(4) The fourth question doesn't need much more said by me. Since particle physics is such a narrow, inbred field, it is easy for them to create an external appearance of unanimity of goals. I do not believe that the community in its private thoughts really believes that a crash program on the SSC is necessarily the best next step. Upgrades on both CERN and FERMILAB are in the cards and a relaxed schedule would allow the dollars spent on these less radial steps to pay off in science without seeing ridiculous spectacles such as last year's, of results on Z's from one laboratory obsolete within a few weeks because a second machine came on stream.

Physics prides itself on internationalism; when a field like this one has reached the stage where it can and does bankrupt the scientific budgets of whole countries—as CERN has done to the U.K.—it is clear that rational international cooperation is the only sane response. There are much more sensible ways—or less damaging ones—to assert national chutzpah than to build accelerators in head to head competition with each other, and let the nation's scientific strength languish as a result.

SENATE HEARING ON THE SUPERCONDUCTING SUPER COLLIDER, AUGUST 4, 1993

(Written testimony by Prof. Rustum Roy)

QUALIFICATIONS OF THE WITNESS RUSTUM ROY[1]

Newsweek has accurately described him as "the leading contrarian" among U.S. scientists. The U.S. House of Representatives' Committee on Science, Technology and Research gave him its only standing ovation in 16 years after one of his recent testimonies. He is the only practicing prominent scientist who has studied and written about U.S. science policy from the inside. His criticisms of U.S. policy, regarded as far out a decade ago, are now called "prescient." The September 1992 House Committee Future of Research White paper called his book, Lost at the Frontier (co-author D. Shapley),

[1] Evan Pugh Professor of the Solid State, Professor of Geochemistry, Professor of Science, Technology and Society at The Pennsylvania State University. Address: 102 Materials Research Laboratory, The Pennsylvania State University, University Park, PA 16802. Tel: 814-865-3411.

". . . perhaps the most comprehensive (albeit controversial) statement of an alternative policy . . ."

Rustum Roy is among the two or three leading materials scientists in the U.S. Author of some 600 papers with major contributions to real science from diamond films to glass ceramics to sol-gel technology and noncomposites. He is the senior-most member in the National Academy specializing in ceramic materials—one of the hottest fields in real science; he is a foreign member of the Swedish, Japanese and Indian national Academies. In 1993 he was inducted into the Hall of Fame of U.S. Engineers (an honor shared by only 41 others in 100 years) by the American Society for Engineering Education.

THE SCIENTISTS' CASE AGAINST THE SUPERCOLLIDER

Summary

There are three overriding reasons why the SSC should not be funded now, and by the U.S. alone. First, it takes away resources from other sciences, relevant to jobs and industry. Second, it distracts the nation and its scientists from urgent national priorities. Third, it is not particularly urgent science and it could wait for a decade with no loss to science or the nation, for implementation by an international body.

What is the Congress Funding if it Funds the SSC? Not U.S. Science

I speak for the 98% of American scientists who in the Sigma XI survey refused to give any priority for public funds for the SSC. We represent the real science, the public has always believed it is supporting, as distinct from the speculative, abstract science of the SSC.

The Congress has never heard from any scientist from electrical engineering, biology, theoretical chemistry or environmental science supporting the SSC. Yet the witnesses who testify for the supecollider should clearly be recognized as a tiny subset, within physics, which represents a very modest fraction of the American scientific community.

Separating the Two Kinds of Science

There are two kinds of science:

(a) Real science done by the vest majority of scientists in university, industry and government laboratories with which humans and society are in daily contact, which can be confirmed in 1,000 labs (and used) worldwide. This includes not only the enormous benefits of modern electronics, medicine and agriculture but also the great principles and generalizations of science mostly derived through observations in the world of technology and daily experience. They include a range of topics from the laws of motion, to $E=mc^2$ to quantum mechanics.

(b) Speculative science which cannot be tested by laboratory experiments, and about which speculations can go on forever, without any conceivable impact on humans or society. Modern astronomy and particle physics are the most obvious examples. The SSC is a typical example of a machine to do "speculative science." Is it, therefore, very much in the interests of the latter group to either pretend that their speculations are real, or to try to pass themselves off as real scientists: the Jacob and Esan gambit.

In science policy we judge the importance of a field or discovery by quantifying the impact it has first on neighboring fields of science. By this "Weinberg Criterion," named after Alvin Weinberg, founding Director of Oak Ridge, the SSC even if successful would rank very, very low.

Nothing the speculative science the SSC can discover can ever have any impact on chemistry, biology, engineering science, materials, agriculture. Indeed it is becoming obvious that our real sciences are the truly basic sciences because such science impacts particle physics very directly.

Fooling the Public

For the last forty years, partly unconsciously and recently more purposively, parts of the scientific community have worked very hard to blur the distinction between these two very very different kinds of "science." For good reason.

While the USA was the wealthiest country in the world with a growing economy no one really cared about the different ways in which we wasted our money. As that situation has changed dramatically and everyone is searching for ways to trim spending, those who do "speculative" science have realized that their forty years of wine and roses are coming to an end. Put in political terms these "welfare queens in white coats" are trying every trick in the book to hang on to their entitlements.

Vast Majority of Scientists Oppose the Supercollider

The facts, well shielded from the public till now, are that a huge majority of scientists including prominent Nobel prize winners in physics (and, of course, in other equally important fields) oppose the supercollider. Sigma Xi, the Research Society of America, made the only known survey ever of the priorities which a representative sample of American scientists would give to various major areas. The SSC came in last with less than three percent, yes, only about two percent supporting it. Large numbers of scientists from a wide variety of disciplines oppose the SSC and all Big Science projects. But the most telling are the many criticisms by leading physicists themselves, recounted below, together with the views of influential Congresspersons.

The Department of Energy regularly publishes the most exaggerated claims regarding the possible spinoffs from the SSC, from improving health to science education. This rebuttal of such claims by A. Penzias, Vice President of Bell Laboratories, a physics Nobel prize winner, was made years ago:

"I think there has been a fallacious connection made between the present state of particle physics and quantum mechanics. People will say, in the 1930s, who knew that quantum mechanics was going to be good for anything?

"The difference is that in the 1930s, as it was even in the days of the caveman, quantum mechanics applied to everyday experience. You have to do nothing more than urinate into a fire to cause a quantum mechanical effect. There are transitions in salt whose energy-level-difference laws are set by quantum mechanics which say that excited salt atoms are yellow . . . That's quantum mechanics, but it deals with a world which is accessible to us in our everyday experience.

"Therefore, let us not pretend that what we experiment [with in particle physics] is, in fact, going to illuminate what happens in that part of he arena of our knowledge and experience that's useful for us."

Recently, these claims have become so ridiculous that the highest-level members of the physics community and the Congress have both strongly objected to the exaggerations.

Quotations in the scientific press give the flavor of the controversy which is still kept as tightly controlled as possible:

"The dispute, which flared behind the sciences and in congressional testimony, began with DOE claims such as: 'Already, high-energy physics related to the SSC has had industrial applications in MRI and other technologies.' Nicholaas Bloembergen, a Nobel Prize-winning pioneer in the development of MRI, said, 'I can assure you that these are spinoffs of small-scale science and not of the SSC.'

"Later . . . Bloembergen re-entered the fray. In a fiery letter he said, 'MRI would be live and well today, even if Fermilab had never existed,' thundered Bloembergen.

"Congressman D. Eckart ridiculed the DOE's claims in laypersons' language:

"We have heard proponents tell us that the Superconducting SuperCollider will cure everything except the heartbreak of psoriasis. (A derisive reference to an obviously exaggerated television commercial.) The fact of the matter is that the [SSC] will not make one person well in this country."

Then Professor Philip Anderson of Princeton University, another Nobel Prize physicist, opened his testimony to Congress last July with a very clear definitive statement on the key questions thus:

(1) Is the SSC doing the most important, or the only, really fundamental research in the physical sciences?

I believe the answer is no.

(2) Will the research done by the SSC have any direct relevance to society or to the ostensible mission of the Department of Energy, namely to conserve and contribute to the nation's energy supply?

The answer is no; even its spinoff effect will be negligible.

(3) Are there worthwhile research institutions and projects which are being neglected and starved for money while the SSC is liberally funded?

The answer is yes, very many.

(4) Is the SSC so urgent that we have to go ahead with it at any cost?

Obviously not.

Damage to Important U.S. R/D

Coming on the heels of the analysis by Congress' own Office of Technology Assessment which shows how seriously small science would be hurt with only modest budget increases, this would appear to doom the SSC in the next year or two. Given the continuing decline in the U.S. economy, the possibility of large increases for all of science certainly appears remote. Given the budget agreement, there can be no illusions but that the rest of U.S. science, including that which is done in industry, will be seriously adversely affected by funding the SSC. The fate of the SSC seems to be running parallel to the ill-fated Clinch River Breeder Reactor, finally killed off by Congress after years and years of uncertainty and a waste of hundreds of millions of dollars.

Damage to Relations With Japan and the International Option

Can anyone seriously doubt in 1993 that ALL Big Science will in the future be done internationally. Why should the U.S. in its weakened economic posture commit itself against this unstoppable historical trend?

If by any incredible means this administration were to force the Japanese government by political pressure to provide $1B+ for the SSC against the strong (unanimous) deliberated consensus of Japanese scientists and engineers, we will have made enemies for all the rest of the U.S. R/D community. Every U.S. R/D policy maker should ask herself or himself that: How would U.S. engineers and scientists feel, if after all our committees had voted against, foreign politicians saddled us with it.

The rest of the world stands ready to cooperate and fund joint R/D in a dozen Big Science fields. The U.S. should cancel the SSC and move to lead this internationalization of Big Science.

AMHERST, MA,
June 4, 1993.

Representative SHERWOOD BOEHLERT,
Longworth House Office Building, Washington, DC.

DEAR SHERWOOD: After several years of intermittent correspondence I hope that you don't mind the first name. Though now pretty well established in western Massachusetts it's not exactly retirement; I'm active at the University of Massachusetts and keep some tabs on goings on in Washington on matters of science policy, among them the SSC. So have heard part of the news about the House S&T Committee hearings last week. The show goes on, and I for one am glad to see that you are keeping up the pressure. For a change, the committee heard testimony from other than hand picked proponents of the SSC. Schrieffer and Geballe are as good as they come, and I'm sure that they gave you a straight story (wish I'd been there). Anyhow the reports I read led me to do one more retrospective of SSC key points as they seem to me at this writing:

(1) The objective of the SSC remains, to address a pure science issue in particle physics, but there is no guarantee of success even if the machine is built. Nor will it give a "final theory" that will modify much of the rest of science. There are many other scientific frontiers, at least as or more important in the larger scheme of things. There is no argument about the fact that scientifically, if successful, it would be a remarkable achievement.

(2) One cannot hide the facts that the promoters of the SSC made claims for technological and societal benefits which were entirely unjustified, and that when real contributions credited to physics were cited they did not derive from particle physics but were the work of others (not credited). The public and Congress has been consistently manipulated. Professor Geballe and an associate, Dr. John Rowell, have documented the history at length in a letter to Science, vol. 259, 1237 (1993). Congress is told by its advocates that the SSC has wide support among physicists, but that simply isn't so; how can such a group of trained lawyers accept such hearsay?

(3) The most important reason the present SSC project should be reconsidered is that we can't afford it. Almost as important a point, not unrelated, is that a project of this magnitude should be a joint international one. In my opinion it is still not too late to develop a new plan in that vein, and to make joint funding the litmus test for continuing on any version.

(4) I have another concern, about the incorrect impressions that have apparently developed among the stronger proponents of the SSC among Congress. Take George Brown, for example. He seems to believe that wartime work in nuclear physics and particle physics spun off the science base from which electronics, computers, medical diagnostics, and most of today's high tech industries were born; that view is simply not well informed. If anything, it was the small science research at the MIT Radiation Laboratory, on radar, that set the stage for today's high tech industry. And it remains that small science is the true source of most societal benefits from physics.

It was good to hear that in your presentation to the committee you stressed this fact; it can bear repeating whenever the occasion arises.

What is even stranger to me is how, again taking George Brown as an example, some of your colleagues are arguing for societal or policy relevant science on the one hand, and at the very same time argue to place the major funding for physics in a project like the SSC, with the least possible societal or technological benefits to be expected. There are many facets of these questions, but consistency does not seem to be one of them.

I seem to have run on at some length; the topic has that effect. In rereading what is written above, there is a real sense of deja vu about the whole thing. Indeed, just for kicks I enclose a copy of my first letter to Congress on this topic, to Congressman Roe, Feb. 20, 1987, and my Testimony April 7, 1987. So what's new?

Anyhow, I encourage you to continue as you can in your crusade. It is in the country's best interests if it can lead to a better balance in the investment in science.

Sincerely yours,

JAMES R. KRUMHANSL.

JULY 28, 1992.

Hon. DALE BUMPERS,
Dirksen Senate Office Building, Washington, DC.

DEAR SENATOR BUMPERS: I am writing to express my opinion regarding the continuance of the present Supercollider project. I emphasize that I am not speaking for any organization. However, since I have been involved in many aspects of physics and other sciences in my career (Biography enclosed) and have given considerable thought to this issue, I have been urged to provide you at this time with some material which I have already sent to Congressman Boehlert, as well as others.

It is my position that work on the present Supercollider project, as well as the detectors which are being built in anticipation of this (yet uncertain) machine, should be brought to a halt. If this is done, it is reasonable in due course to consider a joint, international proposal involving the European, Japanese, and U.S. scientists from the outset, afresh. There is simply no present reason, either scientifically or for any other national priority to make this either an urgent or purely domestic project. I suggest that several points are relevant in support of my position; these are not entirely what Congress and the public hear, generally speaking. The appended documentation provides further background. Similar opinions are held by many.

U.S. leadership in "science" simply does not depend on the SSC, or even on particle physics. Whether a successful accelerator to detect the Higgs particle is made here or elsewhere, or twenty years from now, it will have little effect on science in the large. (Indeed, particle physics has made no significant contribution to the understanding of Superconductivity; it is only a "user".)

The SSC can make only insignificant contributions to technology or economic superiority, at best.

It is claimed that the SSC has the wide support of the physics community. This is far from true. In the first place the subfield of particle physics constitutes only about 10% of the activity in physics (enclosed is a bar graph profile by subfields). The advocates are largely in that subfield. Secondly, the SSC is certainly not the highest priority in physics overall; this is clear from an official statement by the Council of the American Physical Society. January 20, 1991 (enclosed).

It is remarkable, in my view, that a body of congressional members, some trained in investigative law, do not seem to have taken even simple steps to check some of the assertions which have been made, such as independent sample polling of the membership of the Physics societies, or other scientific, engineering, or technological/industrial groups. Instead the witnesses (for the most part) have been carefully selected, particularly in the Senate, to be largely among the promoters of the SSC.

The societal and technological claims for the SSC have been grossly exaggerated or misrepresented; the public is being seriously misled. The recent statements by Professors Geballe, and Schrieffer to the House Science Committee, as well as the recent letter by Geballe, and Dr. John Rowell to Science Magazine (enclosed), should certainly be brought into the Senate discussions.

These and a number of other factors lead me ever more strongly as time goes on to believe that a halt should be called. I want to emphasize that I agree that the scientific objectives in particle physics are important, but in the larger scheme of physics and science the answers will be far from providing a "final theory" except in a narrow subfield. Collectively, our other endeavors certainly have higher priority, on any basis.

Finally, I suggest that there would be much value to a fresh start, with a clean slate. There would be time to understand how a proposed $4 B project has already climbed to $11 (+??, construction only). There would be time to give a fair review to the questions now being asked about the SSC management structure, and to develop a less ad hoc procedure for future large projects. There would be time to sort out for the public what the real (honest!) expectations of benefits are. And, not the least, by broadening the base of scientific expertise to the international level, to consider a new program, there would be a more critical, extensive, and less partial review of the scientific and technological design issues and uncertainties which are currently known. I am sure that the research and design experience so far, both at the SSC and CERN, will be of some use in a future program, and not really lost.

I hope that these comments will be of use to you. It is not easy for me to oppose a project deemed so important by friends of many years. However, I have come to the conclusion that physics, science, as well as the public interest, in general, will be best served by terminating the present SSC project. When the time comes, a truly international project in this one subfield, widely reviewed, and whose societal role is clearly understood and realistically represented, would be far better for all.

I will be on extended travel beginning this Friday, July 30, until September 13. Please feel free to use this letter and any of the appended material as you see fit.

Sincerely yours,

JAMES A. KRUMHANSL,
Adjunct Professor, University of Massachusetts; Horace M. White Professor of Physics, Emeritus, Cornell University; Past President, American Physical Society; Jimmy Carter Appointee, National Science Foundation 1977–79.

THE SUPERCONDUCTING SUPER COLLIDER—ONE PERSPECTIVE, MAY 1991

(By James A. Krumhansl)

The SSC is to be a machine for doing basic research in elementary particle physics.

What is elementary particle physics? It is one subfield of abut 20 in physics, comprising

about 12% of physics research activity measured by numbers of participants. It concerns itself scientifically with whether there are unifying laws of the forces of nature at the extreme subatomic scale.

What is particular about the SSC? It is a machine designed to accelerate particles to collide with 40 trillion electron volts of Energy, about ten times that of current accelerators. It is to be noted that this energy is about 100 trillion times removed from any chemical, biological, electronic, or engineering application. It is for experiments in the pure science of elementary particle physics.

What would be the benefits from the SSC? If successful it would allow the U.S. to remain at the forefront of the particle physics subfield of physics, and bring prestige to American science in that respect. It might answer questions about the unifying laws; other machines might also.

What would not benefit from the SSC? The effect of the SSC on U.S. technology or economic competitiveness would be insignificant, in spite of persistent claims to that effect [e.g. W. Henson Moore to Senate Energy Research and Development Subcommittee, April 16, 1991]. These claims are either gross exaggerations or quote accomplishments from other subfields of physics without attribution. Because of the very high energy of the phenomena to be studied, the results would benefit only a few other areas of science, e.g. astrophysics. To repeat for emphasis, this project is scientifically important, as pure research simply. That should be clearly understood.

What priority does the SSC have in physics overall? In January 1991 the American Physical Society (APS) made a formal statement on this question, which is appended. There, the support of the individual investigator has the clear priority; the SSC should be built in timely fashion . . . but not at the expense of broadly based research in physics. Therefore the matter of available total funding for physics becomes of the essence, a decision beyond the purview of the scientific community. Events since the original proposal in 1987 show that there is a high degree of uncertainty in what the SSC program will cost in total, accelerator plus detectors and auxiliary equipment; this complicates the funding decision further. Experience shows that in nearly all large projects, not just the SSC, projected costs are underestimates. Substantial international fiscal participation is very unlikely. Realism is called for.

A personal view in summary: Congress has not been well informed on Physics overall; the committee hearing process, with testimony from diverse agencies or protagonists, has come to be an episodal series of pleadings for particular interests and projects, and many other opportunities are not heard of. This simply does not lead to the perspective that is needed for priority decisions. But an overall perspective of physics can be obtained (perhaps only) from the American Physical Society's Planning Committee and its Panel on Public Affairs. The President's Science Advisor might well provide one overview, but it is not clear that the priorities in the President's budget are agreed upon in the science community. Nevertheless, in my opinion a reasonable survey of the whole of physics can be obtained rather expeditiously. It is of the utmost importance that Congress be aware of the important scientific and technological opportunities in all the subfields. A realistic understanding of the needed funding may then be achieved, related to priority choices.

Within the APS there have been numerous discussions of these matters. To build the SSC, and to fund the rest of physics so that it may achieve the scientific, educational, and application goals which are called for, will surely require doubling the total support of physics research, from about $1.3B today to $2.5B in the near future (current dollars). A large fraction of the increase is to build the SSC. I firmly believe that proceeding with the SSC, short of sufficient total, balanced funding in physics would do serious damage, even to related sciences and technology, and the SSC would fall short of its goals. The alternative is to readdress the directions for particle physics without the SSC, especially on a joint international basis; that deserves prompt, serious consideration.

JAMES A. KRUMHANSL, BIOGRAPHICAL INFORMATION

James A. Krumhansl was born in Cleveland, Ohio in 1919. He received degrees in electrical engineering at Dayton (B.S. 1939), physics and electrical communications at Case (M.S. 1940), and theoretical physics at Cornell (Ph.D. 1943). He has a D.Sc (Hon.) from Case-Western Reserve. During World War II he worked at Cornell and Stromberg Carlson on microwave systems and communication theory. In 1946 he was appointed jointly to physics and applied mathematics at Brown University. In 1948 he returned to Cornell; he has served in the development and as Director of the Laboratory of Atomic and Solid State Physics and in 1980 he became Horace M. White Professor of Physics. His research topics have included communication systems, applied mathematics, condensed matter physics theory, materials science, nonlinear science, nondestructive evaluation, composite materials, and molecular biophysics. He retired academically at Cornell in 1990, and continues research there as well as at the University of Massachusetts, Amherst where he is Adjunct Professor.

He has had industrial experience at Stromberg-Carlson (1943–45), as associate director of research of National Carbon Co., Union Carbide Corporation (1954–59), as consultant or visiting scientist to many industries, and as a Director of Allied Corporation (1980–1987).

He served under Jimmy Carter as presidential appointee to the National Science Foundation (1977–79) there as Assistant Director of Physical Sciences, Engineering, and Mathematics; also other government advisory committees, the Solid State Sciences Panel, and in the formation of and as chairman of the Materials Research Council of DARPA.

He has served the American Physical Society in many capacities, as President in 1989, as well as the American Institute of Physics on the Governing Board, and in several other roles.

He has been editor of Journal of Applied Physics and Physical Review Letters, associate editor of Reviews of Modern Physics, Solid State Communications, and Oxford Monographs in Physics.

He is a Fellow of the American Physical Society, of the American Association for Advancement of Science, and a Consulting Fellow of Los Alamos National Laboratory. He has been a Guggenheim Fellow, National Science Foundation Sr. Postdoctoral Fellow, Fulbright Lecturer, a visiting fellow of University College and of All Souls College, Oxford, of Gonville and Caius College, Cambridge, and a Royal Society of London visiting fellow.

His present research deals with the use of concepts in nonlinear science to discuss structural and dynamical phenomena in materials science, biomolecular physics, and astrophysics, in regard particularly to how localized structural conformations determine significant large scale behavior. He maintains an interest in science policy.

He resides with his wife Marilyn in Amherst, Massachusetts, where he continues his interests in extended family, science, winter sports, and cooking.

[From Science, Feb. 26, 1993]

FUNDING THE SSC

The discussion during 1992 about whether or not to continue funding the Superconducting Super Collider (SSC) was hardly an example of scientific clarity and accuracy. At least five arguments that were made for proceeding with the SSC deserve more careful scrutiny.

First, the argument was made that it is necessary for the United States to fund the SSC for the sake of national pride. This attitude now seems quaintly anachronistic. In 1992 both Corning and AT&T signed agreements with groups in Russia to carry out collaborative research in optoelectronics, while IBM, Toshiba, and Siemens signed an agreement to mutually develop the next generation of silicon memory chips. These high-technology fields are more relevant to national competitiveness than owning the highest energy accelerator. These corporations have faced the reality of a global economy and have realized that products requiring billion-dollar research investments can no longer be created alone, just for the sake of corporate or national pride. Perhaps it is time for the high-energy research community in the United States to join a global research community in the work that will be possible on CERN's (the European Organization for Nuclear Research's) new accelerator. Once the limits of that machine are exhausted, the community could then more sensibly argue for another that would represent an advance in global rather than national capability.

Second, arguments were made to imply that the high-energy experiments of the SSC are uniquely important. The SSC is indeed a worthy experiment that should be justified on the basis of its scientific merit because extending the frontiers of knowledge is a worthy challenge. However, this challenge is real for all fields of science and is not exclusive to high-energy physics. It is not possible to judge the intrinsic worthiness of important experiments in different fields of science. It is fruitless, for example, to compare the importance of finding out more about the origin of the universe with that of finding out more about the origin of life. The most important experiments in particle physics deserve support because they are likely to provide new understanding of the structure of the universe, but they are not necessarily the most important experiments in physics, chemistry, or biology.

Third, it has been said that, "[i]n the SSC we will gain experience with the first large-scale use of superconductivity. The SSC will transform superconductivity from a craft to an industrial capability" (1). The requirement for a large number of superconducting magnets for the SSC will be an anomalous market demand of relatively short duration. The superconducting industry has been built around today's products, such as magnets for magnetic resonance imaging (MRI) machines. In 1992, approximately 1100 such MRI systems were sold, each containing 20 to 40 miles of superconducting wire and representing a total revenue of $1.6 to $1.8 billion. The

scientific discoveries that made such magnets possible were made during benchtop experiments in 1911 and the late 1950s and early 1960s.

The applications that will result from the SSC, quoted by Watkins (1)—maglev trains, ship propulsion, energy storage magnets, power transmission cables, motors, and generators—could be built quite adequately with today's technology. Some were built as prototypes a decade ago. The lack of widespread use of such products is not a result of unavailable technology but of inadequate market demand. The SSC will not suddenly create such a civilian market demand. The SSC will do nothing to enhance the nation's capability to make use of the new superconducting materials that were discovered in 1986. These would allow commercial systems to operate at higher temperatures (possibly cooled with liquid nitrogen rather than helium), which is a factor that would likely change their acceptance in the marketplace.

Fourth, the impression has been created that support from the scientific community for the SSC was "overwhelming." Despite the roughly 2000 signatures collected in support of the SSC, there was strong opposition to it across some parts of that community, particularly among the condensed matter scientists who make up the largest division of the American Physical Society.

Fifth, the impact of SSC expenditures (about $10 billion to construct and $1 billion a year for interest and operation) on other high-energy experiments and on other fields of science should have more carefully evaluated. The budget in the United States for the operation of high-energy experiments is about $630 million a year. Even allowing for the possibility of a 50% increase in funding for high-energy physics over the next decade, operation of the SSC would seem to consume all of the extrapolated annual budgets for high-energy research at universities ($100 million), Brookhaven National Laboratory ($90 million), Fermilab ($225 million), and the Stanford Linear Accelerator Center ($140 million). The net economic effect of funding the SSC is quite likely to be negative, in that money might be reduced in fields other than high-energy physics that have more consistently produced new and valuable spin-off technologies.

T.H. GEBALLE,
Department of Applied Physics, Stanford University,
J.M. ROWELL,
Conductus, Inc., Sunnyvale, CA.

REFERENCES

1. J. Watkins, Washington Post, 21 July 1992, p. A19.

[From Physics Today, July 1993]

SSC: OF FINANCES AND FUNDAMENTALITY

Five hundred years after Copernicus directed our view away from the Earth and toward the larger universe, it seems that certain physicists still feel that they are the center of the universe. The letter to members of Congress urging the approval of funds for the Superconducting Super Collider (see Physics Today, August 1992, page 59) is hardly a testimony to the broad-mindedness of physicists.

The authors of that letter wrote, "The approval of the SSC project in 1990 was widely acclaimed as our nation's firm commitment to be a leader in this scientific age." As a physicist working in a biological science environment, I can assure you that not every scientist, nor for that matter every other citizen, believes that spending tens of billions of dollars on this project is the sine qua non of American scientific commitment. In essence, every man, woman and child in the US is being asked to donate $30 (for construction alone) to the SSC. I hope that every physicist supporting the SSC is equally generous with his or her own money when environmental, religious or lobbying organizations come to the door asking for donations.

Although what I have to say has been said before, I would like to indicate a few reasons why I, and perhaps others, have trouble supporting the SSC given the financial situation of the country, even though I find the physics exciting and fascinating:

Other than scientists working on the space station, every scientist can look at the SSC and ask, "Why do they deserve so much money?" As a researcher in radiation physics, I see the NIH budget supporting research in radiation oncology (medicine and physics together) at $16 million in 1990, and I marvel at the hundreds of millions being spent for the SSC detectors alone.

The SSC is not being supported for the right reasons. The physicists in the project fully appreciate why the SSC should be built, but society at large does not. The arguments in Congress in support of it included incredible claims of "a cure for cancer" and so on. As numerous reports have noted, many in Congress view it solely as a gigantic public works project. Aren't there other areas in society that could benefit from an enormous public works project?

The costs are delusionary. Even if it is built at or near cost, the operating costs will eat up public spending (and maybe general scientific budgets as well) for decades. DOE continually fights to find money to operate machines that it had no trouble building. I have seen two accelerators closed at Lawrence Berkeley Laboratory because of financial expediency. Both were used for medical research, and I can provide hundreds of cases of people cured of potentially fatal conditions who would not have been treated without such Federally funded accelerators. Why does the SSC deserve its money and not those accelerators?

Any such huge project inevitably wastes money. Even if there is perfect administration and accountability, large sums of money will go to very, very indirect purposes. During the design stage of the SSC at LBL, it was necessary to hire a full-time travel agent to make travel plans for the participants. What researcher can't imagine a more direct use of that salary, not to mention airfare?

The letter states that the SSC has "galvanized many foreign countries to follow us and collaborate." It seems to me that this is just untrue. Besides India, what other country has so far felt it worthwhile to participate in the SSC as a full partner?

Without my livelihood at stake, I am not likely to organize a large protest against the SSC. I merely wish to inform those who do support it that there are many people who are pro-science who, for a wide range of good reasons, do not believe that now is the time to fund such a project. Perhaps in five or ten years, the time will be ripe for a truly international collaboration on what is surely the single most expensive scientific enterprise in history.

MARK PHILLIPS,
University of Washington Medical Center.

I write in response to the many news stories in Physics Today and other periodicals concerning the fate of the Superconducting Super Collider. Although the US government might feel that limiting funds for research and reallocating the money to domestic affairs will relieve economic hardships, this path will only bring temporary gratification instead of scientific and technological breakthroughs that bring long-term benefits to humankind.

Throughout the 20th century, during both booms and busts in the economic cycle, science and technology never came to a standstill. In the midst of the Great Depression, Ernest Lawrence devised the cyclotron. At the same time, in economically afflicted Great Britain, James Chadwick was researching the neutron. Continual scientific research should also be the practice in the 1990s. Though the House of Representatives did designate $517 million in the 1993 fiscal year to the SSC, that amount of money is substandard, given the importance of the project to the future of high-energy physics.

The US government should be proud that the SSC is located in the United States, providing both new jobs and international prestige. As the APS executive board said in its statement of 26 June 1992 (see Physics Today, August 1992, page 58), "cancellation of such a highly visible project would send a message to the world that the United States is relinquishing its long-standing commitment to fundamental scientific research" I believe that the same logic applies to the full funding of the project. The government should not let such a significant enterprise dwindle in either construction or operation. The world harbors such a multitude of mysteries that delaying scientific progress because of lack of governmental funding disgraces mankind's quest to solve those mysteries.

LISA K. RAMOND
Duke University.

I find Physics Today's reporting on the funding of the Superconducting Super Collider disingenuous to say the least. In at least a half-dozen places, the news story in the August 1992 issue (page 58) equates or quotes various bodies equating the "commitment to fundamental scientific research" with commitment to funding the SSC.

Let us analyze this equation. It is on the face of it incorrect, since, first, fundamental scientific research is much, much broader, and one may well be committed to that goal and yet ignore or neglect the SSC. Next, can someone provide the criteria by which we decide which science is more fundamental than another? If particle physicists do not wish to abandon the English language, they must show how TeV particle physics provides the fundament—the base—for other fields. Applying the Alvin Weinberg criterion—what impact does the field have on neighboring fields?—puts TeV particle physics at the very bottom of the class among fundamental sciences. The basic parts of medicine, biology, Earth science, chemistry and materials science have not, cannot and will not be affected one iota by whatever comes out of the SSC and its relatives of the last few decades. Amazingly enough, nor will 95% of physics. How can we test this? Easy. Use the Institute for Scientific Information computers to list the papers coming from those sources (on Higgs bosons, various quarks and so on) and how often they are cited in any of the above fields. Even the most esoteric theoretical corner of condensed matter physics rarely encounters the particle physicist's TeV realm. Indeed, it is clear that chemistry, materials science and civil engineering will contribute enormously to TeV particle

physics, since the machine essential to that corner of physics needs the spin-in from many other sciences to even get started.

The claim of special fundamentalness is also, of course, preposterous hubris. I submit that any objective analysis would reveal research areas in a dozen different disciplines that could much better serve as the test for a nation's "commitment to fundamental scientific research." Funding the SSC could result in abandoning fundamental scientific research in many fields and will certainly assure American decline in both science and technology in a dozen different fields of chemistry, biology and materials science. Indeed, it is obvious that funding the SSC is merely funding a public works project. There is absolutely no doubt that the SSC has survived only on its pork-barrel merit, and the scientists who use that route to advance their own tiny corner of science will no doubt rue the day, as the national technological capacity and wealth will slowly wither in their ability to support basic research at all. Only rich countries can afford esoteric research with no purpose connected to the public good.

The smaller, equally fundamental sciences are also quantifiably more meritorious in their value to society. The astonishing fact is that so few among the scientists in those fields have the intellectual fortitude to make their own case for being at least as fundamental as particle physics.

RUSTUM ROY,
Pennsylvania State University.

THE AMERICAN PHYSICAL SOCIETY,
New York, NY, May 21, 1991.

Dr. RICHARD A. CARRIGAN, Jr.,
Head, ORTA
Batavia, IL.

DEAR DR. CARRIGAN: Bob Park sent me a copy of your letter to him dated May 6, 1991, taking him to task in referring to testimony by DOE Deputy Secretary Hanson Moore as ill-advised. Mr. Moore stated "Magnetic Resonance Imaging is a spin-off from the activities of accelerator research done at Fermilab and SSC. When I testified subsequently at the same hearing, I inserted in my oral presentation the following. "As an expert in magnetic resonance I wish to correct a statement in the testimony of the Honorable Mr. Moore. I can state categorically that MRI is not a spin-off from SSC related activities".

For your information I may add that Leon Lederman was seated on my left, as he testified at the same hearing. Leon respected my testimony, as I did his.

From the facts stated in the main body of your letter, the following statement could be derived: "The superconducting wire technology in the U.S. has greatly benefited from the work done by and for Fermilab and SSC. This in turn has improved the equipment used in MRI". The extrapolation of this factually correct statement to the testimony by Mr. Moore that "MRI is a spin-off of Fermilab and SSC" is unwarranted, and indeed ill-advised. It completely ignores the essential contributions by a very large number of physicists who have brought MRI to fruition. MRI would be alive and well today, even if Fermilab had never existed. Superconducting magnets, manufactured, for example, by Oxford Cryogenics, are entirely adequate and used in many MRI installations in Europe and elsewhere.

In the interest of the unity of physics which we all wish to promote, excessive claims by a particular subfield should be avoided. I hope that in the future the technical information that is permitted to filter to the top administrative echelons of DOE is more carefully worded. I ask for your cooperation in this respect.

Sincerely yours,

N. BLOERBERGEN.

SMALL SCIENCE SQUEEZE

If practitioners of "small science" are looking for confirmation of their fear that "big science" is threatening their livelihood, they will find it in a staff memorandum prepared by the Congressional Budget Office (CBO). CBO points out that the three biggest civilian science and technology projects—the space station, the Earth Observing System, and the Superconducting Super Collider—account for two-thirds of the Administration's proposed fiscal year 1993 increase in the budget category known as Function 250, which includes the National Science Foundation, much of the National Aeronautics and Space Administration, and the general science programs of the Department of Energy. What's worse for small science devotees is that this year's proposal may be only the thin end of the wedge. CBO projects that the annual budgetary needs of the three mammoth projects will double between 1992 and 1997—yet the Administration's budget assumes that flat funding for Function 250 beyond 1993. If those projections turn out to be correct—a big if—the result isn't hard to figure: Small science gets squeezed (see chart). Some relief would come from allowing Function 250 to grow. But, as CBO points out, there will be increasing pressure to cut total government spending to hold down the ballooning federal deficit, with the result that "by 1995, the cumulative cuts will be so large that Function 250 is unlikely to escape without any reduction."

VOTE NO FOR THE SSC

(Steven P. Ahlen, Professor of Physics, Boston University, September 24, 1993)

I am an experimental particle physicist and astrophysicist who spent several years working on the SSC. I was a co-leader of groups that designed two of the four baseline detector systems for one of the two approved SSC experiments. I think the physics goals of the SSC are very interesting. But I believe it is unlikely that the SSC will work as advertised. I have seen up close and from a distance too many poorly made and selfishly motivated decisions to have any confidence that the project will come to a successful conclusion under current management, and I am pessimistic that the management can be improved sufficiently in the time remaining. I see no point in continuing to waste half a billion dollars per year. As such, I think that funding for the SSC should be terminated.

Some of my reasons for reaching this conclusion are based on technical details: detectors will probably be more expensive than now thought and will not work nearly as well as planned; calculations used in the design of experiments have been overly optimsitic; the probability of having 10,000 extremely large superconducting magnets working reliably is small; etc.; etc. Some of my reasons are based on my observations of the behavior of those involved with the SSC. I have been ashamed of the dishonesty I have seen in the presentation of the SSC case to the public and to Congress. I think it is a terrible thing that high energy physicists now seem to spend more time attending meetings, and planning political strategies than cultivating the creative process. I have even come to believe that large projects like the SSC may be detrimental to the advancement of science and technology and to the training of young minds (probably the most valuable benefit to be derived from scientific research).

But one does not have to be a physicist who has worked on the supercollider project to appreciate the difficult future facing the SSC. Consider for example, the following exhibits which illustrate the points made above:

Exhibit 1: In 1982, the High Energy Physics Advisory Panel recommended to the Department of Energy that construction of the Colliding Beam Accelerator at Brookhaven National Laboratory be stopped so that the major effort of the United States high energy physics research program could focus on the construction of SSC. The estimated cost of the SSC was placed at $2 billion at the time. Since then the cost has increased steadily at the rate of about $1 billion per year to over $10 billion, with no end in sight, and with the SSC completion date now assumed to be no sooner than 10 years from now. Simple extrapolation suggests a final cost of perhaps $20 billion or more.

Exhibit 2: It was recognized by the SSC management in 1990 that the design of the SSC magnets was inadequate, and that reduction of the beam energy from 20 trillion electron volts (20 TeV) to below 15 TeV would be required unless the cost of the SSC were increased by a few billion dollars. It was claimed that the physics goals could not be achieved at the lower energy. So the cost was increased dramatically to maintain the energy. Yet, in 1992, three detailed and credible proposals were submitted for experiments at Europe's Large Hadron Collider (LHB), to pursue the same goals as the SSC, at an energy of only 8 TeV per beam.

Exhibit 3: Since the SSC was approved by President Reagan in 1987, Congress has been repeatedly assured that ⅓ of the cost of the SSC would come from non-federal funds, mainly from foreign collaborators. As of this late date no foreign contributions have been committed. Yet, in 1991, Roy Schwitters, the Director of the SSC Lab, rejected the L* ("L-Star") experiment in spite of its approval by the Program Advisory Committee of the SSC, and in spite of its having strong backing from large scientific groups from Switzerland, Germany, Italy, Russia and China. Subsequently, the SSC Lab management orchestrated the replacement of L* by the GEM experiment, with the same design as L*, but without $300 million of foreign contributions that were expected for L*, and without the more experienced and competent leadership of the L* group.

Exhibit 4: Quoting from statements made by Senator J. Bennett Johnston on August 3, 1992 during debate in the Senate on the SSC: ". . . information that will come from the superconducting super collider on particles and forces . . . is essential to the understanding of astrophysics . . . 80% of matter out there in space which the scientists call dark matter cannot be understood without an understanding of the elementary particles and forces that make up nature . . ." Yet it was reported quite recently (see the article in the New York Times on September 21, 1993) by two independent groups of astronomers that significant amounts of dark matter have been identified and found to consist of stars too small (about 1/10 the mass of our sun) to emit light, not the sort of thing to be discovered at the SSC.

Exhibit 5: The question of using the newly discovered high temperature (high-T_c) superconductors for the magnets of the SSC was considered briefly in 1987. Such devices would be much less expensive to operate

than conventional superconducting magnets, since the former would require temperature no lower than could be provided with liquid nitrogen, which is much easier to use and much less expensive than the liquid helium required for normal superconductors. This option was rejected because it was felt that it would take 20 to 25 years for large magnet applicants to be developed for the high-T_c materials. Yet, just six years after that, it has been reported (as I learned in a Physics Department Colloquium at Boston University on September 22, 1993) that the key problem standing in the way of the use of the high-T_c materials has been solved, possibly enabling the construction of high-T_c magnets to produce large magnetic fields.

I think the discoveries of the last two exhibits are particularly instructive. A strong case can be made that, if they stand up to the close scrutiny they will get over the next few months, each is of at least as much importance as the kind of physics that would emerge from the SSC. Yet each was carried out with relatively little fanfare, and at very small cost compared to the SSC. It is ironic to note that the technological achievement of exhibit 5 would have been a marvelous example of the kind of useful spin-offs that would derive from the SSC program (such as are often touted by SSC proponents), if its pursuit had not in fact been rejected by those seeking funding for the SSC.

Neither science nor particle physics will suffer a sudden death if the SSC is terminated. There are many other equally important things that could be done by American particle physicists at much less cost: discover the "top quark" at Fermilab; continue to search for the Higgs boson at the LEP collider at CERN; collaborate on the LHC collider in Europe; attempt to answer the question why the universe seems to have more matter than antimatter with the proposed "B Factories;" and so on. I like to think that if the SSC were terminated, a truly international collaboration would evolve to carry out a similar project somewhere in the future, at the right time, with the right technologies, and with the right spirit.

Mr. JOHNSTON addressed the Chair.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. JOHNSTON. Mr. President, the Senator has taken the better part of an hour, for which I do not begrudge him, but I wonder if we are ready now to talk about a unanimous-consent request.

If the Senator would be willing to allow, say, 3 hours and 10 minutes—give us 1 hour and 40 minutes, and the Senator from Arkansas an hour and 30 minutes, and that way the vote would occur at 7:30—I really believe we could get this matter out the way.

Mr. BUMPERS. Mr. President, I say to the Senator, if you do not mind withholding that, we have eight Senators on our list, all of whom are asking for at least 10 minutes. So if you do not mind, let us withhold that until we get rid of two or three of these. Could we do that? I think we can vote by 7:30.

Mr. JOHNSTON. Hopefully, if we are going to go late in the night, we could have a little window so we have time for a sandwich, at least.

Mr. BUMPERS. They do not need a window. They get paid well here. They need to sit on the floor and listen to the debate.

Mr. JOHNSTON. Mr. President, first of all, I would like to address the narrow question of whether the scientific community supports this project.

Mr. President, let me say, with all the conviction that I have—and I would stake my reputation, such as it is, on this statement—the scientific community supports this project.

The Senator made statements yesterday in the caucus and again here on the floor as if the vast majority of the scientific community does not support the project, and read from Sigma Xi, a scientific research society, as saying only 2 percent support this project. Not so, Mr. President. I read from what Sigma Xi said and what its significance was. And they did not say that at all.

As Sigma Xi itself stated, it is not statistically valid. The data collected is representative of only those who responded. Those who responded are in other fields. And the question was not whether the SSC is important, but what do you think is the most important. And, not surprisingly, they answered that their field was the most important. And that is all it meant.

They go on to say that the data cannot be construed to represent the opinions, experience, or position of Sigma Xi members. The data reflects only the views and experience of the 3,300 respondents. That is what they said, and that is in the RECORD. And I invite Senators to see that.

Mr. President, before the committee, we did not want to have, you know, a war of who could produce the most experts, because we could have been there for months.

But the Senator from Arkansas requested and received his top expert, Dr. Philip Anderson, who came and testified.

Mr. President, the top scientist, produced on behalf of the Senator from Arkansas, said, among other things, and I am quoting—and this is testimony before the joint hearing held on August 4, 1993. He stated as follows: "On the scientific soundness, I agree with almost all of what Steve"—that is Dr. Steve Weinberg, Nobel Laureate—"has said."

He agrees with everything he says, or almost all of what he says on the science.

I well understand that the questions that the SSC is designed to answer are deep, fundamental, and interesting, and also that if the scientists were allowed to carry out their job without interference they would probably do so efficiently.

He goes on to say:

The point of my testimony is that of priorities.

He is a solid-state physicist. He put higher priorities elsewhere.

But, Mr. President, that is hardly the same as saying that the scientific community does not support this project.

There is, in fact, an association that represents all of the physicists in America. It is called the American Physical Society. I have a letter here, dated September 28, 1993, from Donald L. Langenberg, President of the American Physical Society. Here is what he says:

DEAR SENATOR: As you consider your vote on the Superconducting Supercollider, I wanted you to be aware of the position of the Executive Board of the American Physical Society (enclosed). The American Physical Society is the principal membership organization of physicists with over 42,000 members in academia, industry, and government.

That statement reads as follows. This was adopted September 11, 1993:

The Executive Board of the APS is deeply concerned by the prospect of termination of the Superconducting Supercollider.

The Supercollider is a project of great scientific merit that has met each of its technical milestones. It was undertaken only after approval at every level of government.

A decision to discontinue the Supercollider in midstream would underscore the lack of the coherent national research policy that is needed to sustain American leadership in science.

The APS Executive Board reaffirms its support of the supercollider in the context of a balanced effort for all of science.

As I say, that was adopted September 11, 1993.

In last year's debate, we put a similar letter of support by the American Physical Society in the RECORD.

Mr. President, if this were a mathematics problem, I would write the letters "QED," which means proven; settled.

The issue of scientific support for this project is not an issue. It is not that there are not dissenting voices. Look, you can find dissenting voices on everything from the income tax to Social Security to you name it. You are going to find dissent being voiced around this country.

But I am telling you, the scientific community, the American Physical Society, representing 42,000—42,000—scientists in academia, in Government, in research, they support it, and strongly support it. And they continue to support it and they continue to say that to discontinue it would be a tragedy.

Mr. President, last year, we put into the RECORD a letter signed by 1,600 Nobel laureates and other distinguished scientists. Today, I would like to simply put into the RECORD a letter signed by Jerome Friedman, Leon Lederman, and Steven Weinberg, each of whom won the Nobel Prize in the years 1990, 1988, and 1979, respectively in physics, very strongly supporting this project, and also a letter containing the names of 21 of the most distinguished Nobel laureates and Medal of Science winners in the country.

Mr. President, I will not take the time here to read all these names. Suffice it to say, Mr. President, here is Sidney Altman, Nobel Prize in chemistry, Yale University; Hans A. Bethe,

Cornell University, Nobel Prize in physics; Paul Chu, University of Houston, National Medal of Science; Leon N. Cooper, Brown University, Nobel Prize in physics; et cetera, et cetera.

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

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

THE AMERICAN PHYSICAL SOCIETY,
Washington, DC, September 28, 1993.

DEAR SENATOR: As you consider your vote on the Superconducting Supercollider, I wanted you to be aware of the position of the Executive Board of the American Physical Society (enclosed). The American Physical Society is the principal membership organization of physicists with over 42,000 members in academia, industry, and government.

Sincerely,

DONALD N. LANGENBERG,
President, American Physical Society.

STATEMENT OF THE EXECUTIVE BOARD OF THE AMERICAN PHYSICAL SOCIETY ON TERMINATION OF THE SUPERCONDUCTING SUPERCOLLIDER, SEPTEMBER 11, 1993

The Executive Board of the APS is deeply concerned by the prospect of termination of the Superconducting Supercollider.

The Supercollider is a project of great scientific merit that has met each of its technical milestones. It was undertaken only after approval at every level of government.

A decision to discontinue the Supercollider in midstream would underscore the lack of the coherent national research policy that is needed to sustain American leadership in science.

The APS Executive Board reaffirms its support of the supercollider in the context of a balanced effort for all of science.

SEPTEMBER 29, 1993.

Hon. J. BENNETT JOHNSTON,
U.S. Senate,
Washington, DC.

DEAR SENATOR JOHNSTON: It has come to our attention that support of the Superconducting Super Collider by the scientific community has been questioned recently. We would like to take this opportunity to reaffirm to you and your colleagues the vital importance of the SSC.

The SSC became the top priority of high energy physicists in the early 1980s because it was deemed necessary to assure the next major step in understanding the nature of the world around us. Subsequent reviews by panels of high energy physicists (and physicists in other subfields) have sustained that priority. In recent years the scientific importance has grown and it is abundantly clear that the next meaningful step in understanding the nature of the world we live in depends upon results that can only be obtained at the SSC.

Over 2,000 scientists at universities and laboratories across the world are working on the massive detectors that will measure and analyze the particle collisions at the SSC. On September 11th of this year, the American Physical Society's Executive Board, representing its 40,000 members, issued a statement that expressed its deep concern with the prospects of termination of the SSC and reaffirmed its support. Last year, when the scientific support of the Super Collider was questioned, we, along with 40 of our colleagues, including 21 Nobel laureates, sent a letter stating the importance of the project. We are enclosing a copy of that letter to remind you and other senators that the scientific community stands firmly behind the Superconducting Super Collider.

Sincerely,

JEROME FRIEDMAN,
Nobel Prize 1990,
Massachusetts Institute of Technology.
LEON LEDERMAN,
Nobel Prize 1988,
Illinois Institute of Technology.
STEVEN WEINBERG,
Nobel Prize 1979,
University of Texas at Austin.

COLUMBIA UNIVERSITY
IN THE CITY OF NEW YORK,
New York, NY, July 13, 1992.

Hon. J. BENNETT JOHNSTON,
Hart Senate Office Building,
Washington, DC.

DEAR SENATOR JOHNSTON: We the undersigned members of the scientific community are shocked and dismayed by the House rejection of funding for the Superconducting Super Collider. We are deeply alarmed by its immediate destructive effect on the entire U.S. scientific enterprise and even more concerned about the serious long-term damaging consequences of this action.

The approval of the SSC project in 1990 was widely acclaimed as our nation's firm commitment to be a leader in this scientific age. It has galvanized many foreign countries to follow us and collaborate on this unique common effort. It has also inspired our younger generation to be optimistic about their future in science and technology.

The construction of the SSC is at the cutting edge of advanced technology and industrial capability. It will generate a large number of jobs and will greatly enrich the nation's technological strength through training, research and manufacture.

At present, the scientific goals of the SSC are even more relevant and compelling than a few years ago. Furthermore, the SSC project has already made important scientific and technological progress in the design and development of the accelerator and detectors. At many international conferences, the initial achievements of the SSC project have been recognized as the symbol of our great strides forward in science and technology. This sudden rejection stuns and confuses. To kill an undertaking that is so splendidly fulfilling its expectations and its mission raises fundamental questions about our national commitment and our ability to carry out long-term scientific projects. Such an action is clearly damaging to future international collaboration on our scientific ventures.

We are painfully aware of the need to bring the budget deficit under control. However, in this world of very rapid change where confidence in any country can be quickly eroded, it is essential for our nation to steadfastly preserve and expand its scientific and technological strength.

The SSC is an investment for the future in science, technology and people. We therefore respectfully urge you to restore its funding.

Sincerely,

(The signatures of the following are on file.)

Sidney Altman, Yale University. (Nobel Prize in Chemistry, 1989.)

Hans A. Bethe, Cornell University. (Nobel Prize in Physics, 1967.)

Paul Chu, University of Houston. (National Medal of Science, 1988.)

Leon N. Cooper, Brown University. (Nobel Prize in Physics, 1972).

Alan M. Cormack, Tufts University. (Nobel Prize in Medicine, 1979.)

James W. Cronin, University of Chicago. (Nobel Prize in Physics, 1980.)

Hans G. Dehmelt, University of Washington. (Nobel Prize in Physics, 1989.)

Sidney D. Drell, Stanford Linear Accelerator Center. (Deputy Director, SLAC.)

Herman Feshback, Massachusetts Institute of Technology. (National Medal of Science, 1986.)

Val L. Fitch, Princeton University. (Nobel Prize in Physics, 1980.)

Herbert Friedman, Naval Research Laboratory. (National Medal of Science, 1967; Wolf Prize, 1987.)

Jerome I. Friedman, Massachusetts Institute of Technology. (Nobel Prize in Physics, 1990.)

Murray Gell-Mann, California Institute of Technology. (Nobel Prize in Physics, 1969.)

Donald A. Glaser, University of California, Berkeley. (Nobel Prize in Physics, 1960).

Sheldon L. Glashow, Harvard University. (Nobel Prize in Physics, 1979).

Marvin L. Goldberger, University of California, Los Angeles. (President Emeritus, California Institute of Technology).

Maurice Goldhaber, Brookhaven National Laboratory. (Director Emeritus, BNL; Wolf Prize, 1991).

Ernest M. Henley, University of Washington. (President, American Physical Society).

Dudley R. Herschbash, Harvard University. (Nobel Prize in Chemistry, 1986).

Henry W. Kendall, Massachusetts Institute of Technology. (Nobel Prize in Physics, 1990).

T.D. Lee, Columbia University. (Nobel Prize in Physics, 1957).

Leon M. Lederman, University of Chicago. (Nobel Prize in Physics, 1988).

Boyce D. McDaniel, Cornell University. (Director Emeritus, Laboratory of Nuclear Studies).

Joseph E. Murray, Harvard University. (Nobel Prize in Medicine, 1990).

George E. Pake, Institute for Research on Learning, Palo Alto. (National Medal of Science, 1987).

W.K.H. Panofsky, Stanford Linear Accelerator Center. (Director Emeritus, SLAC; National Medal of Science, 1969).

John Peoples, Fermi National Accelerator Laboratory. (Director, Fermilab).

Norman F. Ramsey, Harvard University. (Nobel Prize in Physics, 1989).

Burton Richter, Stanford Linear Accelerator Center. (Director, SLAC; Nobel Prize in Physics, 1976).

Abdus Salam, International Centre for Theoretical Physics, Trieste. (Nobel Prize in Physics, 1979).

Nicholas P. Samios, Brookhaven National Laboratory. (Director, BNL).

Frederick Seitz, Rockefeller University. (President Emeritus, Rockefeller University; National Medal of Science, 1973).

Joseph H. Taylor, Princeton University. (Wolf Prize, 1992).

Samuel C. C. Ting, Massachusetts Institute of Technology. (Nobel Prize in Physics, 1976).

Alvin Trivelpiece, Oak Ridge National Laboratory. (Director, ORNL).

James A. Van Allen, University of Iowa. (National Medal of Science, 1987).

Simon Van der Meer, CERN Laboratory, Geneva. (Nobel Prize in Physics, 1984).

Steven Weinberg, University of Texas, Austin. (Nobel Prize in Physics, 1979).

Victor Weisskopf, Massachusetts Institute of Technology. (Director Emeritus, CERN; National Medal of Science, 1979; Wolf Prize, 1981).

Robert R. Wilson, Cornell University. (Director Emeritus, FNAL: National Medal of Science, 1973).

(This is the same letter sent on June 25th, but with more signatures.)

Mr. JOHNSTON. Mr. President, the scientific support of the meeting of the scientific milestones of this project is not at issue.

I repeat, Mr. President, if what I have said is not true, I would vote against this project. It simply is a fact. It is a fact, and you cannot argue against it by quoting that one person says that he thinks something else is a higher priority.

Sure, Philip Anderson says that his field is a higher priority. You cannot fault him for that.

But the organization of which he is a member and which speaks for the 42,000 American physicists strongly supports this project.

Almost 10 years and $2 billion and three Presidential endorsements ago, a group of the most distinguished scientists in America got together and proposed a superconducting super collider. The group was composed of Nobel laureates and the most distinguished physicists in America.

Their plan to build a superconducting super collider was endorsed by the U.S. Congress, by, as I say, three different Presidents, and after beginning that project, endorsed at every level of Government, endorsed by the State of Texas which came up with $1 billion in bonding authority. We now have, since that initial endorsement 10 years ago, 2,000 scientists at work who have devoted their lives to this project, 10,000 employees, we have farmers who have been displaced from their land, we have buildings going up, we have a ring that is a tunnel ring which is being constructed of which there are 15 miles completed. This chart shows the tunnel ring, which is 54 miles of tunnel, 44 miles are under contract, 15 miles have been completed. We have completed over 20 percent of this project; 20 percent of the work is completed, and 20 percent of the funds are spent.

We are not just beginning this project. This debate is not whether we should begin the superconducting super collider, whether it is important to the United States of America to do this science. We decided that 10 years ago. We decided that $2 billion ago. We decided that before we took the land of these farmers and started building 54 miles of tunnel and completed 15 miles of tunnel.

Last year we had the second debate here on the floor of the Senate. In the same debate last year I put in the statement on the American Physical Society. This year, a year later, I put in an update of that statement. It is a replay of the same question. Last year, by 62 to 32 this Senate continued and reendorsed the superconducting super collider and did that endorsement with another $517 million, which has been spent.

At some point a democracy, a great country, has to make a decision and act on that decision. A great country has in many ways the characteristics of an individual. Some countries are cowardly. Some are brave. Some have integrity. Some have not. You cannot count on them. There are all kinds of personal qualities that a country has.

I think when it comes to the superconducting super collider, this country needs to have a little character and a little integrity. A great country does not begin a project of this kind and say to 2,000 of its most outstanding physicists, 10,000 employees, say to the State of Texas, say to the world: We are going to do this project, stake your lives upon it, your professional lives upon it; and then 10 years later change its mind, there being nothing which intervenes against this project. Nothing has intervened. They have met every scientific milestone.

As the opposing scientist, Dr. Philip Anderson, stated, but for the interference he has no doubt we would be able to do this project successfully.

There is no reason for a change of mind save a change in political attitude. I believe that decision has been made.

There has been a huge amount of sound and fury about the cost of this project. My friend from Arkansas uses various figures. He throws around $20 billion sometimes based on what I do not know. There was another chart he had over there a moment ago which I think he admitted was not based on anything except what some chart drawer had given him. It was not based on anything. I would like to talk about his chart over here at $11.6 and $13 billion, because the Secretary of Energy set the cost of this project, in 1991, at $8.249 billion. That cost is still valid according to the Secretary of Energy.

There are two caveats to what she has had to say. I put in here a letter from the Secretary of Energy dated September 20, 1993, which says, "In January 1991 the department established a project cost of $8.25 billion in 'as spent' dollars." That amounts to $7.31 billion in fiscal year 1993 dollars. "I am confident that the SSC can be built for the $8.25 billion subject to two qualifications."

She goes on to state those two qualifications, which are, first, the fulfillment of the management initiatives, which she has identified and undertaken. We adopted the Brown amendment earlier here today. The Brown amendment says 90 days after the start of the fiscal year, unless she certifies that she has taken that action which is referred to in paragraph 2, the management initiatives, the funding stops.

So we not only have her assurance she was going to do that, we put it in the law now. It has been adopted as an amendment. Unless she does it, funding stops.

The second qualification was the stretchout. The $8.25 billion previously identified, and which she still adheres to, is still a valid figure. But it is based on the original schedule.

If the President and the Congress in our collective wisdom see fit to stretch this out, and that is the decision to stretch out the project by 3 years in order to reduce the annual funding requirements, then that obviously is going to cost additional money. Indeed, a project can cost an infinite amount if carried on for an infinite number of years. The 3-year stretchout will cost—we do not know what. The Secretary of Energy says they are assessing that cost. There are some 40,000 work packages involved. It is going to take some time to come up with a precise figure. It could be $1.5 billion additional but spread out over many years between now and the year 2003.

That is not a cost overrun. That is a decision of the President and the Congress as to the speed at which we want to build the project and the annual amount we want to spend. What the President has decided and which we concur with is let us spend a little bit less each year and stretch the project out. That is not a cost overrun.

There have also been identified potentials, which are referred to in paragraph two of the Secretary's testimony, of potential cost overruns. The Secretary has testified before our committee. The amendment of the Senator from Colorado locks in her testimony to the effect of the management initiatives she is confident will avoid those potential cost overruns. These are not what the Senator calls expected cost overruns. These are potential. Any big project which builds a brand new thing is subject to a potential cost overrun. But the testimony before our committee from not only the Secretary of Energy, from the managers of the project, from other Nobel laureates who built like projects, was that they are confident these potential cost overruns can be avoided.

When you pick a figure of $11.6 billion it is an absolute worst case spending profile which, all of which, the $1.5, can be avoided.

Now, there is another $500,000 in there for experiments on other machines before this ever opens that are not part of the construction costs of SSC, never have been, never will be and that should be taken out.

So, Mr. President, the $8.25 billion, according to the Secretary of Energy, is a valid cost and is valid today, was valid as of September 20, 1993, subject to the stretchout and subject to her doing the management initiatives which she is now required under the Brown amendment to do.

Can we be absolutely certain that this $8.25 billion, subject to stretchout, will not be exceeded by one red, copper cent? Of course not. But I believe, Mr. President, that the record on this project and the record on other like projects support this.

We are told by the opponents that, "Oh, we have the GAO report that predicts, in effect, cost overruns." I have read that GAO report and have had testimony about that GAO report. Indeed, we put it in the RECORD. They have come up with some good work in it.

The problem with the GAO report is that the projections of costs were based upon data secured prior to August 1992 when the construction part of this project was in its very embryonic stage. Their methodology, which I guess is appropriate methodology—I am not an accountant—was to take those few contracts which had been begun, compare them to a baseline cost, and to the extent that they exceeded the baseline cost, to then extrapolate that figure and project it out of all future contracts to be let.

In the case of the construction contract, they projected a $43 million cost overrun, and based upon that small amount which had been let at that time, projected that that trend over the whole contract would cause a $630 million cost overrun.

The trouble with that—there is no trouble with that. It was, I guess, valid to the best of their knowledge back in August of 1992. We now have virtually all of those or the big majority of that construction contract under contract. When you take all of that now and plug it into the same formula, the same methodology, it shows not a $630 million cost overrun but a $40 million cost underrun.

Mr. President, it is not that the GAO report was wrong that they misadded the figures, but that they were dealing with the information such as it was prior to August 1992.

At that time, we did not have—we now have most of the tunnel under contract, as you can see here. The red is that which is complete and the yellow is that which is contracted for. Only a small amount is not contracted for, and we now know what the cost will be on that. The baseline cost estimate on the contracts made to date were $239 million, and the total cost of the actual tunnel contracts to date are $165 million, or $74 million total savings in tunneling costs to date. In other words, now that we know this information, now that it is under contract, now that it is a contractual right of the United States, we are saving $74 million on the roughly three-quarters, a little more than three-quarters, of the tunneling, 54 miles of tunneling that is complete.

Mr. President, I repeat, the point is not that this project, as any other big science project, is free of all risk whatsoever. But the United States can prudently go into this project confident that, as the Secretary of Energy has said, the initial project cost was correct.

What of the figures that Senator BUMPERS had over there where he says back in X years prior to 1990—I forget what years—that costs have increased since then? There has been one real set of cost increases which are not cost overruns but were redesign costs. There was a preliminary design and a preliminary estimate in the cost of this project.

The scientists, after the preliminary design, made some changes in design, what we call the aperture of the magnet which, in effect, focuses or provides what is called the luminosity of the proton screen. That change, together with some changes in the injectors—those are, in effect, the accelerators that put the initial beam of protons into the ring, plus some reestimates of inflation costs, that collection of cost increases was $1.7 billion. Not cost overruns.

Before we ever began construction of this project, that amount of cost was added to the project. Not mismanagement. It was redesign of the magnets, right out there in front of everybody, and that was the figure that gave us the $8.25 billion in as-spent costs which amounts to $7.31 billion in today's cost.

Mr. President, this is not, in spite of the efforts of some to portray it as a project beset with cost overruns. Not so. There has been no cost overrun on this project. Before the project was begun, there was a redesign which caused some additional escalation in the projected cost prior to the time we began it.

Since that time, Mr. President, there have been various adjustments, some below where we saved money, some above. But to suffice it to say that the Secretary of Energy, Dr. Steve Weinberg, who testified about this project, the project director, Dr. Roy Schwitters, and all others have testified that this project is on budget and on time. The Secretary of Energy has stated she is in the process of adopting management initiatives which will reduce the potential for any cost overruns in the future.

Let me just state that any project of this kind involves some risk of cost overruns. It simply does. That is why inside of this $8.25 billion projected cost there is about $1 billion in contingency funds. Only some 7 percent, if I recall correctly, has been spent. So that 93 percent of roughly $1 billion in contingency funds is there to cover any upward adjustments in costs.

Mr. President, I think it is important to also consider what happens if we cancel the project. The Department of Energy has estimated the termination cost of this project at $1.96 billion. So if you terminate this project, in addition to losing the science, losing what you have invested, then count on at least another $1.96 billion in termination costs that you are going to have to come up with, and that does not include what Texas would ask to be paid. I do not know whether we pay Texas back if we terminated this project or not, but I can tell you they would certainly have a heck of a good case in asking for that.

Let me say a word about the science of this project. It is awfully difficult to talk about the science because it is in this esoteric area that is hard for people to understand. We have talked here about the Higgs Boson. Just the very words, "the Higgs Boson"—people do not have any idea what a boson is or what the Higgs Boson is or, indeed, it is not a certainty of whether it exists or not.

What we do know is this: That there is a mechanism for what we call mass. Why does this pen have mass or weight, as we call it in common parlance?

Why does it? Why does the Sun attract the Earth and the Earth attract the Moon and all the planets in the cosmos attract one another? It is because of mass and gravity which in turn we believe is transmitted by what we call a graviton, which is a particle and also acts as a wave sometimes.

How does that work? Well, we believe that the Higgs Boson, again a particle and sometimes a wave—and do not ask me to explain how something can simultaneously act as a particle and a wave. Light does it. All matter does that. We do not know why or how except we have been able experimentally to demonstrate it.

But this Higgs Boson we think is the measure by which in effect the universe is tied together, by which gravity works, by which the four fundamental forces of nature—the strong and weak nuclear force, electromagnetism, and gravity—are all transmitted, because of what we believe is the Higgs Boson. No one has ever discovered the Higgs particle.

Quoting actually from Dr. Weinberg's book "Dreams of a Final Theory," he states that:

> A Higgs particle could not have been seen in any experiment so far if its mass were greater than about 50 times the proton's mass, which it might well be. We need to experiment to tell us whether there actually is a Higgs particle or perhaps several Higgs particles and to supply us with their masses.

Mr. President, he goes on to say that while we do not know whether there is the Higgs particle or the Higgs field, with the superconducting super collider we will discover what the mechanism is by which mass and forces are transmitted. We will open the door to this empty room where the answer lies. The theory is that it is the Higgs particle, but if it is something else, that is knowledge which will be at least as valuable as the Higgs particle, perhaps more so, because that would then destroy all the theories upon which we operate now, because the scientific community now—most of them—operates on the theory that there is something like a Higgs particle, the mass of which we do not now understand.

Mr. President, it is so fundamental. As Dr. Philip Anderson, who testified on behalf of Senator BUMPERS in our committee, said, this is fundamental knowledge. The way I like to explain it is like a tapestry. A tapestry is involved with a fundamental fabric, usually wool, with a stitch and with that same wool and same stitch you can do incredibly complex, difficult, amazing tapestries that can paint any picture you want.

We believe, Mr. President, that matter and energy are composed of fundamental particles called quarks and leptons and those in turn are held together in what we call a Higgs field or the Higgs Boson, and that that fundamental pattern or stitch makes everything. It makes us. It makes the cosmos. It makes everything. And we cannot know that without dealing with these energies that the superconducting super collider requires. It is fundamental, Mr. President.

We know that 90 percent of the cosmos is what we call dark matter. We do not know what it is. We can demonstrate mathematically and by our observations that 90 percent of the cosmos, of what is in the Milky Way, what is in the other galaxies, is dark matter. We do not know what it is. It does not emit radioactivity. It does not emit protons or light. It is just there to be demonstrated mathematically.

We will understand—at least we theorize—what that dark matter is made of. Perhaps some super symmetric particle that we do not yet understand the nature of, which in turn will give us answers about the cosmos. Cosmologists tell me it will tell us whether the cosmos will continue to expand, and it is expanding now, Mr. President—everyone agrees on that—or whether it will then turn around and begin to collapse upon itself; indeed, beyond the lifetime of any of us here. Not to worry.

Nevertheless, Mr. President, it is fundamental knowledge. I mean we are sending up a space station. We are sending up the Hubble telescope because we want to know.

Mr. President, a great scholar, Paul Freund, stated that the thing that unites us as a civilized society is the three most profound questions of the universe: Whither and why and whence. Where do we come from? Why are we here? And where are we going?

Mr. President, these questions lie astride the common boundary between theology and science, and I do not intend to get into the theological questions posed by that, although it is very interesting to deal with some of these Nobel laureates when they talk about what it means one for the other. Suffice it to say that many scientists see in the patterns, the complexities, the symmetries, and yet the simplicity of matter and quarks and leptons and the way they are put together, the hand of God. And to the extent that I am given a peek at what they have to say, I agree with that.

What we do know, Mr. President, is that those three fundamental questions, whither and why and whence—at least the whither, or certainly the how, how was it done, how are we put together, what are we made of, where is the universe going, how are these forces transmitted. And I might add also we will be able to understand what one force and what particle, in terms of another—we will be able to translate electromagnetism into gravity by mathematical formula just as we translate kilometers into miles today by mathematical formula. We will be able to understand quarks and leptons and gravitons and all the rest mathematically. As we can do now at the atomic level, we will be able to do that at the subatomic level and at the cosmos level.

Mr. President, that is fundamental. It is fundamental. And this is not a new endeavor. We did not begin this search for that knowledge with the SSC. We have been doing this for many, many years.

I do not know whether my colleagues are able to see this through the television, but we go back here to about the year 1900 with the first of these atomic accelerators—they used to call them atom smashers—the cathode ray tube, and we have increased the size and the energies of them as we have gone along, each time looking for fundamental knowledge, each time not looking for an x-ray tube, but that is what we found with the cathode ray tube. We discovered electrons, and from it has come TV and computer monitors and the basis for all electronics.

We did not know what we were going to find. I say "we" did not. Whoever the scientist was. I do not remember whether it was Faraday, or whoever it was, who discovered that.

Electrostatic generators were sort of next. Out of that, out of that search for fundamental knowledge came semiconductor manufacturing, used in all modern computers and electronics. Then we went to cyclotrons.

The first cyclotrons, Mr. President, were small enough to put in the hand. But they developed proton beam therapy to treat cancer. And, by the way, we have proton beam therapy which will come from the superconducting super collider because one of the beam lines will be for medical treatment. To be sure, it is an ancillary purpose, but it is nevertheless a purpose. And I would like to, sometime when we have time, go into what that proton beam therapy is, because it is fascinating the way they can shoot a beam of protons inside the body and in effect destroy the cancerous cell without destroying the tissue around it and rid the body of that cancer. We have been doing it for some years, and we will be doing it at the SSC.

But we went from cyclotrons to electron accelerators at Stanford [SLAC] and Cornell. We had radar technology, x-ray exploration of viruses and proteins, x-ray treatment of cancer, the microchips, industrial nondestructive testing, and sterilization of medical equipment.

Then we got to the proton accelerators, which this is, at Lawrence Berkeley Lab and Brookhaven, at FermiLab in Chicago. We have all of the superconducting technologies, enhanced proton and neutron beam therapy, MRI, advancements.

Mr. President, we do not know what the SSC is going to bring us. Dr. Jerry Friedman stated that, in his view, the SSC could and probably will produce breakthroughs of profound importance to humanity. We do not know what it will be. But we know that it has to have enhanced superconducting technology because that is required in the superconducting super collider. There will be a million events a second detected by these detectors, and the supercomputers have to differentiate between that which is interesting and that which is not. We know that is coming. There have already been breakthroughs at FermiLab—ultra fast electronics and superconducting magnets.

(Mr. WELLSTONE assumed the chair.)

Mr. JOHNSTON. Mr. President, the technologies that we have already developed in the manufacturing process is absolutely amazing. What they are able to do is start out with a niobium titanium wire. This is just a cross section of a wire. That is about 2 inches across. Picture, if you will, a long wire that is coated on the outside, I think it is, by niobium, and on the inside by titanium, or visa versa. They are able somehow to squeeze this wire down until it is less than a human hair—less than a human hair. And it does not have a sausage effect. It is squeezed down in long strands like that. That, in turn—my colleagues probably cannot see this, but each one of these little hairs is then woven together and put into a small wire. These wires, in turn, are woven together and put into a bigger wire like a battery cable. And these, in turn, are wrapped around and around these superconducting magnets so that this wire this size will carry tens of thousands of times the amount of current that your battery cable will carry. That is vital, that is essential, is basic to a superconducting magnet because when a superconducting magnet is used, it depends upon the amount of current that is in it in order to work.

Does that matter? Mr. President, superconducting magnets are used in everything from magnetic resonance imaging to magnetic energy storage—we are working on that—to maglev

trains, to a whole host of applications to which this has already paid off in terms of manufacturing breakthrough. I do not know what comes next, Mr. President. But it is clear that a scientific enterprise of this size and complexity with as much talent as we have put together will have fundamental breakthroughs.

Mr. President, I want to close this part of the argument simply by saying that this Nation, which has been the leader of the world in science, the undisputed leader in the world in high energy physics, the undisputed leader of the world in virtually all forms of physics cannot afford now to abandon this project.

Yes, Mr. President, we are concerned about taxes. We are concerned about the deficit. We are concerned about the economy. Of course, we are. We are not in exactly desperate straits. If you look at the economic figures, the economic size of the economy now is larger than it has ever been. The growth rate is not what we would like, but we are growing. The figures just came out today, 1.9 percent on an annual basis for the last quarter; not nearly the robust growth we would like, but hardly desperate straits for a country.

Mr. President, I tell you to the extent the country is in desperate straits, to the extent that we have economic troubles, the last thing we ought to abandon is science.

Mr. President, if this country is going to make it in the next century, indeed in this decade, it is not going to be because our workers are willing to work for less wages than they are in Mexico or in Vietnam or in China with 1.2 billion people. That is not why we are going to make it, Mr. President. We are going to make it and continue to be great based upon the quality of our technology and the excellence of our science. That is going to be the story of this country. And if we are wise enough and careful stewards enough to be able to resist that momentary political thrill of being able to say, "Well, I cut 43/1000 of 1 percent of the budget" —which is what this represents—because of trying to make that symbol, if we are going to set in a chain reaction to start tearing apart our scientific community, Mr. President, I say shame on us. Historians will write about this decade, and it is not too much to say that if we take apart this science, this big science, we are taking apart the future of all big science.

How could we ever get into another big project if this successful project, which has met every single scientific milestone, which even the critics say is good science, even the expert called by Senator BUMPERS in opposition says it is fundamental, it is interesting, it is important, even the critics say that; if we take apart this project, $2 billion and 10 years into the project, which has met every scientific milestone, how can we ever do anything else? How can we ever go into nuclear fusion? How can we ever go into—I will not name all of the projects. I could because many of them come in front of our committee. But we just cannot. We have to see this through as a great country, Mr. President. We have to keep leadership in science. We have to do it even though we have to resist the momentary desire to cut 43/1000 of 1 percent of the budget—43/1000 of 1 percent of the budget. You stop this project and 22 others like it, and you cut 1 percent off the budget of the United States. It might give you a temporary 1-day article in the newspapers, some of which will approve, many others of which will strongly disapprove. But whatever good it does you, it is a 1-day article. But the harm you have done to science, the harm you have done to technology, the harm you have done to the future of this country will be permanent, enduring, and pernicious.

Mr. President, I submit we cannot afford to do that. We have to see this project, 10 years in the making, $2 billion invested, 10,000 employees, 2,000 scientists, all investing their lives on this project, every scientific milestone having been met, we cannot afford to turn our back on this project at this time.

Mr. GRAMM. Mr. President, I thank our dear colleague. Few here would be brave enough to try to go through and talk about the science embodied in this project. And I am not going to be equally brave.

I want to talk about America and what we have gotten out of science, and I want to talk about how the decision was made to move ahead with this project by Ronald Reagan. I want to talk about how we chose the site. I want to talk about the investment we have made. I want to talk about the deficit, and about how this amendment has nothing to do with the deficit and will not reduce the deficit, because it does not cut spending.

I will try to do all that in such a way as to deviate from my background as a school teacher, and be brief so that others can speak.

Let me begin by talking about why science is important. It seems to me that there are two things that have been critical to the growth and prosperity of America and to the riches and happiness of our people. One has been that we have been able to create an economic system that has allowed ordinary people like us to have more opportunity and more freedom than any other people who ever lived in history. And with that opportunity and with that freedom, ordinary people like us have been able to do extraordinary things.

I am fearful every day that we do things in Congress that lessen the degree of freedom that people have, that reduce the opportunity for ordinary people to have extraordinary opportunities. I worry about that when we expand regulations, when we raise taxes, when we crush incentives. But that system, the American free enterprise system, where people have an opportunity to use their God-given talents, that system that draws the best from each of us, is part of America's secret.

But I think another part of America's secret is science. No nation in history has ever benefited as much from science and technology as the United States of America. We have led the world in science for almost all of this century. Certainly, in the area we are talking about here, high energy physics, we have dominated the world in the 20th century.

One of the things that I think is too bad about this debate is that when people write about high-energy physics in the newspaper, they talk about the birth of the universe and the cosmos, things that people basically may not know much about and, quite frankly, may not care anything about.

Let me say something about high energy physics that people do care about: 20 percent of the gross national product of America, 20 cents out of every $1 of goods and services produced in America today, have come from high energy research conducted in America in the last 75 years. Everything from computers to television came from science that Americans were pioneers in. And because we developed that science, because we generated it for our use and the world's use, we are richer, freer, happier, more powerful today, and we exert a much greater control over our lives and future and the destiny of the world than we would exert had that science and technology not existed.

Science is not like a faucet that you turn on and it comes streaming out. The problem with the debate about science is that you cannot guarantee the future, you cannot guarantee the results. But you can talk about the past. It is like a company that claims it can make money, claims it can be successful; all it can really do is show its record.

Look at America's record in science and technology. Look at what it has meant to our living standards. Look at what it has meant to the real wages of our workers. I think we have to ask ourselves this: Do we want to be the leaders of the world in science and technology, or do we want that mantle to pass to somebody else? In large part, that is what this debate is about.

The reason this debate is so important is that if you listen to the debate of the critics, they say they want to cut this program because they want to do something about the deficit. But it is very revealing to me that 25 years ago, science and technology, as a percentage of the budget, comprised 5.2 cents out of every $1 spent in the Federal budget; 25 years ago, nondefense

science and technology investment in the future, investment in future generations, investment in new science for new tools, for new growth, comprised 5.2 cents out of every $1 in the Federal budget.

Today, science and technology accounts for 1.8 cents out of every $1 in the Federal budget. In 25 years, we have seen the percentage of the Federal budget invested in science and technology decline by over 50 percent. But what has happened to spending in the last 25 years? It has exploded. It has exploded because we have invested in the next election and not the next generation. We have eaten our seed corn as a country by cutting science and cutting technology to invest in programs with big constituencies that mobilize people in the next election, but not programs that create science, technology and productivity for the next generation.

So this is not a debate born today. For the last 25 years, this debate has been going on, and science and technology have been losing. While I am on the subject, let me make note of the fact that all the Bumpers amendment does is cut funding for the superconducting super collider. It would reduce science as a percentage of the budget dramatically below the 1.8 percent that exists in this budget. But nowhere in the Bumpers amendment does it reduce total Federal spending.

As my colleagues are aware, and perhaps the people at home are aware, we have set out in law how much money we are going to spend this year in our budget in a bill we call "reconciliation." So it is the law of the land that says how much money we can spend. Nowhere in this amendment is that amount of money reduced by the amount that the superconducting super collider is cut.

So I say to my colleagues that what this amendment does is simply cuts the SSC, but leaves the money available to spend somewhere else. Does anyone here doubt that the money will be spent somewhere else?

Let me say to my colleagues that if Senator BUMPERS offered an amendment to cut the total level of spending by a comparable amount, and then left it up to us to fight it out where those cuts were made, I would cosponsor that amendment and vote for it.

The debate here is not about the deficit. The amendment does not affect the deficit. The debate here is about science, and it is about a choice between investing in the next generation and investing in the next election.

Where did this project come from? This project came from the fact that in the mid-1980's, the Reagan administration decided that the time had come to move forward into an area of science that was critically important to the future of the country and to our competitiveness on the world market, and they made a decision to go forward with building the SSC. Much has been made out of the fact that this site location is in Texas. But I want to remind my colleagues that most States in the Union submitted applications to have their States considered.

There was a very real concern that politics might play a role here. So the Department of Energy, during the Reagan administration, commissioned the National Academy of Science and the National Academy of Engineering to set up a procedure to look at each and every site and to make a decision based on what was good for science and what was good for the taxpayer.

Based on that review by the National Academy of Science and the National Academy of Engineering, a site in Ellis County, TX, was chosen, and it was chosen for two reasons.

First, it was chosen because the area has a rock formation called Austin chalk. It is a rock that is very easy to drill in but yet it is very hard. It meant that the construction costs and the stability of the collider once it was built would be superior to that of any other site looked at in the country.

Second, and I think of equal importance, while a lot of other States talked about helping build the project, Texas did something that no other State in the Union did. Texas actually put $1 billion on the table and said, "If you choose the Texas site, we will pay for one-eighth of the project."

Because of a site selection by the National Academy of Science and the National Academy of Engineering and because Texas was willing to put $1 billion on the table, this site was located in Texas.

Let me say, Mr. President, that we are basically down to a choice here, and the choice is this: This amendment does not change the total level of spending in the Federal budget. I will say that our colleague, Senator BUMPERS, offered an amendment to the space station that did make that change. But this amendment does not make that change.

So the issue here is about priorities, and I would simply like my colleagues to look at this priority and basically answer the following question: Does it make sense to kill the Nation's premier science project when we have already invested $2 billion in that project, when we have already paid for a quarter of the project, when a State has put up one-eighth of the money, and clearly the Federal taxpayer is going to be asked to compensate the State if we kill the project? Is it worth it to kill that project now that we have made this investment rather than completing the project and reaping the science and the technology and the benefits that will flow from it?

It seems to me that that is the question. It is a question of whether or not in a $1.5 trillion budget that we can afford to spend 1.8 percent on science and technology, remembering that 25 years ago we were spending 5.2 percent.

Finally, I cannot let the point pass, and I do not like to do it, but I think it is important to note that all spending and all spending cuts are priorities. Our last vote that we took yesterday was a vote about freezing funding for public television. I remind my colleagues that when we started public broadcasting there were 3 commercial networks. Today most Americans through cable have access to at least 50 channels. An amendment was made yesterday that said do not cut funding for public television. Let us just freeze the level of funding where we spend the same amount we spent last year plus inflation. That was the McCain amendment.

Yet those who are standing up today saying, "Here is your chance to cut deficits. Here is your chance to do something about the deficit." When the roll was called yesterday on the McCain amendment these are the same people who said, "No, I cannot freeze spending for public television, but today I can eliminate the world's premier science project."

Again, I remind my colleagues that we had in committee and on the floor 79 amendments to cut Federal spending, to mandate that these total amounts we spend be reduced and that we have to make hard choices. I voted for 79 of them.

Yet we are hearing, Let us kill this science project, when we could not freeze spending on public television yesterday.

We have already cut funding for science by over one-half in the last 25 years. We have already invested $2 billion in this project. I believe that America will be richer and freer and happier if we finish this project, if we reap the benefits in science and technology that come from this project. I believe that we will be more competitive and our children will have better jobs, that we will have a higher standard of living and that in science and productivity we will be better off.

So I urge my colleagues to stay with the project that we have been working on now. This is our 10th year. We have invested $2 billion in it. We have proven that the science works. It is hard to build a big project, but we have proven that the science of the magnets work; the project is well underway. You saw the chart that the Senator from Louisiana showed you where we have dug the tunnels; we built the magnets.

We are on the verge of completing a project that is vitally important to the future. Let us not kill off this project today so that the funds that we were investing in the next generation can be diverted to a social program that will yield returns in the next election but will not fundamentally change our country.

That is what this debate is about, and I thank my colleagues for their time listening.

The PRESIDING OFFICER. The Senator from Tennessee is recognized.

Mr. SASSER. Mr. President, I rise today in support of the amendment offered by the distinguished senior Senator from Arkansas to eliminate further funding for the superconducting super collider.

Mr. President, it was less than 2 weeks ago that my distinguished colleague from Louisiana, the Senate's leading expert on energy policy, one of our ablest legislators, Senator JOHNSTON, made a thoroughly insightful speech in support of our successful attempt to reduce funding for the SDI program for $400 million. It is a battle that we fought together for many years. It is always reassuring to have his quick mind on my side in these debates.

But on the issue of the super collider I have to say that I must respectfully disagree with the sentiments of my friend, the senior Senator from Louisiana.

Mr. President, reasons abound for not building the super collider, and I submit that the most compelling is that we simply cannot afford it. The demand for deficit reduction that has gripped this body since 1990 has meant that there has been only enough discretionary money to pay for existing programs and little else. No new initiatives; no new starts. And the belt will only get tighter.

A short time ago, a new Senator came into the body, the distinguished junior Senator from Texas, Mrs. HUTCHISON, and in her maiden speech here on the floor of the U.S. Senate she brought her colleagues a message, a message that emanated from her election in the State of Texas. And this is what she said on June 23, 1993:

> This time the American people are giving us a message. I bring that message from Texas and from all America. Cut spending first.

Mr. President, we have an opportunity here before us today to once again substantially cut spending and to substantially reduce the Federal deficit.

I heard from the other side of the aisle only a moment ago the rather lame statement that, "Well, it does not do any good to reduce funding for the super collider because, by doing that, you are not really cutting spending. The money is still going to be there and can be used for other things."

That same argument was used, Mr. President, when we were debating saving some more than $100 billion over the lifetime of the space station. We listened to that argument and Senator BUMPERS and I amended our initiative to cut the space station to state specifically that the reductions in spending that would evolve from eliminating the space station would go directly to deficit reduction, and could not be spent for anything else. We reduced the caps in our amendment on discretionary spending to ensure that that would happen.

Now the same voices that we hear today complaining that this does not reduce overall spending were the same voices that we heard from then—yet, none of these Senators voted for our amendment which would have lowered the caps and directed that all of the savings from the space station go to deficit reduction.

These Senators rejected the opportunity to reduce the deficit by some $9 billion over the next few years. A complete turnaround, Mr. President.

It reminds me of an admonition a professor gave me in law school years and years ago. He said, "Young men and women, the dinosaur is extinct because it could not turn around fast enough."

Well, that is not going to happen, obviously, for some of our friends who are saying now we cannot support this amendment to cut the super collider because it does not go directly to deficit reduction; the same ones who were saying, we could not support the amendment to eliminate funds for the space station because it does not go directly to reducing the deficit and then still opposed the amendment when we ensured that all the savings would go to deficit reduction.

So, Mr. President, I just must say to my colleagues here today that these statements, "Well, if this went to deficit reduction, I would be the first to support it; I would be a cosponsor," are hollow statements, indeed.

My colleagues know that the deficit reduction bill that we passed not even 2 months ago will cut the $538 billion in domestic discretionary spending available this year by 12.5 percent by 1998. And I am not talking about a reduction of 12.5 percent from an escalating baseline. I am saying that spending is going to be flat at $538 billion from now until 1998 and there is going to be a real reduction of 12.5 percent during that period of time in the purchasing power of those domestic discretionary dollars.

As our purchasing power is going down by 12.5 percent, President Clinton's vision for change has laid out, I think quite correctly, an ambitious plan to remake Government—to remake Government from the national service to welfare reform, all worthy pursuits, even with our very limited resources. But to make way for the effort to reinvent Government, to make way for programs like national service to give young people a chance, to make way for welfare reform to get people off the welfare roles, we are simply going to have to do away with some very expensive and imprudent projects, such as the superconducting super collider. It is simply going to have to go.

Mr. President, supporters of the superconducting super collider say that, even in these tight budget times, we simply cannot cut off our noses to spite our faces. We have to make investments that will pay off in terms of scientific and economic advances down the road, say the supporters of the superconducting super collider.

These same individuals, many of them, a few months ago, when President Clinton was talking about investments in his stimulus package, were decrying investments as just another name for spending. How well I remember those denunciations of President Clinton's investment program as simply being just another name for spending. Somehow, they do not make the parallel here, that investments in the superconducting super collider might be just another name for spending.

But let us say it will pay off in terms of scientific economic advances down the road. I doubt that very seriously, and the most responsible and the largest body of scientific doctrine would agree with that. The collider has flaws that disqualify it for a share of the funding that we devote to science.

We have heard the problem of the escalating costs discussed here earlier today, from $5 billion, originally in 1988, to $13 billion today.

I must say to my colleagues, as chairman of the Senate Budget Committee, I have long been concerned about the super collider's history of escalating cost. When it comes to the issue of cost, the only thing super about the collider is the cost itself.

Mr. President, I was asked to write an editorial, which I did, which appeared yesterday in the USA Today newspaper. I characterized the superconducting super collider as a bottomless money pit, and I said we ought to seal it. I think that is the case, because I think we are simply seeing the tip of the iceberg here and, as this project continues, I guarantee that these costs are going to escalate and go up, up, up, up.

What we see here in this project is the classic Washington approach to getting something off the ground. First, they come at you with a very lowball estimate, greatly underestimating the actual costs. Then they try to distribute the work out around in certain areas, so that a number of Senators and Congressmen have a vested interest in seeing the project continue because it creates jobs in their States and their congressional districts, and they are understandably interested in seeing those jobs continue.

Then the project gets started and then the costs start going through the roof. But then the classic answer is, "We have so much invested now and it holds so much promise for the future that we simply cannot turn back now."

How many times have I heard that in my 17 years here in the U.S. Senate?

How many projects, particularly scientific projects, have we moved on down the line following that flawed rationale?

The past cost history of the super collider is something that we might review just very briefly for those of my colleagues who did not hear the very excellent discussion by the Senator from Arkansas. This was a program that began under President Reagan. The Department of Energy promised to keep the total cost of the collider under $5 billion.

Last year on this floor, I warned that if history is any judge, the latest cost estimate for the superconducting super collider, $8.3 billion, would not last for long. And that is true.

I have a chart here which indicates much of what has already been discussed here today. The cost from 1992, when I spoke on the floor, was $8.25 billion. It is now projected to be $13.5 billion. To start, $2 million of the cost increase is due to the costs associated with the President's decision to delay completion of the project by 3 years. Why are we stretching it out?

Mr. JOHNSTON. Will the Senator yield?

Mr. SASSER. Because we cannot afford to fund it at its true cost. So we are going to stretch out the cost and increase the overall cost, as we stretch it out.

Mr. JOHNSTON. Will the Senator yield on that point?

Mr. SASSER. I will be pleased to yield.

Mr. JOHNSTON. The Senator has seen Secretary O'Leary's letter of September 20 in which she states the $8.25 billion figure is still valid, subject to, one, the stretchout, and, two, the management initiatives which she is undertaking now and which now the Brown amendment require her to do.

The Senator is not saying there has been any cost overrun at this point?

Mr. SASSER. What I am saying is the cost estimates are now up from the $8.25 billion at the end in 1992, in mid-1992, to $13.35 billion now.

Mr. JOHNSTON. That is not the Department of Energy, that is the cost estimates of my colleague from Tennessee and Senator BUMPERS.

Mr. SASSER. If the Senator will allow me to explain where these are coming from? The Senator will not deny there has been a $2 billion increase in the cost of the superconducting super collider as a result of the stretchout that is occurring?

Mr. JOHNSTON. I state again, the Secretary stated, there will be additional costs which have not yet been calculated but $2 billion is a reasonable figure. But that is not an overrun.

Mr. SASSER. Let me say to my friend from Louisiana, it does not make any difference how we explain it. When you get to the bottom line, and we are talking about how much the national debt is going to be increased, it is going to be increased by the time this project is completed by approximately $2 billion. That comes from the stretchout.

And the stretchout comes because we are in such dire financial circumstances in this country, the Federal Treasury, that we cannot go ahead and complete this project in an expeditious way. We are building it on the long term, on the lay-away plan, I might say to my friend from Louisiana.

Mr. JOHNSTON. I understand the stretchout cost. I guess the point I would ask my friend about is this. Those figures do not show either cost overruns or mismanagement or any failure in the science, but a desire to extend the amount of time, for $2 billion, and the additional costs are potential costs which the Secretary has indicated she can avoid.

Mr. SASSER. Well, but it also includes $1.2 billion for expenses the General Accounting Office says, and the DOE has acknowledged, that were never included in the prior cost estimates for the superconducting super collider. That is precisely the problem. The orthodox Washington approach to getting a project off the ground, lowballing the initial estimates, selling the public and the Congress and those who are involved in going forward with the project, and now we find there was a $1.2 billion accounting error in the original cost, according to both the General Accounting Office and the Department of Energy.

Mr. JOHNSTON. If the Senator will yield, those amounts—some of those are operating costs. I believe $1.2 billion was for the detectors, for which we expect foreign contributions. Indeed, those have not yet been forthcoming but they are foreign contributions at Fermilab, they are contributions at CERN, and for detectors that is the usual thing.

But the Secretary has testified that we will build to cost. We will use only the $500 million which is budgeted for detectors—which is budgeted for detectors—so the additional amount, if it fails to come, is not a U.S. cost that is going to be spent. It would be a foreign contribution.

In other words, if the foreign contribution comes, it will be $1.2. Otherwise it is $500 million. So that figure is not correct.

Mr. SASSER. I disagree very strongly with my friend, the chairman. With regard to foreign contributions, when we embarked on this project we were supposed to receive $1.7 billion in foreign contributions, including a $1 billion contribution from the Japanese.

The Japanese have washed their hands of it and are saying due to the demands of other scientific research in Japan, they cannot afford to offer any assistance for the superconducting super collider. In essence, they are telling us, even though they spend more of their gross national product on research and science than we do here in the United States, they have other science in Japan that is more promising than the superconducting super collider. So they do not want to be a partner.

And let me just say this to my friend from Louisiana. With regard to foreign contributions, so far, it is my understanding all we have gotten is some surplus copper wire from Albania, and perhaps a pledge of about $20 million from India.

Given that scenario, it is clear we are not getting much support from other foreign governments.

Mr. JOHNSTON. Mr. President, I know this is correct; the $8.25 billion which the Secretary of Energy says is still valid subject to the two qualifications does not include any foreign contributions not yet received. The foreign contributions which the Senator referred to from Japan did not include those detectors. The detectors were not included in that. They were included in a separate account which, indeed, was not part of the $8.25 billion. And if money is not forthcoming for the detectors, it will not be built to that cost.

In other words, our cost for the detectors is $500 million, which is included in the $8.25 billion. That is a fact.

Mr. BUMPERS. Will the Senator yield for a question?

Mr. SASSER. I have the floor. I will be pleased to yield to the Senator from Arkansas.

Mr. BUMPERS. Let me say to the Senator from Louisiana, to make sure we are both talking about the same thing, we are talking about the cost the Department of Energy has consistently left out.

If I understand what the Senator from Louisiana is saying, the $1.2 billion that was left out in both 1989 and 1991 is this $1.2 billion; is that not correct? Those are costs that are going to be incurred? Does the Senator not agree with that?

Mr. JOHNSTON. Not all of those, no. What I am trying to tell my colleague is the cost of the detectors—I think the cost of the detectors was in the neighborhood of $1 billion.

Mr. BUMPERS. That is right. They are a half billion dollars each. There are two of them.

Mr. JOHNSTON. If foreign contributions are not as expected, forthcoming, we will spend $500 million on the detectors. That has been testified to. That is what they call a build-to-cost theory.

The Secretary of Energy testified to that before our committee. We have had that consistently said.

So if they identified that as being left out of the baseline, in the first place, that is the way all these projects are built. There is nothing new about

that. There is no underestimation. That is the way they do it.

Mr. BUMPERS. Assistant Secretary Hunter resigned because of these cost overruns. He said, "I do not want to be a part of it."

If I may continue—

Mr. JOHNSTON. I say to my friend, there has not been a single cost overrun. Tell me now what it is.

Mr. SASSER. I do not want to be rude to my colleagues, but I want to reclaim my right to the floor.

The PRESIDING OFFICER. The Senator from Tennessee has the floor.

Mr. BUMPERS. Will the Senator from Tennessee allow me to make a final point? It will take a minute.

Mr. SASSER. I yield to the Senator from Arkansas.

Mr. BUMPERS. There is a Washington Post article dated September 6, 1993. That is just about 22 days ago. Here is what happened:

The magnitude of the collider's design error infuriated department officials. Hunter quit as energy research director after Watkins rejected his proposal for tightening controls over URA.

Who are the project managers—

Hunter said he foresaw "massive cost overruns" that "I just didn't want to be associated with."

Deputy Secretary Moore proclaimed: "We simply can't go back to the Congress 6 months after promising it would be one amount and tell them it's going to be something else."

Yet in January 1991, convinced he had no other option, that is precisely what Moore did. He spelled out the new estimate of $8.25 billion * * * an increase of more than $2.3 billion over the original 1989 figure—in an 83-page green book complete with a glossary.

But the new figure again omitted the $1.2 billion for the second detector and other expenses, although Moore's book clearly noted them as "related costs."

Then he goes on here:

Now, just 2 years later, DOE is back to the drawing board again.

Now listen to this, and I will leave and let Senator SASSER proceed:

The delay—

To the year 2002, which the President seeks—

The delay will add about $2 billion in inflation, overhead and other "stretch-out" costs, according to DOE. If construction continues at that slower rate after 1997, "costs may increase indefinitely and the project may never be completed," a GAO official recently testified.

Then there's the problem of $1.5 billion in potential cost overruns identified in a DOE review committee report released last week. O'Leary says she hopes to avoid these new expenses by restricting—

University Research Associates. As a matter of fact, she said she is going to fire them but has not done so yet. Then she says:

* * * she hopes to avoid these new expenses by restricting URA to scientific issues and hiring a new prime contractor. But adding a contractor will cost money, too.

How much? Senator WALLOP * * * asked—

He asked: Can you tell us, do you have an estimate? She said:

"Yes, indeed * * *" O'Leary began in a confident voice, "I will tell you in my view, it's de minimis against the project and should not amount to any more than [pause] and I don't want to be held to this, but let me just try [pause] maybe [pause] I don't know, I don't know, I don't know. * * *"

She promised to get back to him.

Mr. JOHNSTON addressed the Chair.

The PRESIDING OFFICER. The Senator from Tennessee has the floor.

Mr. JOHNSTON. Will the Senator allow me to reply to that?

Mr. SASSER. I will be pleased.

Mr. JOHNSTON. I was at the hearing. It is a very acute newspaper article. We get a lot of science from the newspaper. I know something about some of those things. For example, Secretary Hunter and his problems. I do not think it is necessarily appropriate at this point to go into the question of why Secretary Hunter quit. He was involved in a lot of things, including fusion, which is a very big question involved in what he did.

There is no question, Mr. President, I say to my friend, that there are stretch-out costs. Nobody has denied that. What the Secretary did testify to and what is a fact is that we are going to build the cost as far as the protectors are concerned and build that which is in the baseline and not build that which is not in the baseline. There has been no cost overrun. There is a potential. That is what the baseline validation committee recommendations are about. But there is a potential which will be avoided and must be avoided, according to the Brown amendment. There has not been a cost overrun, just has not been, and if there is, identify where it is.

Mr. SASSER. Mr. President, I think this debate between the distinguished chairman and the able Senator from Arkansas illustrates what this controversy is all about. The question that we need to resolve here is not whether there are cost overruns—and I think there are—or whether the actual costs of the superconducting super collider have been low-balled initially—which I think they have—we are going to see this project continue to escalate in cost, whether it escalates as a result of stretchout, of mismanagement, of scientific redesign or past low-ball cost estimates. I think we are just seeing the tip of the iceberg here.

The Department of Energy says that of this $13 billion figure, $1.7 billion is what they call "potential cost risks," as cited in their August baseline report. I realize that the distinguished chairman and others are telling us that the Department of Energy hopes to manage away most of these potential cost increases. What they are saying is we are going to do such a good job of managing and run such a tight ship that even though there is a potential for $1.7 billion in increased costs, we are going to see that that does not happen.

Mr. President, I just cannot put much faith in the Department of Energy's ability to do that. The Department of Energy inspector general report audited $508 million in contracts dealing with the superconducting super collider between 1989 and 1992. The Department of Energy's own inspector general found that 40 percent, or $216 million of the $508 million spent represented unnecessary or excessive costs. And included in that audit were excessive contractor and subcontractor charges, such as: $35,000 for a holiday party at a Dallas hotel; $39,000 for subcontractors' daily coffee and beverage service.

I bring that up simply to say that I do not think a leopard can change its spots overnight, and I do not think the Department of Energy is going to be able to manage away this almost $2 billion of likely cost increases.

It is of interest to note that the Department of Energy's own report also documents a $219 million increase in contingency expenses. Now, normally the purpose behind the contingency fund is to provide for, in advance, funds needed to offset unanticipated costs. It is not surprising to me that the super collider has now had a cost overrun of over $200 million for the contingency fund itself.

We discussed earlier the lack of foreign participation in this project. The project began with great hope and great optimism. The Japanese and others were going to be very solid partners in it. Everybody was going to have access to the operation of it. Many of our economic partners were going to participate. That simply has not happened. As I said earlier, the Department of Energy expected to secure a $1 billion pledge from Japan, but the Japanese just simply backed out entirely.

My colleagues might recall President Bush's ill-fated trip to Japan in December 1991. One of the reasons for that trip was to bring home the bacon with regard to the superconducting super collider. Yet, all the President brought home was a stomach virus and some bad news. They were not interested in investing in the superconducting super collider.

The fact that Japan, which spends more on basic scientific research relative to their gross domestic product than we do here in the United States, will not make a contribution to the super collider, raises additional concerns regarding the worthiness of this project.

Mrs. HUTCHISON addressed the Chair.

The PRESIDING OFFICER. The Senator from Tennessee has the floor.

Mrs. HUTCHISON. I was going to ask if the Senator will yield.

Mr. SASSER. I will yield for a question, yes.

Mrs. HUTCHISON. The Senator has talked about the Japanese not investing in the super collider and other foreign investors that all of us hoped would contribute to the super collider. I just wonder if the Senator has ever had occasion to have an individual come in and ask the Senator to make an investment and you say, "Well, you know, that really looks like a good project and I just wonder what are you putting up?" The individual responds, "Well, I want your money up front, but my money is going to be based on a year-to-year assessment of whether we really want to finish this project," would the Senator make an investment with that individual?

Mr. SASSER. Frankly, to answer the distinguished Senator from Texas, it appears to me the Japanese looked at this project, looked at it long and hard and decided they do not want any part of it, and even went to the point of telling the President of the United States, when he went to Japan to try to enforce what we thought was a commitment, they stated that they were not interested.

So I believe the decision was made on the part of the Japanese on the basis of whether or not they viewed this as a cost-efficient expenditure of their research dollar. And apparently they answered in the negative.

Mrs. HUTCHISON. Will the Senator continue to yield?

Mr. SASSER. I am pleased to yield.

Mrs. HUTCHISON. I would just like to ask the Senator if he would not have a hesitancy to look at a project seriously if it did not have the commitment of the person asking for the money. And I submit that if Congress would show that we are willing to make a commitment and keep it, then maybe our foreign investors would come through because they do not challenge the scientific merit of the super collider.

Everybody that has testified, with a few exceptions, has said it really is a worthy project. And I think we all want foreign investment. But I do think we are going to have to act like responsible partners in order to procure that investment.

Mr. SASSER. In response to the Senator's question, I simply say that I know of no more ironclad commitment the United States can make than the statement by the President of the United States that we intend to build the superconducting super collider, and to journey to Japan personally to discuss it with the Prime Minister of Japan to try to enforce the commitment that we thought the Japanese had made.

It is virtually unprecedented, certainly unprecedented in modern times, for a President of the United States to go to another country, to Japan particularly, hat in hand and seek to enforce what we thought was a commitment from the Japanese and being told "No soap." In essence, that is what has happened. The Japanese just do not feel, obviously, that this is a cost-efficient expenditure of their dollars for scientific research. Many acclaimed scientists have raised concern about the super collider on this very point.

Now, I am not saying that there is not any merit at all to the superconducting super collider. If our Treasury was full, if this country was enjoying good fiscal health, then I would say full speed ahead with the superconducting super collider.

But the problem is that this Government is fresh out of cash and we have increased our national debt by some 300 percent over the past 12 years. We have to be very careful where we put our very limited dollars for scientific research.

Here is what Prof. Philip Anderson, a Nobel laureate at Princeton University, has said:

> Are there worthwhile research institutions and projects which are being neglected or starved for money while the super collider is relatively liberally funded? Yes, there are very many. Is the superconducting super collider so urgent that we have to go ahead with it at any cost? Obviously not.

Supporters of the super collider claim that by eliminating it the United States is going to surrender its leadership role in science research to Japan and Europe. Yet, the exact opposite I would submit is true. Allowing this very expensive and very exotic scientific project, the super collider, to suck up billions and billions of research dollars that might have otherwise gone to countless smaller scale projects I believe may be the greatest threat to our leadership role in basic scientific research.

As I said earlier, I do not dispute the assertion that the super collider might lead to some fascinating discovery about the origin of the universe as stated here by the distinguished chairman of the committee, for whom I have the highest regard and respect. I will say that the chairman of the Energy Committee has a far better knowledge than I of this whole subject. As I said earlier, it is an endeavor that I would consider supporting if our budget was not under such duress.

But I think we need to face some facts. Many supporters of the super collider have attempted to portray it as a vital technological undertaking that is going to yield tremendous tangible benefits to mankind.

I must say to you that I believe that assertion is open to considerable doubt. Even Dr. Leon Lederman, the distinguished Nobel laureate, and himself a leading supporter of the superconducting super collider, has stated:

> Spinoffs would be a crazy reason for building the superconducting super collider. We do not build it for the spinoffs.

So says Dr. Lederman.

Now, I am confident that we can improve this Nation's technological base in computing, in medicine, in transportation, and in energy to a much greater extent by shifting the country's scientific focus away from this gold-plated atom smasher.

Mr. President, granted even if that statement of my friend from Louisiana was true and the super collider still cost $8.3 billion, which I submit is way off the mark now, and even if the Department of Energy was successful in obtaining $1.7 billion in foreign contributions, which we know it will not be, even if the super collider was not draining funds away from important scientific research, which I frankly believe it is, and even if the superconducting super collider had the potential to yield significant economic and technological benefits, which I frankly believe will be minimal, we simply, in the final analysis, cannot afford to continue funding the superconducting super collider.

So for those reasons, Mr. President, I want to support the amendment offered by the distinguished Senator from Arkansas. I urge my colleagues to vote in favor of the amendment. The meter is running on the national debt every day. The meter is running on the super collider. We cannot pull the plug on the debt but we can pull it on the super collider. I urge my colleagues to do that. I yield the floor.

Mr. JOHNSTON. Mr. President, I wonder if the Senator from Arkansas is ready for a time agreement at this point?

Mr. BUMPERS. Mr. President, it is 10 after 6. I tell you what. What do you think about hour and a half, 45 minutes to the side? How does that sound?

Mr. JOHNSTON. That would give us a vote at 7:40. I think that is good.

Mr. President, with Senator HATFIELD's concurrence, and if the floor staff tells me it is suitable, which I believe it is, I think they would want to move to a vote.

I will be prepared to propound a unanimous consent, to provide for an hour and a half equally divided which would give us a vote at quarter to 8 on or in relation to, and I would move to table at that point.

Mr. BUMPERS. I do not want to enter into a time agreement if there is a motion to table the amendment. The Senator can do that any time he wants. I hope the Senator will not move to table.

Mr. JOHNSTON. I will move to table. I am sorry. That is nothing unusual. If the Senator cannot give a time agreement—I do not want to precipitantly ask to table before the Senator tells me he is ready. I am prepared to stay here as long as necessary or vote tomorrow, whatever. I am trying to work it for other Senators so they can plan their evenings. But I would want to table, which I submit is not unusual.

Mr. BUMPERS. Let us go a little while longer. I was hoping the Senator would not insist on tabling the amendment.

Let me check with my people. The Senator from Texas is the next speaker.

Mr. JOHNSTON. How long does the Senator from Texas wish?

Mrs. HUTCHISON. About 20 minutes. If there is an agreement, I will be happy to shorten my statement.

Mr. JOHNSTON. I thank the Senator.

The PRESIDING OFFICER (Mr. WOFFORD). The Senator from Texas.

Mrs. HUTCHISON. Mr. President, on the floor of the Senate a few weeks ago we saw some pretty outrageous art, some of it pornographic. The issue then was Federal funding of the artists. But I thought to myself, it is really more than that. The issue is, what are we leaving as the symbol of America during the times in which we are living? What will our era contribute to the world that will depict our lives and our values? We can debate what our art legacy will be for a long time.

Mr. President, today we will determine what our legacy will be in science and technology. I hope we decide to leave as our legacy the most important scientific project of our decade—the superconducting super collider. It promises to resolve the profound mysteries of what the world is made of and how it is put together. Discovering these answers will be one of the crowning achievements of our civilization.

In their letter to me three young students in Mrs. Fender's class in Red Oak High School, Jordan Jolly, Laura Lassiter and Oralia Diaz put it in perspective:

> In the times of Isaac Newton, modern technology was unimaginable. Things as common as a toaster or a walkman radio would have sent him screaming into the night. Things to be in the 23rd century will leave us spellbound and awed. The SSC could be the stepping stone for the future way of life.

When Faraday did his crucial experiments in electricity and magnetism in the early 1800's these phenomena were considered laboratory curiosities. But his work led to the development of motors, generators, electric lighting, radio, television, and many other devices upon which our society so heavily depends.

We cannot predict all of the applications of the basic research from the SSC anymore than Newton or Faraday could predict the great revolution in technology that would result from their work.

But what about today? We are talking about a lot of taxpayer dollars. These dollars are allocated for the SSC. But Senator BUMPERS wants to reroute that money to other projects.

So why is the SSC a better priority than something else? It is because the dollars are spent today and built on tomorrow rather than being spent today and gone tomorrow. That is the difference that the SSC will make.

The SSC project is already advancing various technologies and transferring them to industry even before we get the final bill on the project. This results from the unique technological challenges of the industries that are building its components. Look at this wire. It is flat, it is thin. Before superconducting research, this wire was a cable one foot in diameter. Because of SSC research, electricity to light an entire office building can now be conducted through this narrow line.

The potential future savings in dollars and energy from this dramatic improvement in superconducting wire could revolutionize how we get electricity.

The manufacturer of 11,000 magnets for the SSC will require 585,000 miles of this wire. As a result of the improvements in design and the quantities involved, the cost of superconducting cable has been reduced from $50 a foot to less than $5 a foot.

The lower cost of the wire is resulting in turn in lower costs of diagnostic equipment which uses superconducting—wire such as MRI machines. Superconducting wire is the largest single component in the cost of MRI machines, and we all know what a great diagnostic machine that is. And if MRIs are cheaper, they will be more available in the small towns of our country and it will bring down the cost of health care, something all of us are working to do.

We have never been able to store energy before SSC research. The magnets that are now being built for the SSC for the first time can store energy in enormous quantities. This means we will be able to avoid building entire powerplants in the future for peak load use.

Think of the savings on utility bills of every American household because we can store energy. In addition the extra benefit is the magnets do not have an adverse impact on our environment. They are safer than powerplants and protect the environment as well. All of this is available today because of the research to build the SSC.

To use the SSC as a scapegoat for our budget problems is to ignore the energy efficiencies that will be created, as well as the return on the investment that will be generated through commercial applications of superconductivity.

According to a recent industry survey of United States, European, and Japanese companies, the market for superconductor products, now $1.5 billion worldwide, is projected to be $90 billion annually by the year 2010. This market will be $200 billion by the year 2020. Let me repeat that. Within the next 30 years, the market for superconductor products is projected to be $200 billion annually—all for an $8.2 billion investment. The cost may even be lower than that if we can get foreign investment.

Mr. President, I think we can get foreign investment if America will show its commitment by the actions of the U.S. Senate tonight. If we will show that we will be a good business partner, we will have a lot of interest from Europe and Japan, and that will bring our costs down, and it will make it a world project.

Let us talk about the impact of the SSC on education. Over 2,000 scientists and graduate students at 120 universities all across America are participating in SSC research. Every year, more than 20,000 young students in our high schools and junior high schools participate in SSC education programs designed to improve math and science skills. A project such as the SSC, much like the space station, sparks the curiosity of young people, and it attracts them to careers in science and engineering. This will assure our Nation's status as a leader in science and technology—leadership which is essential for our economic well-being in an increasingly competitive world.

One of the highlights of my service in the U.S. Senate was the week I took Dr. Jerry Friedman with me to meet my Senate colleagues one-on-one. Dr. Friedman is a Nobel laureate, and he is a professor at MIT. He is a genius that can speak in plain English to all of us nongeniuses in this august body.

Mr. President, it was a thrill for me to see this distinguished scientist's eyes light up over the limitless possibilities that the SSC gives to his students. The tragedy is, however, that many of Dr. Friedman's students, and other brilliant young people like them, will be forced to leave their field or do their work in other countries if the United States walks away from the SSC.

If SSC construction is stopped, we lose the knowledge to be gained by building and using this unique research facility.

Listen to the words of some of the scientists brought together to work on the SSC:

Dave Coupal, a physicist from Menlo, CA, said:

> The super collider is the flagship lab for the field of particle physics. If it goes down, the whole field could go. I would have to consider a career change after 9 years of college and 10 years of research.

Scientists from the former Soviet Union working on the project warned that similar cutbacks by their government forced Russian researchers to abandon whole fields of study, including computer research.

Julian Budagov, a Russian physicist, said:

> Genetics and cybernetics were murdered in the Soviet Union when the government stopped financial support because there was no immediate benefit to society. We lost billions of dollars. And because of that, we now have in Russia a terrible lack of computers.

We cannot afford to let this field of physics be abandoned, or we will lose those opportunities in the future. The SSC will be a training ground for thousands of our most talented students. These scientists and engineers will go into industry to make the research into marketable products. That is how the new jobs will be created in our country. It is how our country's economy will continue to grow and expand and accommodate the growing number of workers we will have in the 21st century.

Will America make a commitment? Or will it build 20 percent of this project, invest $1.5 billion in taxpayer dollars and walk away? Will we do that? Will we walk away when the merits have not changed? In fact, it is being proven more so every day that the merits are there because of the early benefits that we have found during the building of the SSC.

Eleven-year-old Jonathan Siegrist, who has seen his parents agonize over the possible death of the super collider said that it may dissuade his generation from choosing careers in science. He said that "they are trying to get kids into science at the same time they are trying to kill this project. It is just not going to happen."

The vote tonight will determine what America is made of, literally and figuratively. The SSC is going to determine the basic element of our Earth, but our vote today will determine if our generation will live only for today, or will we reach for a better future for generations to come.

Mr. President, we must vote against Senator BUMPERS' amendment so that we can keep faith with our future generations, so that we can keep our technological edge, and so that we will make sure that we have the jobs that will allow our country to grow and expand and accommodate the students that are now working on the SSC.

I yield the floor.

Mr. BUMPERS. Before the Senator from Texas leaves the floor, I would like to say that I listened to her helpful speech. But, by the same token, those Texas Senators are awful hard to please. I saw where the senior Senator from Texas complained during the space station debate that the money would not go for deficit reduction. So we put a provision in there that it would reduce the discretionary spending caps so that it would definitely go for deficit reduction, and neither Texas Senator voted for us.

We thought if they are not going to vote for us for deficit reduction, we will not bother to put it in. I heard the Senator, a moment ago, say this money cannot be used for deficit reduction; it can be used for other things.

So let me just ask the Senator this: I was thinking about offering a second-degree amendment. Can I count on her support if I offer a second-degree amendment to make sure that it goes for deficit reduction?

Mrs. HUTCHISON. I am sure the Senator from Arkansas realizes that what we need to do in this country is prioritize our spending. I wonder if the Senator from Arkansas voted for the $16 billion stimulus package.

Mr. BUMPERS. I am sorry?

Mrs. HUTCHISON. Did you vote for the $16 billion spending package?

Mr. BUMPERS. Yes. I would do it again, because that would have gone to all of the people in the country to stimulate the economy. Here we have—I heard the Senator from Tennessee quote the Senator from Texas a moment ago in her speech on the budget resolution, saying, "There is a clear message being sent by the people of Texas, and it is cut spending." I saw all those buttons, particularly on that side of the aisle, that said, "It is cut spending, stupid."

And so, here we are, and this as the third or fourth amendment I have offered in the last 2 weeks to cut billions of dollars. Most of it goes to Texas. I wonder if in her speech she meant cut spending in all of the other 49 States, not Texas.

Mrs. HUTCHISON. I am really pleased that the Senator from Arkansas is now getting down to the brass tacks because he voted for $16 billion to build swimming pools and warming huts, and I think——

Mr. BUMPERS. Wait a minute. Let me say to the Senator from Texas, I listened to that talk until I was blue in the face, and there was no swimming pool, or warming hut, or anything else in that stimulus package. That was in a book that the mayors of this country can buy and had nothing to do with that stimulus package. I do not know how in the world the press let people get by with that. There was no swimming pools or golf courses in that bill.

Mrs. HUTCHISON. Mr. President, I know the Senator from Arkansas realizes that all of the spending stimulus was going to come from the list that was provided, and that was the list. I would love to have seen the list be more specific, but that is what it was going to go for.

So let us talk about spending priorities. If the Senator wanted to cut the deficit so badly, why did he not cut the $16 billion? Why would he take $640 million that is going to provide future industries and future jobs, that will create scientific technology that will be our future, versus something that would be spent one time and one time only? It is a matter of priorities.

I am sure the Senator from Arkansas makes a budget in his own household. I am sure he prioritizes what are the most important expenditures, and I am sure that part of his expenditures would be investments for his future retirement.

Mr. President, it is the same principle. We have a chance not to spend $16 billion for swimming pools or golf courses or whatever would be chosen, but we have a chance to spend $640 million that will be an investment in our future.

I am very, very clear in my intent, and that is to put our money where it will be a nugget for the future. And not to do that, I think, is really not looking out for the future generations that will benefit by this very bold step that we will take tonight.

Mr. BUMPERS. Mr. President, I make two observations. On the collider, if we were only talking about $500 million and that was it, I would vote for it. I give the Senator my word. I would vote for it right now. We have already spent $2 billion on it, headed for $13 billion, or $20 billion compounded. But you are going to have to borrow every penny of it, and if you spend that over the next 35 years, we are not talking about $500 million; we are talking about $39 billion.

The stimulus package I voted for was $16 billion, not $15 billion, and it went to 250 million people. It created a lot of jobs in this country on highway construction, at $16,000 a job. This super collider costs $100,000 for every job it creates.

So if it were just a question of the $500 million, the Senator would have my vote in a New York minute.

Mr. JOHNSTON. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Arkansas yield?

Mrs. HUTCHISON. He was talking to me. If I could respond to the Senator.

The PRESIDING OFFICER. The Senator from Arkansas has the floor and can yield for a question.

Mr. BUMPERS. I yield for a question to the Senator.

Mrs. HUTCHISON. I thank the Senator.

I think it is important that he mentioned that the $16 billion would have gone all over America and, of course, the SSC's figures are not $39 billion; it is $8.2 billion. And that is being spread all over America, as well, because we are looking at 120 universities in 35 States that will benefit from this research, whose students are learning, and they are going to fan out all over this country. There are 48 States receiving contracts and most States are benefiting from the SSC much more than the people of Texas.

As the Senator knows, the people of Texas have put $400 million into this project, and they have contracts that are worth $290 million. They are committed to this project because they see a great future. They are not asking for that return, because they know that this is bigger than Texas.

Texas competed, as the Senator knows, on a scientific basis. We did not win this on politics. We won it mostly because of the soil and the conditions and other scientific bases.

This is an American project, and it is going to provide jobs and futures for people from all over this country. It is an $8.2 billion project. It is not $16 billion; it is not $39 billion.

Mr. BUMPERS. Mr. President, let me just make one observation to the Senator from Texas.

If I knew that $39 billion was ultimately the cost of this; if I knew they were going to find the Higgs Boson and that that was going to lead to the grand unification theory—you are light years away from that, even if you find the Higgs Boson. I would not vote for it even if I knew they are going to find it, because I do not think there are any spinoffs. Even if there are some, we do not know what they are.

But the main point is you are embarking on a $39 billion expenditure without even knowing that there is going to be anything at the end of the tunnel.

So, no; I would not vote for it.

Mrs. HUTCHISON. Mr. President, let me just answer that one point. We have already spinoffs that will give us a $200 billion industry by the year 2020 just from the research that is done to build the SSC. So the payback is already there.

Mr. BUMPERS. I ask where the Senator got that figure.

Mrs. HUTCHISON. Yes. From the Washington report of the superconducting industry. It comes from the Council on Superconductivity for American Competitiveness.

Mr. BUMPERS. The industry. They would put $400 billion on it, if nobody argued with them.

Mr. JOHNSTON. Mr. President, will the Senator yield on the subject of a time agreement?

Mr. BUMPERS. I yield.

Mr. JOHNSTON. Mr. President, I think the leadership is circulating or wants to know about a time agreement which would go like this:

That between 9 a.m. and 10 a.m., we take up the Foreign Ops bill and vote at 10 o'clock on a voice vote; at 10 o'clock, we would return to this amendment.

Tonight, we will have as much time as anybody wants to speak.

At 10 a.m., we return to this amendment and have a vote on or in relation to the Bumpers amendment at 10:30 a.m.

At the conclusion of the Bumpers amendment, we move to the John Kerry amendment on IFR, with a 4-hour time limit equally divided, after which would occur a vote on or in relation to the Kerry amendment.

I am not propounding that request.

Mr. BUMPERS. Mr. President, I want to talk to the majority leader, and I am agreeable to that. If I understand it, we will vote on the Bumpers amendment at 10:30, and go directly to the Kerry amendment—is that on or in relation to—which I expect to be a motion to table?

As I say, we will have a vote on a motion to table or an up-or-down vote at 10:30.

Mr. JOHNSTON. That is right.

Mr. BUMPERS. After which we go to the Kerry amendment for 4 hours.

Mr. JOHNSTON. After disposal of the amendment.

Mr. BUMPERS. There will be unlimited debate this evening?

Mr. JOHNSTON. Unlimited debate this evening.

Mr. BUMPERS. I have no objection if the Senator wants to propound that request.

Mr. JOHNSTON. I have not propounded it at this time.

Mr. HATFIELD. Mr. President, we have to clear it on this side.

Mr. JOHNSTON. Does anybody know of objection? We will not propound it until it is cleared.

The PRESIDING OFFICER. The Senator from Arkansas still has the floor.

Mr. BUMPERS. I yield the floor, Mr. President.

The PRESIDING OFFICER. The Senator from Idaho is recognized.

Mr. CRAIG. Mr. President, this evening I stand in opposition to the amendment of the Senator from Arkansas to cut the funding for the superconducting super collider.

There is one thing I found most interesting this late afternoon when the Senator from Arkansas was speaking so eloquently about the fact that this Senate just cannot cut spending, and he is right. There are a lot of us who have tried over the last good number of years to reduce the overall rate of increase in spending in this Government; yet, we have seen our debt and our deficit continue to grow relatively unchecked while many Senators have come to the floor speaking most eloquently about a variety of approaches toward cutting.

What the Senator from Arkansas did not say tonight was: But we can shift spending. No, he is right. He cannot get a good vote on a cut. The reason he cannot is because the money stays in the budget and moves to mandatory spending, away from discretionary spending.

What am I talking about?

In my 13 years in the Congress of the United States, I have watched a very important and I think most significant shift go on in the budget prioritizing that this Congress has done, a shift that has a direct impact upon this Nation to invest in its future in the kind of way that we so effectively did through the decades of the fifties, the sixties, and the seventies.

Today we are caught up in funding, if you will, mandatory programs—we can call them people programs, or whatever—that speak to the immediate needs, but do not address our future. I will not deny that some of the immediate needs are important and necessary.

But I think the Senator from Texas and the Senator from Louisiana speak very eloquently about our future needs, about pushing the envelope of science in a way that constantly sets this country ahead of any other country in the world and provides an abundance of jobs in fields yet undiscovered for future generations.

Last weekend, I was at Mountain Home Air Force Base in our State of Idaho watching an air show, looking at the F-15's, the F-16's and B-1B's, and looking at all of the exciting new weaponry hanging beneath those marvelous aircraft, a product of investment, a product of a commitment on the part of this country in science and technology superior to any other country in the world—a kind of an investment that just a few years ago set our fighting men and women apart from any other country, in such a way that we could win a war at a very slight cost in human life to our country in the extension of our foreign policy through science and technology applied to weaponry.

Now what does it have to do with the superconducting super collider? It has a lot to do with it. Because the science I saw hanging beneath those marvelous aircraft at Mountain Home Air Force Base was a product of a science that was launched in the late fifties when I was in high school.

Mr. President, I remember very well, as a science student at Midvale High School, a small rural high school in Idaho, clipping from Popular Science and other magazines stories about the space program, about a commitment that this country was going to make to science to put man into space for a variety of reasons, and that from that just might come a few benefits.

And you and I and the rest of the world now know the rest of the story. The benefits were phenomenal.

The weaponry hanging beneath the aircraft at Mountain Home Air Force Base last weekend was a product of the space program, a product of the technology, a product of the guidance, a product of the material, a product of the mettle, a product of the human mind that had been pushed to the limits of science.

And, doggone it, this Senate should not opt just for tomorrow. That is what the Senator from Arkansas is doing. He is saying, "Let us not invest in our future. Let us only invest in tomorrow." Therefore, his amendment shifts money from these kinds of futuristic investment programs to tomorrow's needs, not the needs of the future.

The deficit will not go down. The debt will not go down. He already voted for a tax increase. He has not been willing to work with us to put true spending controls into place that forces the tough priorities that we ought to be forced to make.

If we were doing this in the context of a balanced budget or if we were

doing this in the context of spending caps, then I would say that this debate is legitimate. Because it would suggest that it is this priority versus another.

And yet the Senator from Arkansas is not allowing that to happen. He is caught up in the business that all of us have been caught up in for the last decade—shifting money from one program to another in the name of cutting spending, only to see the debt break $4 trillion and to see our deficit hover in the $300 billion mark, nearly out of control. Those are the issues. Those are the tough choices.

I serve on a committee that says it is important for our country to invest in the future. This is an investment in that future. It is not an investment in the immediacy of tomorrow.

Will there be spinoffs? Oh, my goodness, let the mind begin to imagine—in medicine, electronics, computing, superconductivity; the idea that once again we could return to a rail service, a high-speed system, traveling from city to city in this country, avoiding the traffic gridlocks that now tie up the corridors along the east and west coasts and in our major metropolitan areas. The ability of the human mind applied to this science to expand our capabilities into the future is but yet phenomenal.

And what is exciting to me is that, as Senators nearly three decades ago told me when I was a young student at Midvale High School, "We are going to invest in your future by spending money in a space program that may give you or your peers an opportunity," I want to say the same thing to the young people of America today that are interested in high-energy physics, that are interested in the kinds of things that are offered in this marvelous program: "We offer you a future that only the mind can imagine, because we are willing to invest in not just tomorrow, but way out there into trying to find out what the world is all about."

Mr. President, just one other story. The weekend before last, I was out in St. Louis to visit with the Monsanto people about some amazing new science that is going on for the environment.

I am from the State of Idaho and most people know we do one thing very well out there, we produce potatoes. Some Senators would have to suggest that potatoes and the superconducting super collider do not have any relationship at all.

But I will tell you that the technology that came out of the space program, the technology that begins to find out what the world is all about, that allows us to look inside the atom, did something unique for the potato. It allowed us to go into the makeup, the structure, of that system and design it in such a way that potato beetles no longer like the taste of its foliage, so that we do not have to use the pesticides that some citizens worry might pollute our environment. The science that began to be the spinoff of some of these marvelous programs has now produced a potato that can be grown in Idaho and across the Nation that will provide food for the Nation and for the world and do it in a much cleaner environment, the result of science, the result of an investment 30 years ago by this Senate that we now begin to reap the benefit of today.

Let us not shift our spending. If we are going to get our budget under control, let us do it in a responsible way, instead of making arguments on the floor that this is some kind of a budget-cutter. Because all of us know it is not. It is merely taking money out of one program and putting it in another.

After we vote on this—if we were to vote the Bumpers amendment into final passage—the deficit would not be one dime different, nor would the debt. That is a fact, and we all know it.

Let us invest in our future. Let us defeat the Bumpers amendment and assure the kind of investing in the supreconducting super collider that we demand of ourselves, as we have in the past.

I yield back the remainder of my time.

Mr. MITCHELL addressed the Chair.

The PRESIDING OFFICER. The majority leader.

UNANIMOUS-CONSENT AGREEMENT—H.R. 2295

Mr. MITCHELL. Mr. President, I ask unanimous consent that, when the Senate considers the conference report on H.R. 2295, the Foreign Operations appropriations conference report, it be considered under the following time limitation: 30 minutes for debate, equally divided between Senators LEAHY and MCCONNELL, or their designees; 30 minutes under the control of Senator HELMS, with the last 5 minutes under Senator LEAHY's control; and that, at the conclusion or yielding back of time, the conference report be agreed to and the motion to reconsider be laid upon the table.

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

UNANIMOUS-CONSENT AGREEMENT

Mr. MITCHELL. Mr. President, I now ask unanimous consent that, at 9 a.m. tomorrow, the Senate proceed to the consideration of the conference report to accompany H.R. 2295, the Foreign Operations conference report, to be considered under the terms of the previously agreed-to unanimous-consent agreement; that, at 10 a.m. tomorrow, the Senate resume consideration of the Energy-Water appropriations bill, H.R. 2445, and the pending amendment numbered 983 by Senator BUMPERS; that there be 30 minutes remaining for debate on his amendment, equally divided in the usual form; that a vote on or in relation to the Bumpers amendment occur at 10:30 a.m. tomorrow; that, upon the disposition of the Bumpers amendment, Senator KERRY of Massachusetts be recognized to offer his amendment relative to the liquid metal reactor; and that no second-degree amendments be in order to the Bumpers amendment.

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

Mr. MITCHELL. Mr. President, I now ask unanimous consent——

Mr. JOHNSTON. Mr. President, if the Senator will yield, did the Senator set a time limit on the Kerry amendment?

Mr. MITCHELL. I am advised that there has been objection to a time limit. We have been advised that there is objection by a Republican Senator to a time agreement on the Kerry amendment, and maybe we can get one tomorrow, once we get into it.

Why do I not proceed with the remainder of this and we can come back and do it, once it is cleared on the Republican side.

CONTINUING APPROPRIATIONS, 1994

Mr. MITCHELL. Mr. President, I now ask unanimous consent the Senate proceed to the consideration of House Joint Resolution 267, the continuing appropriations resolution, that it be read a third time and passed, and the motion to reconsider laid upon the table.

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

The joint resolution (H.J. Res 267) was ordered to a third reading, was read the third time, and passed.

SCHEDULE

Mr. MITCHELL. Mr. President, there will be no further rollcall votes this evening. However, Senators are advised that debate will continue on the Bumpers amendment so long as Senators wish to debate that matter this evening.

There will be 30 minutes only remaining for debate on that amendment tomorrow between 10 and 10:30 a.m. We are going to have a vote on that at 10:30. So if any Senator wants to address the subject he or she has full and ample opportunity to do so this evening.

Then, after the disposition of the Bumpers amendment, the Senate will proceed to consideration of the amendment by Senator KERRY of Massachusetts, and we will attempt between now and then, either late this evening or tomorrow morning, to get a time agreement on that amendment.

I thank the managers for their cooperation. I thank Senator BUMPERS for his cooperation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, what is the matter now before the body?

ENERGY AND WATER APPROPRIATIONS ACT OF 1994

The Senate continued with the consideration of the bill.

AMENDMENT NO. 983

The PRESIDING OFFICER. The pending business is amendment No. 983, offered by the Senator from Arkansas [Mr. BUMPERS].

Mr. REID. Mr. President, we all know this is the information age. For the past 150 years, since Samuel Morse designed his telegraphic code, the explosion of knowledge has eclipsed all other forms of human endeavor. And born from this explosion has been one continuing truism: Knowledge is power.

In the 1860's, that power was manifested in the ability to move troops on railways and direct them by telegraph.

In the early years of this century, advancing knowledge gave birth to the Wright Brothers' airplane, Simon Lake's submarine, the caterpillar tractor, and Hiram Maxim's machinegun.

Those inventions were the foundation for the horrific war fought in Europe among its collapsing empires.

In the middle of this century, the inescapable fact of life for the entire world was the release of the atomic genie, made possible by America's Manhattan project in World War II.

What all those events have in common is that they were the results of American scientific genius, and that all were eventually applied by imperialistic or totalitarian governments to threaten our shores.

Now we have come to another brink of American scientific research. The superconducting super collider involves pure research, but it means much more. Knowledge truly is power. The only question is whether America is going to possess and use that power, or whether America is going to give it away with results yet unknown.

Nevada was an original competitor for the superconducting super collider. My State would have benefited significantly, both from an economic standpoint and from a standpoint of prestige.

Though Nevada did not get the project, it will still benefit, because the country will benefit. The superconducting super collider is good for America.

As the junior Senator from Maryland has said on a number of occasions, there are certain things that come before this body that I think, as she phrased it, are "giggle words." The superconducting super collider perhaps falls in that line. Because of the name itself, it is easy to point to. It may fall in that category. If that is the case, that is too bad.

Our Nation's future rests on keeping and/or regaining our scientific and technological edge. Report after report tells a sad story of American children who are falling further and further behind in science and math competency.

I wish each Member of the Senate could have listened to public radio a week ago last Saturday, where a group of scientists talked about the superconducting super collider. These people are interested in pure science, in trying to figure out why things are the way they are. When we stop, when our scientific community stops trying to figure out why things are the way they are, we are all in trouble. They, as indicated in that public radio broadcast, believe that they need the superconducting super collider to get them into areas not yet known.

Lester Thurow, the Nobel laureate, writes about how America is becoming less able to compete with other industrialized countries in a book called, "Head to Head." He writes:

> America did not become rich because it worked harder or saved more than its neighbors. It had a small population in a very large, resource-rich environment. Natural resources were combined with the first compulsory public K through 12 education system and the first system of mass higher education in the world. Together they gave America an economic edge. While Americans may not have worked harder, they were better skilled and worked smarter.

He goes on to say:

> The skills of the labor force are going to be the key competitive weapon in the 21st century.

This will take a solid knowledge of science and technology on the part of our young people and, of course, our scientific community.

When young people come to my office and I ask them what are you going to do, and when some of these bright young men and women say to me they are going to go to school to study math or science, I feel so good. And I tell them that. I say I am glad that you are going to be a scientist. We need more scientists. We need more people interested in math and science and technological fields.

These young people who come to my office, your office and everyone's office, whom we represent through the U.S. Senate—every one of these young people who is going into math and science and other forms of technology—is our gift to the future.

In order to succeed, however, these young people need the proper implements. I believe, as does a large segment of the scientific community, that without the superconducting super collider America's preeminence in science and technology will shift overseas. And that is where children will go to be trained, those bright math and science students, and that is where the rest of the world will go to be trained in pure physics. What a tragedy this would be, the great superpower not able to maintain what it needs to do in the scientific world.

I have read some of the reports where some scientists have said I would rather spend my money in my own field. And I can well understand that, because we are stifling scientific research in all areas in this country. So I can understand why they would rather have scientific research in their fields, rather than in this field. There have to be choices made. But, if we shifted the center of scientific knowledge, we would suffer as a country, our universities would suffer, our competitiveness would suffer, and of course, our economy would falter and suffer.

This investment may hold the key to the makeup of our universe. What more need be said about its value? This instrument, this superconducting super collider, may hold the key to the makeup of this universe that we do not understand. But for those who must see immediately what is in it for them, particle accelerator research has already improved cancer treatment, medical diagnostics, supercomputing and transportation.

It is unclear exactly what advances the superconducting super collider will bring. If we knew all the advances it would bring, we would not need it. But I do know this project will keep our Nation at the cutting edge of scientific research and technology.

Mr. President, it would be easy for me to vote against the superconducting super collider. Politically, it would be not a bad thing for me to do representing the State of Nevada. It is well known that Nevadans are at odds with the chairman of the Energy and Water Appropriations Subcommittee, the manager of this bill, over the waste repository at Yucca Mountain. That alone would be enough reason for me to vote against this project, to vote for the Bumpers amendment.

But though Nevada will get none of the money of this project, it is not, in my opinion, wasteful spending. We will all benefit—people from the State of Pennsylvania, people from the State of Louisiana, people from the State of Idaho, people from the State of Nevada—from this superconducting super collider.

I, Mr. President, vote against waste when I see it, and I guess we tend to look at waste with different eyeglasses. Among other things, I voted against forgiving Egypt its $7 billion debt. I thought that was wrong. I voted against the space station within the past week in this body. I voted against the B-2 bomber. I voted against the tea board that had been, I thought, wasteful spending for almost a hundred years.

I have great respect for the author of this amendment. We are together a lot more than we are apart, but I hope that those people who are concerned about this project because it costs too much money will understand that there are a lot of other things that cost a lot of money that should not cost a lot of money. I hope that everyone who is concerned about how much money we are spending will look at some legislation that I have sponsored to change

the immigration laws in this country, S. 1351. If you want to talk about waste, if you want to talk about how we could have more money for education, let us talk about how we handle immigration, or do not handle immigration in this country.

I hope that everyone who supports the Bumpers amendment will support reform of the immigration laws. My colleagues should understand that the State of California is building a new school every day to take care of immigrants moving into California. My colleagues should understand that last year in Los Angeles County, in the county hospitals, almost 70 percent of the babies born were born to illegal immigrants.

MediCal, California's version of Medicaid, estimates that Californians pay over $700 million annually to provide health care for illegal immigrants. Children of the illegal immigrants count for more than 65 percent of births in the hospitals, almost 70 percent of the births in the hospitals. The people we have in prison, almost 25 percent of them are illegal immigrants.

So I hope—I am not going to go into a lot more detail about my legislation—but I hope that everyone who is here today talking about wasteful spending will understand some real waste, with the inordinate costs we have in education, our criminal justice system, welfare costs because of legal immigration into this country and we have to put a stop to that. There is some real money there to be saved. We can spend money on a lot of scientific things. We could do a lot toward retiring our debt if we would get that problem under control.

I mentioned earlier that I can understand why scientists—and I heard the manager of this bill talk with great elucidation about how scientists—sure, a number of scientists oppose this project because they do not have money for their own scientific research. And that, in fact, is factual. This Nation used to spend 5.2 percent of its budget on science. Now we spend less than 2 percent. We are not giving the scientists the tools to do real science. We need to do more.

Mr. President, in 1844, a man came to Washington—I am sure he was standing out here, down at the House, wherever Congress met on the House side in those days—and he had an idea. The idea that he had in 1844 is that if Congress and the President would appropriate enough money to build a telegraph line between Baltimore, MD, and Washington, DC, he would show this new technology—the telegraph—to the American people. He said it would revolutionize the communications industry in the world. Congress and the President accepted that and they appropriated $40,000 to build a telegraph line between Baltimore, MD, and Washington, DC. And sure enough, it did just that: It revolutionized the communications industry not only in the United States but in the world. We have to be involved in the scientific community. We have not done it enough.

Today, I believe, Mr. President, that we need to vote for America's future by voting to approve the superconducting super collider. There are people—and this is on the desks—who have said we should terminate funding for the superconducting super collider: Council for Citizens Against Government Waste, National Taxpayers Union, and others. I hope that these well-meaning, good people would take a look at what immigration, legal and illegal, is doing to our country and there we would find some real waste.

I hope they will get behind Senate bill 1351 and make that the law of this land.

Mr. COHEN addressed the Chair.

The PRESIDING OFFICER (Mr. FEINGOLD). The Senator from Maine is recognized.

Mr. COHEN. Mr. President, I am rising to express my opposition to the continuation of funding for this program. I would like to say at the beginning that there is obviously some merit to the SSC. Any of us who are standing on the floor to urge the adoption of the Bumpers amendment must concede initially that this is a program that has some merit. But it has to be weighed against the value of all the scientific research that we will have to forgo in order to pay for it. And so it has merit, but as compared to what?

The National Academy of Sciences recently issued a report on Federal support for scientific research. The purpose of the report was to ensure that the Federal Government was spending its money on a balanced program of research and development. The academy panel examined some 20 fields of science. According to that panel's chairman, it "found four or five that were overfunded" and others that were underfunded. One of the areas found to be overfunded, not surprisingly, was in the field of high-energy physics. One panel member, the Nobel laureate economist Robert Solow said:

> Nobody looking at the field of high-energy physics from the outside could possibly think that we need to spend more money.

The Congressional Budget Office has affirmed this view in a report that was issued this year that stated that "the super collider is consuming a disproportionate share of U.S. science resources."

Given the budget realities, the only way we can increase funding for the fields of science that the Academy found to be underfunded or to be wanting is to shift resources from those areas that are, in fact, overfunded.

No one should mistakenly conclude that the adoption of this amendment will leave the field of high-energy physics in this country to wither from a lack of funding. The bill before the Senate would provide some $619 million for high-energy physics research other than the super collider. And none of that money will be touched by this amendment. Even if the amendment were adopted, we would still be providing the full funding for the construction of a new facility at the Fermi National Laboratory's Tevatron, which is already the most powerful accelerator in the world. We would still be providing funding for the construction of the relativistic heavy ion collider at Brookhaven National Laboratory. That is still fully funded. We are still providing full funding for construction of the continuous electron beam accelerator. We would still fund the Stanford linear collider and also the Bevalac Accelerator at the Lawrence Berkeley Laboratory.

So we are still providing significant funding in this field.

The next issue, is, are we going to be left out? Is somebody else going to beat us, not into space, to the Moon, to Mars, but to the discoveries that are the objective of this superconducting super collider?

Well, I am told that much of the research that is intended to be conducted through this program can be accomplished by other high-energy particle accelerators. As I understand it, the primary purpose of the SSC is to find a theorized particle known as the Higgs boson. I am not a scientist. I am not familiar with the details. I would yield certainly to the Senator from Louisiana in this field.

But the American Institute of Physics publication Physics Today reports that there is very high probability this can be done by another accelerator, the large Hadron collider that is going to be built in Europe. And while the large Hadron collider will be less powerful than the super collider, Physics Today reports as much as a 95 percent probability that it will be powerful enough to find the Higgs boson.

So given this fact, if we accept it is fact, then the advocates for the super collider are left to argue that we have to appeal to national pride. There is a lot to be said for national pride. But do we have to be the first in everything? If this one objective can be accomplished by another means, and if we have full funding of a number of other very successful high-energy projects underway, can we not at least make some concession here that somebody else can take the lead on this particular type of program?

Now, we have heard a lot of figures bandied about. I cannot see the charts that are at the opposite end of the room, but let me just review what I think to be the correct estimates.

As I understand it, the current estimate for the total cost of this program now stands at roughly $12 billion,

which is about one-third more than DOE estimated last year. Secretary O'Leary continues to state she is confident that the cost of this collider can be contained to about $8.25 billion. But it is interesting that the Department of Energy's own independent cost estimate group put the cost at $11.8 billion, and this estimate was made before the Clinton administration decided to stretch the program out some 3 years and serious mismanagement problems came to light, which obviously are going to increase the costs significantly.

So I think there is every reason to believe that the costs are going to continue to climb.

The DOE project manager for the SSC recently wrote a memorandum in which he warned that "cost and schedule trends are worsening at an alarming rate."

How about international participation? The international contributions were expected to be some $1.7 billion. Well, they are, I will not say zero, but not far from it. The Department of Energy's assurances that Japan would contribute anywhere from $500 million to $1 billion are now acknowledged to be little more than wishful thinking.

In fact, in January, then-Secretary Watkins admitted that foreign contributions would amount to $400 million at most, and even this seems to be extremely optimistic. Even if this most recent wish were to be fulfilled, foreign contributions would amount to about 3 percent of the total project cost, rather than the 20 percent promised by the Department of Energy just 2 years ago.

So far, we have received only $63 million, and the Congressional Budget Office reported earlier this year that most of the foreign 'contributions' to date have been in the form of cost savings that DOE obtained by fabricating the magnets and other components of the SSC in low-wage countries like Russia and China."

This, it seems to me, hardly supports the arguments of the collider's proponents that its construction is going to be a major boon to the U.S. economy. Indeed, I think the Energy and Water conference report of a few years ago warned that "foreign participation in the superconducting super collider may negatively impact the development of high technology in this country and foster further development outside the United States."

MANAGEMENT PROBLEMS HAVE BEEN SWEPT UNDER THE RUG

Management of the SSC has been so poor that DOE was forced under congressional pressure to fire the construction contractor, a consortium of research universities. But this may not solve the management problems. According to the prestigious publication Science, "DOE officials expect most of the SSC management staff to be rehired by the new contractor." Science quotes SSC lab director Roy Schwitters as reassuring his staff that in past contractor changes, "the color of the ID cards may have changed, but the majority of the people have remained in their positions."

According to Physics Today, the publication of the American Institute of Physics, Secretary O'Leary's decision to dump the university consortium as the construction contractor "surprised veteran SSC watchers because she did not remove those who have received blame for many of the project's management and accounting problems."

In fact, DOE's project manager for the SSC, Joseph Cipriano, urged a much more drastic management shake-up, including the immediate firing of the SSC lab director. According to a memorandum by Cipriano, "confidence in existing management is practically nonexistent and cost and schedule trends are worsening at an alarming rate." He also urged putting the entire SSC project on hold for 1 year to allow time to fix management problems and to prepare less ambitious alternatives for SSC construction. Unfortunately, Secretary O'Leary rejected the recommendations of her SSC program manager and, instead, opted for superficial management changes.

Mr. President, the details of these serious management problems have been discussed at some length on the floor and in various publications. They need not be repeated. But it comes down to an issue that all of us on this side and many on the other side of the aisle continue to talk about: ways to save money. We talk about fraud and abuse and waste.

Here we have a program in which we can clearly demonstrate that it need not be funded in order to achieve the kind of breakthroughs we are looking for in this particular field and that we have several very seriously funded programs that can mark us as leaders in the field.

If we want to save money, here in the SSC we have a program that is likely to cost us as much as $12 billion. We can stop it now. Yes, we have spent anywhere from $1.5 to $2 billion already, and that is a lot of money. But we can save $10 billion by stopping the program now and adopting a more balanced approach in the funding of scientific research.

So, Mr. President, I look at this from a budgetary point of view. As I indicated before, I think the SSC has merit, but it does not have so much merit that we cannot afford to terminate the program now and devote a more realistic effort to high-energy physics and a more balanced effort to scientific research, in general.

Mr. JOHNSTON. Will the Senator yield for just one question?

Mr. COHEN. Yes.

Mr. JOHNSTON. The Senator stated that in Physics Today there was a statement there was a probability that the Hadron Collider in Cern would be able to find the Higgs Boson.

Is the Senator aware that the consensus among high-energy physicists in the United States is that that project, if it is built—and it has been deferred the last 2 years. My own view is they are probably not going to build it—but if they did build it, its energy is somewhere between 6 and 7 trillion electron volts, this is 20—they probably would not find it, at least American high-energy physicists believe that. That is why they have designed this one at 20 trillion electron volts.

Mr. COHEN. My understanding is that the American Institute of Physics in its publication indicated it would have a 95 percent probability of achieving the same result. We can get into a battle of the experts, but that is my understanding. And to the extent the Senator from Louisiana has other contradictory evidence, that is for the record I suppose. But I appreciate his comment. Perhaps the Senator can contradict the statement contained in the publication.

Mr. JOHNSTON. I guess there is no way to settle that argument here except to tell the Senator our scientists believe that is not so. As a matter of fact, they have a lot of doubt that the design at Cern can be made to work, that it would overwhelm the detectors. There is no need to get into the detail which we could go into, but at least our people do not believe that.

Mr. COHEN. I thank the Senator for his comments and I thank the Senator from Arkansas for yielding time.

Mr. BRYAN addressed the Chair.

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

Mr. BRYAN. I thank the Chair.

Mr. President, I rise today as a sponsor of the amendment to eliminate funding for the superconducting super collider [SSC]. The time has come to stop wasting taxpayers' money on this extravagant pork barrel project and demonstrate to the American people that Congress can actually make the hard choices necessary to get our Nation's fiscal house in order.

I am proud that the Senate has recently voted to terminate two programs that are clearly not national priorities: the wool and mohair subsidy—$130 million—and the NASA program to search for extraterrestrial life—$12 million. These programs should be terminated but their costs are trivial when compared to the SSC. Terminating the SSC would send an unmistakable signal to the American public that Congress is serious about cutting the Federal deficit.

I am not against Government funding of science or particle physics specifically. Particle physics is an exciting field. But so is exploration of space, genetics, robotics, artificial intelligence,

and a dozen other worthwhile projects. Given our current fiscal situation, we do not have the luxury of funding all the exciting science initiatives presented us and, instead, we have to make hard decisions if we are going to restore public confidence in our ability to govern.

In setting our spending priorities, we must analyze how each program enhances our competitiveness and improves our standard of living. We must also examine how well the individual programs are managed.

Measured by these standards, the SSC fails the test. Let us consider how the SSC compares with other science programs by considering the advice of some impartial experts.

The Industrial Research Institute, a nonprofit research organization funded by Fortune 500 industrial companies, took a survey or research and development corporate vice presidents across America and asked them to rate the big science projects currently being considered in terms of their promise to return something meaningful to the competitiveness of the United States.

America's corporate scientists rated the SSC dead last in terms of its benefits for our competitiveness. That assessment comes from Fortune 500 R&D experts. The view from the scientific community is no more charitable. In fact, a recent poll found that 98 percent of American scientists refused to give any priority to continued funding of the SSC.

This indictment of the SSC by the U.S. scientific community is further validated by the fact that no meaningful foreign contributors have stepped forward. This should tell us something.

Not only must we consider the SSC on its merits, we must also analyze what its impacts would be on other, more beneficial science projects.

If we continue with this ill-advised effort, we will starve a great deal of worthwhile science projects. Many scientists—including Nobel Prize winners and a past president of the Physicists' Professional Society—fear that it is the SSC itself which will most likely doom science in this country.

While the Federal agencies that train and fund most of the scientists in this country are turning down more than two-thirds of their applications, the SSC—a single project in a single subfield of science—is eating up $11 billion.

We hear the most exaggerated claims regarding the possible spinoffs from the SSC from improving health to science education.

What we really have is a public works project—a huge 54-mile tunnel. However, in all likelihood we cannot patent any discoveries from this basic research. We will spend the money; we will do the work. but whatever basic science results from this project will be available to our competitors at no cost. To me this has an all-to-common ring, where the United States invents, but the Japanese and the Germans manufacture, and reap the jobs and the profits.

The assessment given the SSC by our scientific community and our foreign competitors should be enough to sink this program. But when we combine this with the management problems we have discovered, there should be no doubt about this project's fate.

Let us look at how the SSC has been run. The record is atrocious. The program has been plagued by cost overruns and poor management from the very beginning.

The cost of the SSC has grown from $4.4 billion in 1987, with a $2.9 Federal contribution, to more than $11 billion today with over a $10 billion Federal contribution. That is a threefold increase in the Federal contribution to this project.

Recently, the DOE inspector general's report confirmed our worst fears about waste. Some of the bills submitted by the main contractor to DOE included a $375 disc jockey, $18,403 for coffee, $21,369 for plants, $1,626,605 for relocation costs over a 15-month period, which is the equivalent to $10,844 per SSC employee, and $293,668 for car rental and leasing.

This report points out that 40 percent, or $216 million, of the spending represented unnecessary or excessive costs. Regardless of the scientific merits of this project, the management issues should concern us all. I cannot, in good conscience, support a project which engages in such waste of taxpayer resources.

It is time to say enough. The deficits are too big, other needs are too urgent. We have a $4 trillion national debt, and it will increase to $6 trillion in the next 4 years and interest on the national debt this year will be over $300 billion—that is close to a rate of $1 billion a day. We cannot afford the things this country really needs, let alone the things we want.

While the proponents of the SSC have been vigorous in letting Senators know about the contracts in their States from the SSC, they fail to let us know the true costs. The citizens against Government waste have compiled a chart showing the tax burden per State to build the SSC.

Nevada's tax burden to fund this huge ditch in Texas is $71,500,000. That is almost $70 per man, woman, and child in Nevada for a project of dubious benefit. My constituents are urging more spending cuts, not questionable spending of this kind.

The SCC might be worthwhile to have someday, but for now we need to put it on the shelf until we can afford it. Let this vote be a symbol of our resolve to reduce the deficit. I urge my colleagues to support this amendment.

Mr. President, I wish to preface my comments in support of Senator BUMPERS' amendment by saying a word or two about the principal sponsor of the amendment.

I knew very little about the distinguished senior Senator from Arkansas prior to becoming a Member of this Chamber. I knew that he had been an able and impressive Governor, and I knew that he was an articulate spokesman for the causes in which he believed. My admiration for him has grown greatly as I have had occasion on a number of times to join him in this Chamber in support of his efforts to reduce spending.

We were together on the superconducting super collider in years past and we were together on the space station in years past, as we were this year. I suspect that many might say this hour of the day that perhaps no votes are likely to change at this hour.

But the position the Senator is advocating and in which I am pleased to support him is the right position.

Everybody talks in the abstract about cutting spending. Not a Member of this Chamber disagrees with that abstract proposition. But it is exceedingly difficult to develop a critical mass of any particular project to eliminate funding once that has started.

We have made some modest steps in the last week or two with the decision by my colleagues to eliminate the wool and mohair subsidy. The distinguished occupant of the chair was the leader in that effort, and I salute and congratulate his efforts in behalf of that cause. Modestly, we made a step with respect to the elimination of the program for the search for extraterrestrial intelligence, which has taken on new life in a recast name, but is the same old program, which is targeted to spend $100 million over the next 10 years. We in the Senate have taken a step on that.

But if we really want to send a message, if we really want to hit the ball out of the park, eliminate a program such as the one that is before us this evening, with the potential of that, because we are not talking just about $640 million, the appropriation included in this matter. We are talking about, over the course of 35 to 40 years—considering that we are going to have to borrow the whole of this money at a 4½-percent compounded annual rate—we are talking about $38 billion.

So the course that we continue to set tonight, if this program survives, is not just $640 million. It commits us to a course of expenditures that ultimately will result in a $38 billion expenditure.

Mr. President, I am not against funding every science, or particle physics specifically. I am sure that particle physics is an exciting field. But so, too, are exploration of space, genetics, robotics, artificial intelligence, and dozens and dozens of other worthwhile projects. Given our current fiscal situation, the question is, can we afford it? Do we have the luxury of supporting

and funding all of these programs that may be desirable and, yes, may have some potential long-term benefits?

I think the answer to that proposition has to be in the negative. Not only can we not afford it, but we have to make some critical judgments. And the Congress has not been particularly effective in any judgment in setting forth the priorities for these fundings. It seems to me that we ought to subject that at least to a couple of standards.

No. 1, funding of such a project enhances our competitiveness. Would it make it possible for American industry to be more competitive in international commerce and thereby enhance our scientific, our manufacturing base, to provide opportunities for employment? The answer is in the affirmative. I think we have to give that very careful consideration. We have to examine thoughtfully how well laid out, how well managed the individual program is.

I respectfully submit that this program does not meet any of those criteria. It has been debated during the course of this afternoon at some length. The fact is that in the scientific community—the community that one might think would be the prime advocates of this program—98 percent of the scientists that were queried about this program indicated that this should not be a priority for funding.

The Fortune 500 R&D experts, when asked about this program and how they rank it, indicate that they do not believe that this is a program that holds a great promise or is particularly meaningful in terms of enhancing the competitiveness for America.

So you have private and public sector people in the scientific community who have taken a very dim view of this project. I understand that the advocates for this program, those scientists who work in highly specialized fields of particle physics, are excited and challenged and enthusiastic about this project. That could be said, I suppose, for every scientific project that deals with every subspecialty in the scientific field.

I think not only can we not justify this in terms of our current fiscal situation, but we cannot justify this in terms of the kind of priority that this program should have if we have the resources. I think we have to examine this also in the context of what harm it will do.

If we continue this program, we have the potential of starving a lot of worthwhile scientific projects that may not be as large, that do not have the advocacy groups in behalf of them, that may not have the glitz that big science has, but nevertheless may hold a very far greater potential in terms of enhancing our scientific knowledge and making our country more competitive with international commerce, manufacturing, and other technical fields.

It is my concern that the preemption of those limited resources is one of the great dangers that we face in approaching our scientific budgets with the big-science and the big-ticket approach.

The advocates of this program have done a very skillful job. I commend them for their skills, their resources. They have been very skillful in pointing out, in community after community across the country, State after State, that your State will benefit if this project goes forward; that there is a contract that will be let or has been let in one of the cities in your State. What has been less emphasized is that we all, as Americans, pay a cost for this type of an approach.

Mr. President, I invite my colleagues' attention to a chart that derives as its source some information provided by Citizens Against Government Waste.

What this chart seeks to depict is the tax burden imposed upon each of the respective States, assuming a total eventual cost outlay of $12.955 billion. From my own State of Nevada, a small State in terms of population, we are looking at an outlay of about $71.5 million, the burden of which goes to the taxpayers. I respectfully submit that this is a burden that we ought not to add to our taxpayers.

There has been a considerable amount of discussion during the course of the debate about how costs have exploded from a few million dollars to some cost projections that today range in the magnitude of some $13 billion. It is a program which has not been, in my judgment, responsibly managed. The inspector general's report, which has been commented on during the course of the day, has pointed out a number of examples of waste. I do not intend to go into all of them.

Suffice it to say that there have been bills submitted by contractors to pay for a disk jockey, $18,403; coffee; $21,369 for plants; $1,626,000 for relocation costs over a 15-month period, which is the equivalent to $10,844 per SSC employee; and another $293,000 for car rental leasing.

The report points out that 40 percent, or $216 million in the spending presented, is unnecessary or excessive costs. And regardless of the scientific merits of this project, the management issues alone should sufficiently concern us to put this project on hold until the project can be reexamined.

I say by way of conclusion that we do have an opportunity to put our action where our mouth is. We talk a great deal about deficit reduction. Some of us voted against the tax bill recently before this body because we did not believe there were enough spending cuts up front. This gives us an opportunity to redeem that concern by saying this is the kind of spending cut up front that we should undertake, and that the American taxpayers will benefit as a consequence of that.

I yield the floor.

Mr. DECONCINI addressed the Chair.

The PRESIDING OFFICER. The Senator from Arizona is recognized.

Mr. DECONCINI. Mr. President, today I rise in support of the Bumpers amendment because I consider it imperative to do more than just search for ways to reduce Government spending.

I believe that if there exists a Government program designed to create jobs and industry and further our knowledge of technology, it must also be economical and sensible within the given framework of the budget.

The superconducting super collider, however, has been plagued by countless delays since its inception, and has wasted absurd amounts of precious dollars.

Today the Government cannot afford to keep throwing money at programs that perhaps look attractive on paper, but never reach their planned objectives; these are no longer the 1980's.

The days of star wars are gone.

The 1990's must be a decade in which the deficit is reduced and mindless funding for spendthrift programs is curbed.

The superconducting super collider is such a program.

Now, spendthrift is a description which should not be taken lightly; so let us define our terms.

I think the great majority of my distinguished colleagues would agree that, in context, spendthrift could mean any number of things: Costly; excessive; even wasteful.

The word seems to characterize the purchase of something that is unneeded, or not worth buying.

Mr. President, the Department of Energy's original plan for the super collider projected a cost of $4.375 billion, and promised completion by 1996.

The best cost estimate today has been increased by over $8 to $13 billion, with completion postponed until 2002. Considering these estimates, is the superconducting super collider still worth buying?

Here, I must question what the opportunity cost would be for proceeding with this project. What are we giving up—sacrificing—in return for the money drain the superconducting super collider has seemingly created? Dollars that could be injected into the economy, stimulating small businesses, and facilitating new jobs to replace others, are disappearing. In my view, the superconducting super collider money could be better spent on fighting the increasing crime problem in this country, expanding the capabilities for police forces in cities that need them most.

Instead, too many dollars are being expended on a program that is eating up scarce Federal resources. We can no

longer afford such excesses, and hopefully, we will not.

Mr. President, former energy Secretary James Watkins declared, "If the superconducting super collider costs a dime more than $5 billion, we shouldn't build it." Well, it appears that the superconducting super collider will indeed cost a few more dimes than $5 billion dollars.

The latest official Energy Department cost estimate is $8.3 billion; yet, the Department's inspector general found that 40 percent of the $508 million in the project's contracts between 1989 and 1992 were unnecessary and excessive costs.

My esteemed colleagues, that is $216 million which the Department admits was carelessly misspent. Where did this money go? Could we possibly term this spendthrift?

Mr. President, the superconducting super collider's excessive costs add up to a sizable percentage of taxpayer's paychecks being thrown into the fireplace. All of this, remember, within a program that supposedly— someday—will be important to science and will create jobs and expand technology.

The delays which have already occurred in the super collider construction, as well as the cost overruns I have just mentioned, do not bode well for it as a new opportunity for jobs and industry. It appears to be merely another wasteful Government program, albeit one with a commendable promise.

Mr. President, our Nation's economic crisis and the problems the superconducting super collider project is encountering have convinced me that we simply cannot afford to continue it. The tax burden this project alone has levied on the people of Arizona, for example, is over $160 million. Who will gain from the superconducting super collider?

The average taxpaying civilian with a 9-to-5 job? Assuredly, each of us as citizens of the United States wish to see progress continue in the field of science. Further, the close relationship the super collider has between the commercial and private sectors certainly appears very promising to many in both communities. But how much can we afford to pay to make it work? How much further do we have to travel? And how much more money and time must be spent for it to culminate into its potential?

Everyone in America is going to have to do his or her part to assist in gaining control of the ballooning Federal deficit and to help our economy out of its current—yet temporary—plight. I believe it is one of our primary responsibilities, as representatives of our constitutents, to kill or delay any legislation that would misspend more tax dollars.

I have done my part by cosponsoring the Bumpers amendment which would kill the superconducting super collider project.

The superconducting super collider will cost an estimated $13 billion. The Bumpers amendment would stop the bleeding.

The money we save by killing the superconducting super collider can be used for creation of real jobs and real industry, not just potential jobs and the promise of future technology.

Mr. President, all of us have a great opportunity to reduce unnecessary spending by supporting the Bumpers amendment, and I urge my colleagues to support it.

It is time to pay the piper.

Mr. President, I yield the floor.

CHAPTER III OF "SAVE YOUR JOB, SAVE YOUR COUNTRY"

Mr. BAUCUS. Mr. President, this is the third in a series of speeches which, together, make up an extended review of Ross Perot's book, "Save Your Job, Save Your Country."

Yesterday, I talked about chapter II, and the day before, chapter I. Today, when I speak of chapter III, I realize that it is really an extended platitude, hung about with flashy but irrelevant numerical ornaments. It is called "American Jobs Matter," and it explains why jobs, in particular manufacturing jobs, are good for people who have them.

I wholeheartedly agree, and there is no one in this Chamber who disagrees. We all agree, and we all, throughout our careers, have tried to preserve and create manufacturing jobs. In fact, Mr. Perot is unlikely to find many people in the country who would disagree on that point.

But what this chapter fails to do is make the case that NAFTA will cost us any more manufacturing jobs than our present one-way free trade agreement with Mexico. The vast majority of economists agree that NAFTA will create a net gain in jobs in the United States.

For example, today, 30 percent of Mexico's exports to the United States are already duty free. That includes all of the manufactured goods coming out of the maquiladora plants. Our average American tariff on Mexican goods coming into the United States is less than 4 percent. By contrast, Mexico's tariff on American goods average 10 percent—2½ times higher. Mexico also has an array of other trade barriers, while we have virtually none.

That is, Mexico has import licensing schemes and has tremendously complicated arrangements which are very restrictive and protective. We in America do not have any. It is clear that we have a one-way free trade agreement today, and it is clear that NAFTA will convert that into a two-way agreement to benefit the United States. That means more jobs for Americans in the manufacturing industries—automobiles, high technology, capital goods, specialty steel, wood products, and many more. Nowhere does chapter III refute that.

It opens by recounting the decision of the Sunstrand Co. of Rockford, IL, to move part of its operation to Nuevo Loredo in Mexico 5 years ago. It tells the genuinely sad story of a woman who lost her job shortly afterward. But if you read closely, the loss of her job seems to have nothing to do with the move to Nuevo Loredo. Rather, she was laid off after Sunstrand sold her plant to a Wisconsin-based firm.

But perhaps the anecdote is just poorly written. Perhaps she did lose her job because of the move. If it does, it shows the fundamental weakness of Perot's case on manufacturing jobs.

WHY DO COMPANIES MOVE?

If all a company cares about is wages, it can move today. That is just what the Sundstrand company did,—before anyone had any idea there would be a NAFTA.

Perot goes on, throughout chapter III, in attempts to show that free trade with Mexico will move jobs out of the United States.

But every statistic he cites proves a different point: companies have moved before, can move today, and will keep moving whether or not we pass the NAFTA. Here are some examples from the book:

> 129 American apparel companies operate 222 factories in Mexico and employ 30,000 workers.
>
> In the 1970's, most jobs in the U.S. consumer electronics industry moved to Asia and Mexico.

There is no breakdown as to how much to Asia and how much to Mexico.

> The International Brotherhood of Electrical Workers reports that between 1985 and 1990 more than 25,000 of its members jobs moved to Mexico.

This all happened without NAFTA. It happened before Carlos Salinas or George Bush took office, much less Bill Clinton.

And think a little bit more. One of the reasons a union job might go south without NAFTA is that Mexico was not enforcing its minimum wage, child labor, workplace health and safety and laws. The NAFTA labor side agreement lets us impose trade sanctions on companies which do not obey those laws. Without NAFTA, there is not a thing we can do about it.

In chapter III, Mr. Perot wants to show that jobs will go south after NAFTA. But his statistics all show that jobs went south before NAFTA.

And if the experience of these companies is anything like that of Quality Coils, Inc., a lot of them made a bad move. Quality Coils moved a Connecticut plant to Juarez in 1989. And how is it doing today? After learning about productivity, transport costs, absenteeism and long-distance management, it

is back in Connecticut. The CEO says "I can hire one person in Connecticut for what three were doing in Juarez."

The Haworth Co. of Holland, MI, had a little more foresight. They calculated, and found that they can produce furniture 25 percent more cheaply in Michigan than in Mexico. They stayed.

McIlhenny, the company that makes Tabasco sauce, pulled out of Mexico City in 1989 to enlarge its Louisiana operation, since it can bottle Tabasco four times as quickly here in America.

General Motors recently announced plans to shift auto production from northern Mexico to Lansing, MI. Apparently GM has read the previously referenced OTA study on automobile production costs that Mr. Perot so blithely ignores.

As an article on the front page of today's Washington Post indicated today, many, many businesses have found that the advantage of lower wages in Mexico is more than outweighed by other problems—poor infrastructure, absenteeism, et cetera. I ask unanimous consent that this article be printed in the RECORD.

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

ON CLOSER LOOK, FIRMS SEE LESS TO MEXICO

(By Tod Robberson)

MEXICO CITY.—As Mexico's low wages emerge as a major issue in the debate over the North American Free Trade Agreement, U.S. businessmen and Mexican officials here are arguing that problems of infrastructure and a range of other economic factors make Mexican labor far less of a bargain than it first appears.

Mexico's highway system is falling apart; its railroads are dangerously decrepit; bureaucratic hassles and corruption abound; the phone system doesn't work; and Mexican labor can be unreliable, U.S. executives here say. When the scores of risks and drawbacks are included in the equation, they say, many companies will realize they are better off staying in the United States.

Some large and mid-sized U.S. companies, including General Motors, already are finding that Mexico is not the cost-effective manufacturing venue it used to be.

For example, GM decided this summer to shift production of the 1995 Chevrolet Cavalier from a plant in northern Mexico to Lansing, Mich., because, said spokeswoman Nicole Solomon, "It's not just wages, but the entire calculation."

Mustafa Mohatarem, chief economist for GM, said in a telephone interview that the lower wages paid to Mexican auto workers were not enough to offset other relatively higher costs of doing business here. "Transportation costs, potential delays at the border and . . . higher inventory storage costs in Mexico" contributed to the move back to Lansing, Mohatarem said.

For more than 20 years, Louisiana-based McIlhenny Co., maker of Tabasco hot sauce, produced and packaged products in Mexico for sale here. But in 1989 the company decided that U.S.-based production would be more cost effective.

"Cheap labor had no effect on our decision," said the company's vice president, Paul McIlhenny. Rather, after calculating prices for raw materials and other production costs, "we decided Mexico just could not compete with our operation" in Louisiana.

In large part, business executives who are speaking out on Mexico's problems hope to counter the well-publicized assertions of billionaire Ross Perot that American jobs would hemorrhage southward under the NAFTA treaty—which would break down trade barriers among the United States, Mexico and Canada, creating a free-trade area of some 360 million consumers. Although President Carlos Salinas de Gortari has engineered economic reforms and radically improved the country's business climate, they say, Mexico has many problems to solve before it can live up to the image Perot has tried to give it.

"It's astounding to me that the United States fear us," said Claudio X. Gonzalez, director general of Kimberly Clark of Mexico and Salinas's adviser on foreign investment. "We're the smallest, least-developed economy of the three [NAFTA signatories]. We're the weaker partner in this whole equation. How are we a threat?

Mexico's infrastructure problems continue to be a major deterrent for American manufacturing companies that use modern "just-in-time" production schedules to reduce inventories and keep storage costs down.

Unanticipated delays, a daily aspect of life in Mexico, can scramble delivery schedules, said Steve Knaebel, president of Cummins Engine Co. of Mexico. "It's the unpredictability of the place," he said. "You never know when or where the problems will arise."

Knaebel estimated that each time he uses the telephone for a simple business call, for example, it takes three or four attempts before the call is completed. "This is the main tool I use for managing my business," he said, "and I can't even be sure if I'm going to get a line out."

He said Mexico's highway system is so dilapidated that truck transportation can take 30 to 40 percent longer here than in the United States, with 60 percent higher fuel costs adding to the bill. A new system of better-quality toll roads has improved some routes, but the cost is widely regarded as prohibitive for commercial traffic.

Railroads are hardly an attractive alternative, said Juan Manuel Correa, general director of Union Pacific of Mexico. "Overall, the system is obsolete. The technology has largely not been updated for 40 years," he said.

"They still send some of their traffic signals by telegraph—while the rest of the world is in the age of fax machines," Correa said, noting that Mexico's state-owned railroad company still employs 200 telegraph operators. "There is no way this system could be competitive with industrialized countries."

A spokesman for the national railroad company, Ferrocarriles Nacionales de Mexico, acknowledged that a freight train operating in the 1930s, when the system was nationalized, had a faster average speed than do Mexican trains today.

Correa said business confidence in the railroads is so low that the system accounts for barely 12 percent of Mexico's cargo transportation, "whereas it should make up 19 to 25 percent."

Correa also challenged Perot's assertion that low-cost Mexican labor necessarily makes up for Mexico's deficiencies.

Productivity per worker is a fraction of that in the United States, he said, noting that although the Mexican railroad has pared its staff from 80,000 to 60,000 employees, "they still only need 12,000 to 15,000 to do the job. In the United States, Union Pacific can do the same work with one person that it takes 17 to do in Mexico."

"Labor looks cheap up front, but the total cost can be very high," said a financial analyst at a major Mexican bank. "You're not saving money if it takes two or three times before you can get a job done right."

Bringing Mexicans up to American levels of quality and productivity carries a high price, and there is no guarantee that a trained employee will stay with a company once it has given him a marketable skill, said Ron E. Shaver, an operations manager of Hughes Aircraft Co.

In 1989, Shaver explained, Hughes transferred some of its U.S.-based microelectronics work to a Tijuana *maquiladora*—a plant where materials are imported from United States, assembled with cheap Mexican labor, then shipped back north for sale. But it took years of training before the plant began consistently producing microcircuits at an acceptable quality level.

Cummins Engine's Knaebel noted that although Mexico's minimum wage is less than $5 per day, other government-mandated benefits and adjustments can make the price tag five to six times higher.

By law, companies in Mexico must distribute 10 percent of pre-tax profits to their employees and pay an extra half-month's salary at the end of the year. In addition, they must pay 150 percent vacation bonuses, and 2 percent of their annual payroll must be contributed to an employee pension fund. Company-paid benefits for fired employees and salary demands by labor unions boost the base figure even higher.

"By the time you add all that up, we ended up paying our plant employees an average of $5 per hour in 1992, and that was market average," Knaebel said.

Unless a company deals with highly labor-intensive, piecework production, such as garment manufacture, cheap labor alone would not be an adequate incentive to move manufacturing operations here, McIlhenny said. "The exodus [of piece-work manufacturing from the United States] took place years ago. Those jobs were gone even before they started talking about NAFTA. So where is Ross Perot's argument?"

"So why come here? What's the offset?" he asked. "I think it's a market that presents all kinds of opportunities for development and growth. It's a country starved for quality and services. That's where we come in."

PEROT'S ANSWER: THE STATUS QUO

Mr. BAUCUS. Mr. Perot's analysis of the problem is bad enough. But his remedy is really a stunner. Here is a quote from the next-to-last page of chapter III:

With the decline in U.S. manufacturing, the country is increasingly unable to provide good entry-level jobs for its youth. In 1980, for instance, 18 percent of 18-to-24 year old men earned less than $12,000 a year * * * young women, who started out in a worse position than their male peers, suffered similar declines in earnings. * * * The New York metropolitan area lost 725,000 manufacturing jobs in the past two decades.

These statistics are all misleading. But that really is beside the point. Assuming it was all true, what is Mr. Perot's response to this litany of misery and woe? Keep the status quo. That is what he says do not expand the market. Do just what we did while all these jobs went down the drain.

That is his solution is do nothing about the problem, keep the status quo, let the problems continue.

NAFTA WILL CREATE JOBS

Finally, at the end of the chapter, Mr. Perot adds an outright falsehood to his pile of red herrings and straw men. He says, flat out, "Even the strongest NAFTA supporters now admit that the agreement will cost U.S. jobs."

If you read the statement, what he really means is even on a net basis, even the stronger NAFTA supporters now admit the agreement will cost jobs on a net basis.

Perhaps Mr. Perot means that even advocates admit some jobs will be lost in some sectors—which is true. But far more jobs will be created than are lost. On balance the United States will gain tens of thousands of jobs. I know of nobody in Congress or the administration who supports the NAFTA while saying at the same time that it will on-balance cost the U.S. jobs. No one.

Every reliable study, every serious economist, every economic Nobel Prize winner, every trade and economic official who has looked at this agreement says the United States will gain jobs according to the International Trade Commission, a net of at least 95,000.

Mr. Perot must know that. And anyone who needs a reason to doubt any other sentence in his book need only look at this one. It is paragraph 3, page 37.

Like many Americans, I admired Mr. Perot for his exposition of the budget deficit—debt tangle that America is in. I think his analysis helped us take serious action on the deficit earlier this year. But the credibility he gained in that mighty effort is rapidly being eclipsed by the mixture of half-truths and misrepresentations he is showering on the NAFTA. Mr. Perot may have helped bring light and honesty to the budget debate. But he is bringing just the opposite to the trade debate.

Mr. President, I yield the floor.

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

Mr. KERREY. Mr. President, I come to speak in support of the superconducting super collider. Before I do I would like to comment on the statement of the distinguished Senator from Montana.

I have not made a final decision on NAFTA. I am inclined to support it. I am concerned with sugar. But I suspect, given what the Senator from Montana just said he worked out in wheat, we will be able to work out the problems relating to sugar as well. Then I will be able to clearly stand and say, as the distinguished Senator has just done, that the North American Free-Trade Agreement has side agreements on the environment, side agreements that will improve the quality of working conditions in Mexico.

We stand on the threshold of being able to say over the course of the next 25 years that we will, instead of moving into a morass where our number one concern is immigration and cocaine, 25 years from now we will look South and see a border where there is opportunity instead of problems.

So I am very grateful the distinguished Senator has taken the time to go through the book that Mr. Perot has put together because, in fact, many people have reached the wrong conclusion. They fear NAFTA is gong to hurt them. They fear particularly that NAFTA will cost them their jobs. So I am really very grateful.

I hope more Americans than usual are watching this evening and heard the words of the distinguished Senator from Montana because they are extremely constructive in this debate and a very, very important foundation for people making the decision whether or not they support this treaty.

Mr. President, speaking of jobs, there is very little doubt today in America that it is the number one issue. It is the number one thing, at least, that I hear in Nebraska. We have unemployment that is approximately 3 percent. It is a thing the people are worried about.

They are fearful they are going to lose their jobs. They are fearful of the consequences of automation in both services and manufacturing. They are fearful of the result of competition. They are fearful as a consequence of movement to temporary and part-time contract help. They are fearful as a result of demand-driven downsizing, not the least of which occurs as a result of our reduction in spending here in Washington on defense that has produced significant hardships in aerospace and has produced unemployment in California and other States that are heavily dependent on aerospace. People are afraid tomorrow they may lose their job.

It is possibly the reason that the President has emphasized security when talking about health care, saying that we are going to provide security for all Americans. We are going to give every American a card so they can feel secure.

Mr. President, as I said last week when I talked about this idea that I support, all we will provide Americans when we give them a card is the security that they are eligible for health care, Mr. President. So they are afraid that they are going to lose eligibility, and that because of the insurance company or the business, or some unforeseen circumstance, they will lose their health insurance.

Eligibility does not mean that the card will entitle them to high quality health care. High quality health care will come to the people of the United States of America only as a consequence of our ability to continue to generate wealth and income. I emphasize that, Mr. President. It is the private sector's ability to generate jobs and wealth that will determine whether or not Americans feel secure on the job, whether or not Americans feel secure abut the possibility of being able to hold on to high quality health care. There is nothing the Federal Government can do with legislation to secure high quality health care when reforming our health care system. We can secure the right of eligibility, but it is our ability to generate private sector jobs and wealth that will determine whether or not we get high quality care.

Mr. President, most people who have examined the problems of job growth in America identify the deficit as one of the principal culprits. The United States of America, the Federal Government, is extracting about 5 percent of the gross domestic product today in order to fund expenditures at the Federal level that are going to people in all kinds of ways—appropriations items, such as the one that the distinguished Senator from Arkansas is proposing to delete, mandatory programs that go out in the form of checks—all sorts of expenditures that are being made.

We do not collect tax revenue to pay all those bills. Instead, we collect tax revenue and then we borrow an additional $300 billion or so. And that borrowing soaks up about half of the available savings in the United States of America, some $300 billion worth every single year, which makes it difficult for the private sector to create jobs, makes it difficult for businesses to invest in plant and equipment and keep that modernization going so that we are competitive.

Everybody who looks at the problem says, Mr. President, that one of the reasons that Americans feel insecure and tend to oppose the North American Free-Trade Agreement is not because the 4 percent of the United States economy that is going into Mexico is a threat to their job, but, instead, the threat to their job is that the Federal Government is extracting 5 percent of the gross domestic product and nearly half of all available savings.

We had a very controversial vote in August to try to reduce that deficit. Many converted the argument and said, "All we are doing is raising taxes."

Mr. President, that is not true. That is not true. In fact, this very argument that we are having today, as I will try to point out later, illustrates that point.

We put real spending caps in place. We do have mandatory program constraints, as well, not as much as I would like, frankly—which is a point I will make later—but, in fact, this deficit in 1997, instead of consuming 5 percent of GDP and half of savings, will consume about half of that amount. Not as much as I would like. Certainly,

I would like to be able to say that we are confident that we are going to be able to get to the point of having a surplus, of paying off debt. I believe it is most people's goal in the U.S. Senate that we do that.

But make no mistake about it, we took action, we took serious action that will result in the deficit of the United States of America being significantly smaller, half of the percent of GDP as what it would have been without our action.

I have heard some come to the floor, Mr. President, and say, "Well, failure to vote for this amendment indicates that Congress does not have the will to exert restraint."

Well, I reject that entirely. I reject it entirely. I think it is very misleading to say that, extremely misleading.

Because the facts are, when we have to come to the floor of this Senate and vote for an appropriation, we control the spending. But when we do not have to come to the floor to vote, we do not control the spending. In fact, we never even debate it.

To make my point, I will not insert this entire document in the RECORD, for those watching, it is late now, this is a document produced by the Congressional Budget Office. It is an economic budget outlook update. It talks about the budget outlook estimate from 1993 all the way through the year 2003. It is a very interesting presentation.

Again, it has to do with the idea that somehow this Senate does not exert restraint when it comes to appropriations; that if you vote against this amendment, you do not have the capacity to control spending. That just is not true.

In 1993, the year that will end on Friday of this week, we will have spent, in real terms, $547 billion. In the fiscal year that begins on Saturday, Mr. President, on all those things that we have to vote for on this floor, we will spend $542 billion—$5 billion less in real dollars.

Now, the fact is, when we vote, we exercise restraint. The dreadful truth of the matter is that by 1997 the amount of money we are spending in real dollars is going to be exactly the same—$547 billion.

Now I know there are a lot of people that look at the appropriations and they assume that every single dollar we spend is pork. Well, I am not here to tell you there is not a lot of pork in these appropriations. I voted against lots of things I would like to see stricken because I could, in fact, make no scientific or economic rationale for it. But, make no mistake about it, at least these appropriations create jobs.

Now, it is easy enough for editorial page writers or perhaps even people in Congress whose jobs are relatively secure to pooh-pooh that fact. But, at least, Mr. President, they do create jobs.

I am here today to support this project, in spite of the fact that it does not create jobs in Nebraska, because I believe it makes scientific sense, that it is an exciting part of this Nation's effort to explore the unknown.

But I am here to make another point, Mr. President. It is in this book that CBO has put out, an item that we will not debate on this floor, except that I hope that when the rescission bill is presented by the President that there will be enough of us interested in debating it that we will have an opportunity to offer an amendment on that.

It shows the mandatory spending programs—those things that are in law, so we do not appropriate them. They are authorized and they are off the radar screen and we do not come to this floor very often to debate them.

We spent $764 billion, Mr. President, in 1993. In 1994, we are going to spend $808 billion. That is a $44 billion increase—$44 billion.

If you subtract the increase in the deposit insurance that is there for the savings and loans, the fact of the matter is that almost every single dollar of spending increases in our budget year-to-year is in the mandatory programs and there is a real decline in the appropriated items.

I urge my colleagues not to stand on this floor and say that those who vote against this amendment are demonstrating that this Senate cannot exert its will when it comes to spending cuts.

Yes, I think our discretionary spending can come down more. I voted for other cuts, and I will vote for additional cuts.

But, Mr. President, when we vote on them, we exercise discipline, and when we do not, we exercise none.

If you look at the trends in the mandatory spending programs in this presentation, Mr. President, you can reach no other conclusion from what is going on with mandatory programs, essentially transfer payments that are made in some cases to very needy people, but in some cases to not very needy people.

I am here to tell my colleagues, and anybody else who cares about these things, that, as a consequence of being disabled in the war in Vietnam, the Government of the United States of America sends me $18,000 a year. In 1969, I needed that money. It was a lot less in 1969, because it has been adjusted with the COLA since 1972.

Mr. President, maybe some need that money.

But, even before I got in the Senate, even before I came in here and got the big bucks that I now earn, my income was in excess of $200,000 a year.

Mr. President, I cannot make a case that I need that money today. And yet the Government—the taxpayers—sends it to me.

Do you know what we are doing, Mr. President, with this budget? We are taking money from people who are working—in some cases, destroying their jobs when we do deficit reduction—so that we can send a check to people that really do not need it.

Now, maybe this Congress does not have the will to knock off a few additional items in appropriations. But, Mr. President, unless we have the will to do something about these mandatory spending programs, we are not going to have the money to invest in roads, in housing, in education, in job training, in these kinds of projects that do, in fact, make scientific sense.

Mr. President, I believe we are setting ourselves up when we go through these amendments, some of which have great merit. Perhaps the Senator from Arkansas will carry this amendment. I voted with him on the space station. I voted with him on ASRM, and may again some other amendments that he is likely to offer.

Mr. President, when they make good scientific sense, as this one does, in my judgment—and I have talked to the scientists that are involved in this particular project. Even though there is not a nickel spent in Nebraska, I have talked to scientists on this particular project and I am excited about what they are doing. I am excited about the potentials for engineering advances, as well. I am excited about what this Nation is doing with the superconducting super collider.

I felt no such excitement with the space station, and I voted "no." But with this one, Mr. President, we are moving into an area of the unknown that is likely to provide us with advances in science, it is likely to provide us technological advances that will allow us, as well, not just to remain competitive, but to create those high-paying jobs that everybody talks about.

Again, I have to say, I have heard a lot of people say it, and I read it all the time. It is one of those things you read. You get some editorial page writer who writes a column. He will call this pork barrel. The only reason it is there is because it is creating jobs.

I am not going to vote for anything just because it creates jobs. Never would I vote for something just because it is creating jobs. But we are making it difficult to make expenditures on those things that will not only create jobs but enhance our competitive position and give our people a sense that in fact their standard of living, their wages are going up; that they will have the ability to be able to afford high-quality health care; that we can be competitive with the nation of Mexico.

We are not going to be able to do any of that unless we get our arms around these mandatory spending programs that are going to be debated very little. The Republicans will come to the floor during the appropriations cycle and

they will offer their amendments to cut the Community Development Block Grant, to cut the Corporation for Public Broadcasting, to cut all sorts of other things. We will come and offer our amendments and in fact some of them will stick, some of them in fact will be agreed to. And the public will be out there saying, "Can Congress not make any reductions?"

The public needs to know, when it comes to items that we have to stand and justify and appropriate out in the open, we are getting the job done not too badly. But when it comes to mandated programs, authorized money flows out with no debate at all.

I hope this amendment is defeated. I hope we build the superconducting super collider, complete it 10 years from now, and I believe as sure as I know anything that 10 years from now we will be glad we stayed the course. We will be glad we did not, 3 or 4 years into this thing, cut it off.

I see the charts of escalating costs. If we cut programs off because they escalate in cost, we would end the end-stage renal disease program today, we would end Medicare, we would end Medicaid, we would end almost every single program that we have.

When you start a big science engineering project like this, all of us who have built houses understand and know there are apt to be cost overruns. I believe this is a worthy project, but I am terribly concerned that for the sake of jobs in America all we are going to do in this entire cycle of appropriations is come down, score some points, and try to put the word out we really care about deficit reduction. But when it comes time to face those mandatory programs dead in the eye, we are going to say there is nothing that can be done about it.

Let me give a tough fact on mandatory programs. A lot of people out there assume that the mandatory programs are programs just for needy Americans. As I said, in most cases they are. It is remarkable what Social Security and Medicare and Medicaid have done. But, first of all, mandatory programs are not a problem we are going to be able to blame on the rich since 99 percent of the program expenditures go for households with incomes under $200,000 a year. Almost half of those expenditures go to households with incomes between $30,000 and $200,000 a year.

In many cases, those income transfers are justified, and I am not going to take money away from anybody who absolutely needs it. But what we are doing is transferring increasing amounts of money because we are afraid to come to people and say you have to take a little bit less. And we are cannibalizing, as a consequence, needed private sector investment and needed public sector investment. Those are the things that will give our people confidence that we are creating jobs in this country, providing them the security I think they are increasingly asking for in an economy that is so competitive today that everyone out there in the marketplace is concerned.

I appreciate very much and follow the leadership of the distinguished Senator from Arkansas on many occasions. I cannot on this occasion. I believe this project makes scientific sense. I hope, in fact, we send a strong message to the House that they made a mistake by deleting it, and that the conference restores it because I believe we will be proud of the accomplishment if we do.

I yield the floor.

The PRESIDING OFFICER (Mr. MATHEWS). The Senator from Arkansas.

Mr. BUMPERS. Mr. President I will be brief. But before the Senator from Nebraska leaves the floor, I would like to make one observation for his edification.

He is a very thoughtful Senator, a very intelligent Senator, and I know his decisions about the superconducting super collider were not entered into lightly. But it seems to me, completely aside from the cost of the superconducting super collider, which is escalating out of control, we ought to rely on somebody. I am not a physicist. The Senator from Nebraska is not a physicist. The Senator from Louisiana is not a physicist. I am not a scientist nor are they.

I have to confess to my colleague, in making this statement, that spending this amount of money to find the Higgs Boson is to me an outrageous waste of money, because I think even if you find it you are still light years away from finding the origin of matter. And I do not know what you get when you find the origin of matter, for that matter.

But we talked a little this afternoon, and now I have the poll here. Sigma Xi, which is a scientific research society—it has been considered the honor society in America since 1886, it has 115,000 members, scientists—they sent out 10,000 questionnaires to selected members of that organization. They asked them to rank a series of scientific projects in one, two, and three. Which of these would you rank first, second, and third? Of a list of about 10 things you only got to pick three.

They got a response of 3,300 out of 10,000. It could be statistically skewed because of the 10,000 questionnaires they sent out to their membership they only got 3,300 answers. But do you want to know how many of those 3,300 who answered ranked the superconducting super collider first?

Here was the question:

> In the following question, please rank your first three choices with one representing your first choice for use of funds, two representing your second choice, and three your third choice.

I think the three best uses of public funds for scientific research are, of the 3,300 who answered that, 2 percent ranked the superconducting super collider as their choice.

Then there is this question about the so-called grand unification theory. We have been led to believe that we are looking for the ultimate particle of matter.

Senator BYRD very wisely the other day said, "What is that all about?"

I said, "We are trying to find the origin of matter."

He said, "You can find that in first Genesis."

That would be a Biblical answer.

But my point is, here is a quote from Dr. Sheldon Glashow, Nobel laureate. We should not ignore these people. The Senator from Louisiana has three or four Nobel laureates on his side and I have about they many of my side. But here is what he said:

> Not even the superconducting super collider nor its successors will approach the ultimate quest of the origin of the universe. To recreate the temperature of the universe at its birth we would need an accelerator light years in size. That does not mean, however, that we cannot even learn the nature of the infinite universe. We have a tool that is surely up to the task: The human brain.
>
> In the scheme of things, the SSC provides only a tiny step toward the grand unification theory.

Those are scientific arguments and they are not the reason I oppose it, though that is sufficient justification for me. The Senator from Nebraska said he has been with me, and he has indeed, on other amendments. He supported me last week on the space station.

The Senator, by doing that, did not just vote to cut the $2.1 billion for 1993, because as my colleagues know the space station has not even gotten going yet. It is going to cost over $100 billion to build.

When you compound the interest of the space station's ultimate cost of $100 billion at 4.5 percent, if we had voted to kill the space station, we would be voting over the next 35 years, counting interest on the cost, to save $216 billion.

We refused to do that on a vote of 59 to 40. The other night on the National Endowment for Democracy—a small thing—I tried to torpedo that; $35 million, peanuts around here. We hardly will stop to talk to somebody about $35 million. I lost that one by 23 to 74. Senators on both sides rejected the idea of killing that.

But you see, even that, when you consider how much we save and how much money we would not have to borrow at 4.5 percent, even that, on a 35-year cost basis, is $2.2 billion.

Now, the other day, I offered an amendment to kill the advanced solid rocket motor. It was not just $300 million in 1994 that I was trying to kill. It was $4 billion I was trying to save; $2 billion immediately and $2 billion in interest. The point could never be

made enough that every dime we spend on these things is borrowed money which we will pay interest on forever. I computed it at 35 years. But we are going to be paying interest forever on these debts we incur.

So here, Mr. President, we had a chance to save $216 billion with the space station. We had a chance to save $4 billion on the advanced solid rocket motor, which NASA does not even want and which should never be built; we had a chance to save $2.2 billion on the little old National Endowment for Democracy. And now we have a chance not to save $500 million for next year on the super collider, because we know it is going to cost a lot more than that, but just assume—just assume—that it is $11 billion to $13 billion, which everybody knows it is going to cost close to $20 billion. It has tripled in cost in 8 years, so we know it is going to triple probably again in the next 10, but just a conservative estimate. You are not voting to cut $500 million from 1994; you are voting to cut $39 billion over the next 35 years, counting interest on the money.

If we reject this amendment, Mr. President, the Senate in 2 week's time will have chosen not to save $260 billion. I have other amendments coming, all of which total, over a 35-year period, $683 billion. I daresay, too, we have prevailed by cutting SDI by $400 million; not $1.8 billion, but $400 million. We should have cut another billion off it. So far, that is the only thing Senator SASSER and I have succeeded in getting this body to cut.

So when it is all said and done, we are probably going to lose on every one of those amendments, and we are going to say to the American people: "We turned down the opportunity to save $683.2 billion."

Mr. JOHNSTON. Will the Senator yield for a question?

Mr. BUMPERS. Yes.

Mr. JOHNSTON. I had been with the Senator, as you know, on other amendments.

Mr. BUMPERS. I wish you were as eloquent on this as you were on the SDI the other night.

Mr. JOHNSTON. We particularly fought a good fight together on SDI, something I have been working on for a long time. But in the interest of absolute candor, and most of our colleagues have gone, so I think you can be candid at this point, would you not at least admit, of those projects, the SSC is the best?

Mr. BUMPERS. Mr. President, I am going to make a candid confession to you, and it is not so candid because I said it before. I know physicists would like to find the so-called Higgs Boson. If we are going to spend the money, I hope they find it. I do not think they will, but I hope they do.

If I had to choose between all of these dollars, that would just be the worst choice I would ever have to make. But I will say, between the collider and the space station, I had rather kill the space station because I know it has no paycheck and, second, because it costs so much more money.

I respect the Senator's opinion, but I can tell you that these things I consider so utterly worthless to humankind in this country and to our future. You know our problem. Our problem is that we spend money on the wrong things. It is just a case of mispriorities, and this is a classic case in point.

But let me close. I know everybody wants to fold up their tent and go home. I want to respond to a couple of things. I do not know whether we will prevail or not. It will be awfully close. I know that the politics of the issue is spending. The people in my State write me constantly, as they did during the budget resolution, as they did during the reconciliation bill, the so-called deficit reduction package. They wrote to me in great numbers, by the thousands, and said: "Cut spending." I said: "We're going to. I believe the mood of the Congress is set. I believe the spending cut fervor here is such that we are going to cut billions."

The people on that side of the aisle wore buttons: "It's spending, stupid." Other buttons said: "Cut spending first." And I understood that. The American people did not buy it. They said: "Yeah, you are telling us you are going to cut; but when the time comes, you will not do it."

I have seen the American people make some mistakes, but I do not quarrel with them because most of the time you give them the facts, and they are right.

One time Harry Truman told me—in a defining moment in my life, I told him I did not enjoy being Governor. Senator KERREY was also a Governor. I did not enjoy it very much, and I told him I did not like it. I had only been Governor 2 or 3 months. A country lawyer, thrown into the capital, the Governor's mansion, and all that.

He said: "Son, the best way to learn to like that job is to tell people the truth. How can you expect the American people to make correct decisions when there is somebody sitting in the Oval Office lying to them?" That happened to be Richard Nixon, and I do not have to tell this body what he thought of Richard Nixon.

You may disagree with the American people, but invariably if you give the American people the facts, they will make a right decision.

Mr. President, this sounds arrogant, and I am reluctant to say it, but if you were debating the SSC before the American people and they were the jury and they were going to cast a vote, the super collider would get about 15 percent of the votes. No more than 15 percent.

So they do not really understand, I guess, the arcane workings of the Senate. The House killed these things. They killed the National Endowment for Democracy. They killed the advanced solid rocket motor. They killed this one 379 to 43, and we resurrect it. We pass it. They killed this sucker. They killed the super collider by 130 votes, and we are going to resurrect it; and they are going to go to conference and come back here with a whole $600 million on it. The House kills them, and we resurrect them.

They have over 100 new Members over there. They came in committed to cut spending, and they are keeping their commitment. We committed 45 days ago during the reconciliation debate that we were going to cut spending. But how our memories have faded since then. We forget about those solemn commitments we made to the American people.

This afternoon, I heard the senior Senator from Texas talk about: You do not know that this money saved is going to go for deficit reduction. That is true. I want it to. But I will tell you, last week when we did the space station, to take away the argument of the Senator from Texas, I put a provision in saying it could only be used for deficit reduction. I lost one vote. One Senator said: "I am not going to vote for it because you have it in there that it has to go for deficit reduction." Both Senators from Texas have raised that issue today.

But when I had it in for deficit reduction on the space station, they voted against it. So I took it out. I thought: Good Lord, if they are not going to vote with me for putting it in there, why put it in and lose that Senator's vote again? So we did not put it in this one, to make sure it went for deficit reduction, though everybody here wants it to go to deficit reduction.

So this afternoon, because I did not have it in there, they raised that same old question: Why, you do not even know if this is going to deficit reduction. So I asked the junior Senator from Texas, I said: "I am thinking of offering a second-degree amendment so that it can only be used for deficit reduction. Can I count on your vote if I do that?" You know the rest of that story, do you not?

This is the biggest slab of pork ever to come out of this body for the State of Texas. One Senator said the other day, "It is welfare for Texas with the space station, the collider, and free enterprise for the rest of us." I have nothing against Texas; I love their Governor. I can tell you one thing, she has been the most effective person lobbying for this thing I have ever seen. She is a worthy adversary.

Mr. President, I will close by just saying I have done my best on this.

I really believe that there are people in this body who strongly believe they are doing the right thing by voting for the super collider. But I think there

are not enough to pass it. I think a lot of people are going to vote for the super collider because of reasons other than merit. That is a real tragedy.

Mr. President, I yield the floor.

Several Senators addressed the Chair.

Mr. WARNER. Mr. President, will the Senator just yield for one observation and a question. First, I urge the Senator to go back. I followed his remarks very carefully, and he was talking about a President who lied and then the record might indicate the Senator turned to the present incumbent of the White House, which I know the Senator did not intend to do, because I am certain that President Clinton has not in any way distorted the truth on this issue. I think maybe he has received some very bad advice to the limited extent there has been any endorsement by the White House.

Mr. BUMPERS. Let me clarify what I said a moment ago. I said that on the floor before, but this was in 1971. I had just been elected Governor, and I went to Kansas City to deliver the annual Truman Day dinner address. I first refused it. They said, "If you will go, we will let you spend an hour with President Truman"—President Truman, whom I deplored as a young undergraduate because I did not think he had a good speaking voice and I did not like the Vaseline he used on his hair and his little eye glasses, and so on.

But by this time I concluded what we all knew; he was one of the greatest Presidents we ever had. So when they said, "We will let you spend an hour with President Truman," it was irresistible. I flew up there in a thunderstorm. And I went over there to visit with him and Mrs. Truman. I had just finished reading the David McCullough book. I concluded he was 87 or 88 when I saw him.

That was the visit in 1971, and he was giving me a little friendly advice as a newcomer to politics, a new Governor to Arkansas, saying, "Son, you do what you think is right because that is what people expect you to do. They don't have time to keep up with it. You do. You make the best decision—after you get all the advice you can get, you make the best decision." And then that is when he said, "The only time this country ever makes a bad mistake is when there is some lying so and so sitting in the White House."

This had nothing to do with President Clinton, of course. This was back in 1971 when someone else was President. I am sorry I left that dangling, and I appreciate the Senator bringing it to my attention.

Mr. WARNER. I thank my good friend because I know the fervor with which he believes in his position. I agree with him wholeheartedly on it, and I am quite interested to hear other comments of this body as they relate to the desire on the part of the Senator from Arkansas and myself and others to have these savings go to reduce the deficit. And when the Senator challenged them on it, they did not accept the challenge.

I see my distinguished colleague who preceded me to the floor. I will ask no further questions. At an appropriate time I will seek recognition in my own right.

Mr. KERREY. I thank my friend from Virginia.

Mr. President, the distinguished Senator from Arkansas made a very eloquent presentation just now in which he said something to the effect this is the largest slab of pork that has ever gone to the State of Texas.

Again, I respectfully disagree. I believe that the basic science of the superconducting super collider is solid. I believe the applications that come just from the engineering of it, in cryogenics, in superconductivity, in the order of work that is going to be necessary to focus these protons and lasers, work that is going to be done, will create jobs in this country. I think they are going to create an impressive number of jobs.

I am standing here saying I hope this piece of legislation passes. I hope that we build this superconducting super collider, not because I am answering the call from some friend who says please vote for this, not because I have some inherent interest in the State of Nebraska that is going to be satisfied. But because I believe the science is solid. I believe the research is good. I think that anyone who sat with Steven Weinberg and other scientists who have worked on this project understands that this is not about finding Higgs Boson. This is about whether or not we as a nation are going to allow our particle physicists to continue to make progress. Who knows what they will discover.

But, Mr. President, I have to say again I looked at this long list of things, and as I said I voted for many things on here. But the distinguished Senator from Arkansas says one of the things we have to make sure we do for the American people is tell them the truth.

Mr. President, if every single thing the distinguished Arkansan has listed was passed that is $6.3 billion. I held up earlier this economic and budget outlook presented by the Congressional Budget Office.

Mr. President, the mandatory programs that are very rarely talked about on this floor are going to go up $44 billion.

Now, Mr. President, if you just use mathematics—I do not know if you can extend it just by multiplying in the fashion that it is laid out up here, but if you just extend the mathematics, one would assume that if we took action on mandatory programs that, let us say, controlled the growth by half, that would be $2.4 trillion.

But I suspect we are not going to be able to do that. I suspect we are going to hear cries of anguish about all the hardship.

Mr. President, I already identified myself as somebody who is a part of the receiving end of that. I can tell you it makes me awfully uncomfortable knowing that maybe I am destroying a job, either in the private sector or in the public sector, just so I can receive a check from the Federal Government that I do not need, Mr. President.

I would again respectfully disagree with another thing that the distinguished Senator from Arkansas said. We have to have some basis for deciding what science to do, other than maybe some outside group like the Sigma Xi organization.

Well, the distinguished Senator is the chairman of agriculture appropriations. I suspect there are a lot of things he and I both support in that appropriations bill that Sigma Xi does not have on their priority list either. We cannot make decisions based upon polls done by a while group of scientists.

We have to examine it, Mr. President. I am not a physicist. The distinguished Senator from Arkansas is not a physicist. The distinguished Senator from Louisiana is not a physicist. We need to stand on the floor of the Senate and say we have examined the project; that we have looked at the project and in our best judgment we think it should be appropriated and built, or that it should not be.

I have reached the judgment that it should be built. And I believe that I will be able to stand here 10 years from now as an American, perhaps not on this floor but as an American, God willing, and with the superconductor in place say I am glad we fought this battle and stayed the course.

I urge my colleagues to consider that. I urge my colleagues to consider that there were many other debates that occurred. I suspect there were people in 1962 and 1963 and 1964 who said that all the stuff President Kennedy wants, to go to the moon, for example it is nonesense, it is a waste of money, it is pork barrel spending, it is going to add up to huge amounts of money.

Well, we went to the Moon, Mr. President. I laid in a hospital bed in 1969 and it inspired me, inspired me. That is what this superconducting super collider is all about. We are exploring the unknown for the purpose of saying that we are going to find answers that we do not have today.

Mr. President, I genuinely believe that this project is beneficial, that it needs to be funded and I appreciate the advocacy of the distinguished Senator from Louisiana, fighting for it, and I appreciate the time.

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

Mr. KERREY. I will be glad to yield.

Mr. WARNER. I have the most profound respect for my colleague and particularly his association with the military and national security affairs. When, Mr. President, I first examined this issue of the super collider I said to myself there must be a number of benefits flowing from this very costly experiment directly to national defense. But as a matter of precaution, I sought the opinion of the General Accounting Office, and I am about to read to the Senator a report that was directed back to me in response to my inquiry dated May 14, 1993.

DEAR SENATOR WARNER: The principal result of high energy physics is fundamental knowledge about a matter * * * therefore, the SSC will not produce any direct national security benefits.

Mr. President, in these times of reduced defense budgets, with drawing down the overall size of our Armed Forces, cutting back, it seems to me that we have to make sure that scientific experiments like this have some direct benefit, maybe some indirect, but direct benefit to our national security if they are going to make this heavy investment.

Knowing of the Senator's deep interest in national security, I just wonder how he would react to the fact that the GAO opinion is that it will have no direct benefit.

Mr. KERREY. I appreciate the question of the distinguished Senator for Virginia.

First of all, GAO issues reports on all sorts of issues. I consider them. Sometimes their considered opinion pushes me over to say, yes. Sometimes it pushes me over to say no. But it is one of the many sources I would consult.

I have never found myself in the position of saying I'll do whatever the GAO says I should do. I find myself respecting a great deal of their analysis, and perhaps it is true. As the distinguished Senator from Virginia just read from the GAO report, the GAO is correct. It will not have any strategic benefit. The truly is not something that disturbs me at this state in the game.

There are three applications that I would identify to Americans who are wondering "What we are going to spend this money on; what is this going to do?"

First, there are, in my judgment, going to be great advances made in super conductivity. It is the largest superconductor every built, and it will, without a doubt, yield insights into superconductivity that will result in benefits to the people of the United States of America in the form of jobs, in the form of new discoveries, in the form of new market creation, or new market improvements.

It will keep the United States with a competitive edge. That is my conclusion.

Second, in the area of cryogenics, it will require cooling larger volumes of liquid helium at lower temperatures than ever before, and the use of liquid hydrogen. This is the technology of producing low temperatures on a large-scale for the transport of electrical energy.

It is the evaluation of engineers that I trust, evaluation of engineers that have been involved in large-scale projects, that had strategic applications. In fact, though, I did not ask the question: Will there be a strategic application in this?

Lastly, Mr. President, the superconducting super collider has extreme requirements on the central technology necessary to keep the protons together for this 53-mile circuit.

Again, there is no question there is going to be applications here because active feedback control systems are useful in everything—everything—Mr. President, from air traffic controllers to environmental systems.

I appreciate very much the distinguished Senator from Virginia asking the GAO to do an evaluation, because indeed for some it may be the reason why they would not support this particular project. It does not have potential for strategic application, but I see commercial application as well as the application of basic science.

That is why I have reached the conclusion, strongly, that I think we should appropriate the money. And I believe as a consequence of the appropriations and of our staying the course, unlike the space station, unlike the SDI program, and others that are on the list of the distinguished Senator from Arkansas, this one, in my judgment, Mr. President, will make us proud that we stayed the course and paid for the project.

Mr. WARNER. Mr. President, I thank my distinguished colleague. I did not suggest we take a GAO report and salute and march off. It seems to me this is an objective analysis given the magnitude of the billions of dollars.

Do you think here is some direct flow to national defense?

The report goes on to say although specific national security benefits cannot be predicted or directly tied to high energy physics research, national security may indirectly benefit.

I concede the fact about Teflon, which we learned about in an earlier space experiment, and about R&D and the other benefits that we have gotten that flow from these high technology programs either in the military or in NASA. But again this is a tremendous amount of money to be expended on basic research in an area we think that would be an enormous flow directly to national defense and to the security of our Nation, but no direct—possibly some indirect benefit.

I yield the floor.

Mr. JOHNSTON. Mr. President, I am glad the Senator got around to saying that the report said that the indirect benefits of the SSC, if applied to military purposes, could assist national security.

I would really like to get into that debate. But I am not going to do so at this time tonight.

Mr. KOHL. Mr. President, I rise today in support of the Bumpers amendment to cut funding for the superconducting super collider.

This amendment would cut $420 million from the project in fiscal year 1994. But the savings from ending this program would be much higher. Some estimate the final, total cost of the SSC at over $11 billion.

I am not advocating that the Senate kill this project just because it has a high price tag. I am, however, advocating examining very closely what that price tag pays for.

A recent report by a Department of Energy review committee suggests that most of what it pays for is cost overruns, schedule delays, and what the report calls manufacturing risks; $200 million for a 1991 contingency adjustment; $1.2 billion for spare parts which DOE had not anticipated needing in any of its previous cost estimates; $1.5 billion in what the review committee calls potential cost risks. The list goes on.

Proponents of the SSC argue the climbing price tag is worth the final payoff: The chance to study the tiny particles that are the key to the nature of the universe. And, of course, I would like to know more about the creation of the universe. But, frankly, right now I would be satisfied with an accurate estimate of the cost of the SSC.

If those who run the SSC project cannot even tell us when it will be done or how much it will finally cost, do we honestly believe they will be able to unravel the deepest secrets of the universe.

I do not mean to suggest that the SSC has no redeeming value, for it certainly does. What I am going to tell you, however, is that we cannot afford it. If we did not have a $300 billion budget deficit, I am sure that most of us would support efforts to broaden our understanding of the universe. On an intellectual level, who could be against the kinds of research which might allow us to reach the Holy Grail of science; a grand unified theory which could unite the elemental forces of nature and explain the status of matter in the moments after—and perhaps before—the Big Bang. In the best of all possible worlds, that is a laudable goal.

But the question before this body is not whether we would like our Nation to pursue this research. The issue before us is whether we are willing to pursue this research at the expense of an ever-burgeoning Federal deficit.

We often fail to recognize that we are sent here by our constituents to make hard decisions. Which one of us has not heard a clear message from our constituents that they want us to cut

spending. To do so, we have to be willing to say that there are some projects we just cannot afford to pursue. With a $11 billion price tag that just keeps going up, I say that the SSC is a program that we cannot afford.

I am willing to bust atoms. I am just not willing to bust the budget. Unfortunately, the SSC does both. I will vote to eliminate its funding, and I urge my colleagues to do the same.

Mr. MOYNIHAN. Mr. President, the superconducting super collider is a machine for creating new kinds of matter. Matter not seen since the first few trillionths of a second after the birth of the universe. It is also a machine that will help us develop a unified theory of matter. As a machine, the SSC will accelerate protons to nearly the speed of light and then crash them together with such force that some of the energy will be transformed into matter, as predicted by Einstein's famous equation $e=mc^2$. The particles produced will tell us important things about the composition of matter and give us insights that we can harness to advance civilization.

To many this seems ridiculous. What else do we need to know about matter? Don't our senses tell us all we need to know about matter, at least all that's important? And what's the evidence that the insights will advance civilization?

Let's look at history. The Greeks thought matter was made of material that could not be cut—the atom. Yet for all their insight they never developed a body of laws that would regulate all nature. Newton with his laws of motion and gravitation gave hope to such a unified theory, but as scientists learned more about chemistry, light, electricity, and heat it was clear that Newtonian physics could not explain many phenomena. The world is a complicated place.

The development of x rays and electricity showed that there was a fundamental particle, the electron, present in all matter. In other words, atoms are made up of subatomic material. This insight gave us a new way of looking at matter, leading to a whole array of devices that have improved our lives in so many ways—medical diagnostic and treatment devices, engineering tools, entertainment, defensive weapons, and more.

Albert Einstein provided even more insight about matter with his special theory of relativity, suggesting new ways to demonstrate the existence of atoms. He interpreted Max Planck's work on heat radiation in terms of a new elementary particle, the photon. This led to the development of the lasers so widely used today. Used to scan grocery prices, replay music, perform delicate surgery, improvements in the quality of life that would never have been dreamed of let alone achieved had we not paid for the support of physics research.

Similarly, quantum mechanics developed in the 1920's by Niels Bohr allowed us to describe matter in terms of wave functions and probabilities, instead of particles and forces. The insight that chemistry could be explained in terms of electrical interactions between electrons and atomic nuclei led to the development of our modern chemical industry.

Though our progress has been great there are many gaps in our knowledge, and many wonderful though unpredictable benefits yet to be realized. The string theory first developed by Gabriel Veneziano in the late 1960's shows that the standard model of matter is a low-energy approximation of the fundamental nature of matter. Imagine that: strings. As if we didn't have enough trouble imagining matter made of the wave interactions predicted by quantum theory, we must now conceive that at a more fundamental level the subatomic particles are linked together in strings, much like the way atoms are strung together to make molecules, and molecules strung together to make matter as we perceive it daily. The trouble is that if we are to determine what matter is truly made of, we must create conditions similar to those that occurred when the universe was born. Energy levels that currently can only be approximated by the SSC. There is no promise that the findings from experiments with the SSC will result in complete understanding of matter. Past history suggests it won't, but it also suggests that the benefits that will accrue from applications of the insights gained will more than repay the costs of the SSC.

MORNING BUSINESS

Mr. JOHNSTON. Mr. President, I ask unanimous consent that there be a period for morning business, for Senators permitted to speak therein.

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

A TRIBUTE TO JAMES M. SWEENEY

Mr. HARKIN. Mr. President, I rise today to pay tribute and say goodbye to a very special person, Jim Sweeney, whose recent passing is a great loss not only to his colleagues, his family, and his friends, but to everyone. I'm saying goodbye to Jim, but we will never say goodbye to his heart, his spirit, his soul.

Jim, who was my friend as well as my dedicated and talented foreign policy legislative assistant, lost his life in a car accident on August 21, 1993.

Mr. President, we all reacted pretty much the same way when we heard the news. Emotions swept over us. Tears welled up in our eyes. There was a certain catch in our throats, and an old feeling in our stomachs.

We feel these emotions today, and we should—for we realize that someone very special, someone we loved very much, will not grace our lives again with his presence.

Jim devoted his life to international peace and justice, Mr. President, dedicating 7 years to the Maryknoll mission in Venezuela. He held a tenure as regional coordinator and representative to the U.S. National Council of Churches, Central American task force and head of the justice and peace program.

And so, Mr. President, this untimely accident touches not only Jim's immediate family, but a much larger family that stretches from here to Eastern Europe and Russia, to Latin America and Haiti, to Africa, the Mideast, and Far East.

These family members know no ethnic, racial, religious, or national boundaries. They came from varied backgrounds: some are born to wealth and privilege, others just the opposite. Some are educated in the finest universities, some can barely read or write.

These family members are bound together for a common purpose:

To foster respect for human rights;

To promote social and economic justice and opportunity;

To empower the poor;

To lift up those who are down; and

To give hope to the hopeless and help to the helpless.

And overall, to give courage and strength to those who, at great personal risk, pursue these goals.

This is Jim's larger family. And while he may have physically departed, his spirit will never desert us.

Which is the second reason I rise today, Mr. President—to affirm an ancient native American saying: To live on in the hearts of those you love, is not to die.

Jim, your spirit does live on through those who knew you, whose lives you touched, and through them to countless thousands whose lives will be enriched because of you. You will be remembered by us, each in a different way.

Jim was a brilliant thinker—diplomatic, and politically savvy. He was regularly consulted by the Clinton administration on foreign policy and human rights issues. As my chief foreign policy adviser, he had already compiled an impressive record of legislative and diplomatic accomplishments.

Mr. President, Jim's work always had a direct impact on the lives of those who needed his help the most. Nothing illustrates this more clearly than the initiative he had been working on for more than a year at the time of his death: Legislation to end the exploitation of children by prohibiting the import of products made by their labor. As you know, Mr. President, this is one of my top legislative priorities.

And we're going to pass that bill—the Sweeney bill—in this Congress. We took a first step toward that just last week, when the Senate unanimously approved a resolution condemning the practice of child labor and calling upon the President to negotiate an international ban on goods made with child labor.

This resolution, which I dedicated to Jim, puts the U.S. Senate on record in support of the objective of the Sweeney bill and sends a clear message around the world that the United States will not tolerate the exploitation of children. Without Jim's tireless and skillful efforts, this historic declaration would not have been possible.

So Jim, I rise today to say goodbye, to keep your spirit and commitment alive, and to just say thanks. Thanks for being a good friend and a good person.

Mr. President, the historian Arthur Schlesinger once asked JFK how he wanted to be remembered. JFK thought for a moment, and replied: The highest accolade that can be given to anyone is to say they were a kind and decent human being.

Using that as our standard, we give him the highest honor: We will always remember him as a kind and decent human being.

EXECUTIVE SESSION

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

Mr. JOHNSTON. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nomination: Jane Alexander, to be Chairperson of the National Endowment on the Arts and the Humanities.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the nomination?

There being no objection, the Senate proceeded to consider the nomination of Jane Alexander, of New York, to be Chairperson of the National Endowment for the Arts.

Mr. LOTT. Mr. President, I want to address the nomination of Jane Alexander to be Chairman of the National Endowment for the Arts. Ms. Alexander is an extraordinary woman. She has been an actress, author, and producer for 30 years; there are very few people I can think of who could bring such a breadth of experience to the job of NEA Chairman. Clearly, Ms. Alexander has a long and distinguished record in the arts.

I am not standing up to oppose Ms. Alexander. I must rise in opposition to what I see is the continued radicalism of the NEA. The NEA needs a new direction, away from profane and obscene art, and toward art everyone can enjoy. Ms. Alexander during her confirmation hearing mentioned how at age 6 her uncle took her to the ballet, and how magical the experience was for her. More children—and more adults—should be exposed to the best our culture has created. The NEA makes some of these high culture opportunities possible.

The NEA, though, has been generously funding not so high culture things. Robert Mapplethorpe is just the tip of the iceberg. Did you know the NEA funded three homosexual film festivals in Pittsburgh recently? The titles of some of the movies cannot be spoken on the floor of the Senate, or anywhere else in public. The NEA also has given a fourth grant to Joel Peter-Witkin, a so-called "artist" whose graphic photographs include "Woman Castrating a Man" and "The Kiss," a photo of a human head sawed in half, with the two halves placed together, lip-to-lip.

Some artists have been up in arms, because they say having standards concerning what the NEA should fund amounts to censorship. These radicals think that anything goes, and American taxpayers have a duty to fund whatever trash these radicals produce. In some ways, the debate about art is being won by the radicals, because the profane pictures, or the dirty poems, or the blasphemous art cannot be shown on prime-time television, or talked about openly, without being profane or pornographic. I wouldn't want my kids to be exposed to this so-called art. So when people hear censorship of art, they rightly are against it. This is a free society, where everyone has a say. But many people don't realize that what is being funded by agencies like the NEA is not art, but trash—and not just by my standards, but by almost anyone's standards.

Speaking of censorship, the NEA itself practices censorship on a regular basis. Mr. President, I ask unanimous consent that an article from the June 24, 1992, Wall Street Journal by Roger Kimball be entered into the RECORD.

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

[From the Wall Street Journal, Thursday, June 24, 1993]

DIVERSITY QUOTAS AT NEA SKEWER MAGAZINE

(By Roger Kimball)

Like many other governmental agencies, the National Endowment for the Arts is awaiting the nomination and appointment of key personnel. But we do not have to wait for a new director of the NEA to know what direction support for the arts will take in the Clinton administration. It is the same direction in which the rest of the Clinton government is stumbling. The buzzword is "diversity." But the reality is an effort to impose quotas and politically correct thinking. Here as elsewhere the "politics of virtue" is taking precedence over mundane considerations of quality.

How does it work? Consider the case of the Hudson Review. Now celebrating its 45th anniversary, the Hudson Review has long been recognized as one of the most distinguished literary quarterlies in the country. Based in New York City, it has published work by T.S. Eliot, Wallace Stevens, Ezra Pound, W.H. Auden and other giants of 20th century literature.

In recent years, most general-interest literary magazines have either expired or become platforms for deconstruction and other forms of ideological persiflage. The Hudson Review is rare in having remained a forum for intelligent, well-written criticism and cultural commentary on a broad spectrum of topics. In fact, it belongs to a tiny handful of magazines where the first criterion of inclusion is literary merit.

Literary merit? Who still cares about that? Not, apparently, the NEA. For several years, the Hudson Review had applied for and received a small grant from the endowment's literature program. This year, the grant was turned down. In response to a request from the editors, the endowment supplied a summary of its panelists' comments on the grant application. It makes for interesting reading.

Dated May 27, this letter reports that the panelists expressed two main concerns. First, it was felt that "writers of color were significantly under-represented in the Hudson Review." Second, panelists criticized an article in the Summer 1992 issue about the black novelist Richard Wright as "isolating and condescending." "This concern was exacerbated," the letter continues, "when this essay was compared with the fulsome essay on Zola in the same issue."

Let's start with the article on Wright. Entitled "Problematic Texts of Richard Wright," the piece is by James W. Tuttleton, a professor of English at New York University and a widely recognized authority on American literature. It is a review of the new Library of America edition of Wright's work. Far from being "isolating and condescending," Mr. Tuttleton's article is a celebration of Wright. He describes the publication of Wright in the Library of America series—alongside such masters as Henry James, Edith Wharton and Mark Twain—as "an event of great cultural importance."

True, Mr. Tuttleton does not believe that every one of Wright's books was an unmitigated triumph. And he criticizes those works that, in his judgment, are less than first-rate. But he also praises "Uncle Tom's Children" as "a fully achieved work of fiction" and "Native-Son" as "a work of horrifying and sobering impact." As it turns out, his main criticism is reserved for the editor of the edition, Arnold Rampersad, a black literary scholar at Princeton. Mr. Rampersad chose to include as part of the texts certain passages—e.g., a scene from "Native Son" in which two characters masturbate in a movie theater—that Wright had decided to excise.

Nor was Mr. Tuttleton alone in his criticism. In its review of the Wright volumes, the London Times Literary Supplement suggested that Mr. Rampersad "appears to have overstepped his brief."

The message from the NEA's panel is clear: Only institutions waving the banner of political correctness need apply.

The freeze on unorthodox opinion works in two ways. First come the bean-counters and quota-mongers. How many blacks, Hispanics, Asians, women and people of varying "sexual orientation" do you publish? If you fail to meet the established quota, forget about getting a grant.

Then come the PC-police. Even if you have published articles about, say, black authors,

were the articles sufficiently—that is, unequivocally and unreservedly—enthusiastic? And if you dared to criticize an "author of color," surely you cannot have praised a dead white European male in the same issue! (In fact, the offending article about Zola is descriptive and biographical, not "fulsome," but who pays attention to such niceties nowadays?)

The NEA recently announced that it had agreed to pay $252,000 to four performance artists whose grants had been turned down in 1990. Among the recipients is Karen Finley, whose contribution to culture involves smearing herself with chocolate and delivering harangues about the depredations of patriarchal society. Ms. Finley is white, as it happens. But she clearly knows better than the editors of the Hudson Review the sort of thing that appeals to the peer panels of the NEA.

Near the end of the letter detailing the reasons for denying a grant to the Hudson Review, we read that "the panelists remained concerned that the journal was becoming monolithic and self-perpetuating." You might well wonder, as I did, what institution or individual does not seek to be "self-perpetuating."Perhaps this means that the panelists wish that the Hudson Review would just go away.

But anyone acquainted with the contents of that distinguished journal knows that "monolithic" is about the last adjective one would use to describe it—that and, perhaps, "politically correct." To learn about those qualities, you will do much better dealing with the pros at the NEA and elsewhere in the Clinton administration.

Mr. LOTT. Mr. President, Mr. Kimball reports that the NEA turned down a small grant this year to the Hudson Review. The Hudson Review, a 45-year-old quarterly magazine, has published works by T.S. Eliot, W.H. Auden and other great writers of this century. The magazine has over the years received a small grant from the NEA's literature program, but was turned down this year. Why? The main reason was that writers of color were significantly underrepresented in the Hudson Review, according to a letter the magazine receives from the NEA. This is political correctness in its extreme.

My main question is, will Ms. Alexander rein in the radicalism at the NEA? Ms. Alexander eloquently said that she would listen to all sides of the debate. But she has also said that all art should be embraced, whether it is good art or bad art. I think this is wrong. What if some racist wanted a grant for antiblack art? What if some racist wanted a grant for antiblack art? What if some neo-Nazi skinhead wants a grant for anti-Semitic art? What if Jeffrey Dahmer wanted an NEA grant? Obviously, this all sounds ludicrous. But the NEA now funds bigoted art, and photographs of severed heads. Everything that is called art is not art—a lot of it is nonsense. Again, I praise the president on his choice—but Ms. Alexander needs to steer the NEA away from controversy. She needs to lead the NEA to fund art that every citizen can enjoy and learn from.

Mr. METZENBAUM. Mr. President, I rise in support of the nomination of Jane Alexander to be Chair of the National Endowment for the Arts. I want to commend President Clinton for making a truly superb choice for this important and sensitive position.

As we are all well aware, Jane Alexander has had a brilliant career as a highly respected and award-winning actress, producer, and author. She will bring to the job stature, integrity, and the unique perspective provided by 30 years' experience as a working artist.

I recently had the opportunity to talk with Ms. Alexander at some length, and to listen to her moving testimony in the Labor and Human Resources Committee. I was impressed with her commitment to the Endowment and the breadth and depth of her knowledge about the whole spectrum of the arts. There is no doubt in my mind that she will be an articulate and forceful spokeswoman for the arts and that she can provide positive and effective leadership for the Endowment.

And that is so important, because of the crucial role the endowment plays in enhancing the cultural life of our Nation. Since its creation 28 years ago, the NEA has compiled an outstanding record of achievement—supporting artists, promoting excellence, and bringing theater, ballet, symphonies, public television shows, and great works of art to millions of Americans in their own communities.

Yet, for the last 4 years, the NEA has struggled to survive while embroiled in constant turmoil as a few controversial grants have been used to launch repeated attacks on the Endowment.

In nominating Jane Alexander as Chairwoman of the NEA, President Clinton has indicated his desire to end this period of controversy and conflict, stating that the Endowment's mission is "too important to remain mired in the problems of the past." "It is time to move forward," he said, "and Jane Alexander is superbly qualified to lead the Endowment into a new era of excellence that encourages the involvement of all Americans."

I could not agree more. I urge my colleagues to get behind Jane Alexander and support her nomination. I look forward to working with her, and hope that with her leadership, we can once again begin to focus on the ways that the arts can enrich our lives and bring us together, and not the ways in which they can be used to divide us.

Mr. WARNER. Mr. President, I wish to indicate my support for the President's nominee.

The PRESIDING OFFICER. If there is no objection, the nomination is considered, and confirmed; and the President will be immediately notified.

The nomination was considered and confirmed as follows:

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

Jane Alexander, of New York, to be Chairperson of the National Endowment for the Arts for a term of 4 years.

The PRESIDING OFFICER. Without objection, the motion to reconsider and the motion to lay on the table are agreed to.

LEGISLATIVE SESSION

Mr. JOHNSTON. Mr. President, I ask unanimous consent that we return to legislative session.

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

MESSAGE FROM THE HOUSE

At 12:01 p.m., a message from the House of Representatives, delivered by Mr. Hayes, 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. 2399. An Act to provide for the settlement of land claims of the Catawba Tribe of Indians in the State of South Carolina and the restoration of the Federal trust relationship with the Tribe, and for other purposes.

The message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 133. Concurrent Resolution providing for the printing as a House document of a collection of statements made in tribute to the late Justice Thurgood Marshall.

The message further announced that pursuant to section 114(b) of Public Law 100-458, the minority leader appoints Mrs. Sheila Smith of Lony Beach, MS, to serve as a member of the Board of Trustees for the John C. Stennis Center for Public Service Training and Development for a 4-year term on the part of the House

At 12:37 p.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that House has passed the following joint resolution, in which it requests the concurrence of the Senate:

H.J. Res. 267. Joint Resolution making continuing appropriations for the fiscal year 1994, and for other purposes.

At 2:36 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that House has passed the following bill and joint resolution, in which it requests the concurrence of the Senate:

H.R. 2689. An Act to amend the United States Grain Standards Act to extend the authority of the Federal Grain Inspection Service to collect fees to cover administrative and supervisory costs, to extend the authorization of appropriations for such Act, and to improve administration of such Act, and for other purposes.

H.J. Res. 111. Joint Resolution designating October 21, 1993, as "National Biomedical Research Day."

The message also announced that the House has passed the following bill and joint resolutions, without amendment:

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

S.J. Res. 61. Joint Resolution to designate the week of October 3, 1993, through October 9, 1993, as "Mental Illness Awareness Week."

S.J. Res. 121. Joint Resolution to designate October 6, 1993 and 1994, as "German-American Day."

The message further announced that the House has agreed to the following concurrent resolutions, each with amendments:

S. Con. Res. 4. Concurrent Resolution to authorize printing of "Senators of the United States: A Historical Bibliography", as prepared by the Office of the Secretary of the Senate.

S. Con. Res. 5. Concurrent Resolution to authorize printing of "Guide to Research Collections of Former United States Senators", as prepared by the Office of the Secretary of the Senate.

S. Con. Res. 6. Concurrent Resolution to authorize printing of "Senate Election, Expulsion, and Censure Cases", as prepared by the Office of the Secretary of the Senate.

The message further announced that the House disagrees to the amendment of the Senate to the bill (H.R. 1268) to assist the development of tribal justice systems, and for other purposes, it agrees to the conference asked by the Senate on the disagreeing votes of the two Houses thereon; and appoints Mr. MILLER of California, Mr. RICHARDSON, and Mr. THOMAS of Wyoming as managers of the conference on the part of the House.

The message also announced that the House disagrees to the amendments of the Senate to the bill (H.R. 2519) making appropriations for the Departments of Commerce, Justice, and State, the judiciary, and related agencies for the fiscal year ending September 30, 1994, and for other purposes, it agrees to the conference asked by the Senate on the disagreeing votes of the two Houses thereon; and appoints, that Mr. SMITH of Iowa, Mr. CARR, Mr. MOLLOHAN, Mr. MORAN, Mr. SKAGGS, Mr. PRICE of North Carolina, Mr. NATCHER, Mr. ROGERS, Mr. KOLBE, Mr. TAYLOR of North Carolina, and Mr. MCDADE, as managers of the conference on the part of the House.

The message further announced that the House disagrees to the amendments of the Senate to the bill (H.R. 2520) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1994, and for other purposes, it agrees to the conference asked by the Senate on the disagreeing votes of the two Houses thereon; and appoints, that Mr. YATES, Mr. MURTHA, Mr. DICKS, Mr. BEVILL, Mr. SKAGGS, Mr. COLEMAN, Mr. NATCHER, Mr. REGULA, Mr. MCDADE, Mr. KOLBE, and Mr. PACKARD as the managers of the conference on the part of the House.

At 4:30 p.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the House disagrees to the amendment of the Senate to the bill (H.R. 2243) to amend the Federal Trade Commission Act to extend the authorization of appropriations in such act, and for other purposes, it asks a conference with the Senate on the disagreeing votes of the two Houses thereon; and appoints Mr. DINGELL, Mr. SWIFT, Mr. MANTON, Mr. MOORHEAD, and Mr. OXLEY be the managers of the conference on the part of the House.

The message also announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 2295) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1994, and making supplemental appropriations for such programs for the fiscal year ending September 30, 1993, and for other purposes.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

At 8:24 p.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the Speaker has signed the following enrolled bill and joint resolutions:

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

S.J. Res. 61. Joint Resolution to designate the week of October 3, 1993, through October 9, 1993, as "Mental Illness Awareness Week."

S.J. Res. 121. Joint Resolution to designate October 6, 1993 and 1994, as "German-American Day."

MEASURES REFERRED

The following bill and joint resolution were read the first and second times by unanimous consent, and referred as indicated:

H.R. 2689. An act to amend the United States Grain Standards Act to extend the authority of the Federal Grain Inspection Service to collect fees to cover administrative and supervisory costs, to extend the authorization of appropriations for such Act, and to improve administration of such Act, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

H.J. Res. 111. Joint Resolution designating October 21, 1993, as "National Biomedical Research Day"; to the Committee on the Judiciary.

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-1571. A communication from the Principal Deputy Comptroller, Department of Defense, transmitting, pursuant to law, a report relative to funds in the Research, Development, Test and Evaluation, Defensewide fiscal year 1993-94 appropriation; to the Committee on Armed Services.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LAUTENBERG, from the Committee on Appropriations, with amendments:

H.R. 2750. A bill making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1994, and for other purposes (Rept. No. 103-150).

By Mr. BYRD, from the Committee on Appropriations:

Special report entitled "Further Revised Allocation To Subcommittees of Budget Totals from the Concurrent Resolution, Fiscal Year 1994" (Rept. No. 103-151).

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. JOHNSTON, from the Committee on Energy and Natural Resources:

Daniel A. Dreyfus, of Virginia, to be Director of the Office of Civilian Radioactive Waste Management, Department of Energy.

(The above nomination was reported with the recommendation that he be confirmed, subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

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 Mrs. FEINSTEIN (for herself, Mr. KERRY, and Mrs. MURRAY):

S. 1496. A bill to amend the Export Administration Act of 1979 to provide for updated indexing standards for emerging technologies, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BURNS (for himself and Mr. MCCAIN):

S. 1497. A bill to facilitate the development of an integrated, nationwide telecommunications system dedicated to instruction by guaranteeing the acquisition of a communications satellite system used solely for communications among State and local instructional institutions and agencies and instructional resource providers; to the Committee on Labor and Human Resources.

By Mr. DANFORTH:

S. 1498. A bill to authorize the Secretary of Transportation to release restrictions imposed in connection with the conveyance of certain lands to the city of Rolla, Missouri; to the Committee on Commerce, Science, and Transportation.

By Mrs. MURRAY:

S. 1499. A bill to authorize the Secretary of Transportation to convey for scrapping by the Virginia V Foundation a vessel in the National Defense Reserve Fleet that is scheduled to be scrapped; to the Committee on Commerce, Science, and Transportation.

By Mr. LIEBERMAN (for himself and Mr. DECONCINI):

S. 1500. A bill to amend the Job Training Partnership Act to establish a program to assist discharged members of the Armed Forces in obtaining training and employment as managers and employees with public housing authorities and management companies; to the Committee on Labor and Human Resources.

By Mr. MCCAIN (for himself and Mr. DOMENICI):

S. 1501. A bill to repeal certain provisions of law relating to trading with Indians; to the Committee on Indian Affairs.

By Mr. AKAKA:

S. 1502. A bill to require the Director of the Federal Emergency Management Agency to establish a FEMA region for the Pacific, and for other purposes; to the Committee on Governmental Affairs.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. FEINSTEIN (for herself, Mr. KERRY, and Mrs. MURRAY):

S. 1496. A bill to amend the Export Administration Act of 1979 to provide for updated indexing standards for emerging technologies, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

HIGH TECHNOLOGY INDEXATION ACT OF 1993

Mrs. FEINSTEIN. Mr. President, today I am introducing the High Technology Indexation Act of 1993. I am pleased to be joined in introducing this legislation by Senators KERRY and MURRAY.

I am introducing this legislation today because I see the need to remedy a growing problem for our Nation's computer industry. That problem is the outdated and burdensome definitions that govern the exportation of high-speed computers.

Our Nation's export control system, designed for the cold war, is handicapping one of America's leading industries—the computer industry. I do not want to argue that export controls on computers are unnecessary. They are necessary. But, the cold war is over—our world has changed and technology continues to advance ever more rapidly. Our regulation of technology must keep pace with this advancement or our international competitiveness will be harmed. The export control system we have in place cannot possibly keep up with the vast improvements made in computing each year.

Currently any computer which operates at 195 millions of theoretical operations per second [mtops] is by definition a supercomputer. That means a company that wants to sell such a computer must impost a rigorous and costly safeguard regime on its customers as a condition of sale. Ten years ago a computer that operated at such speeds would have truly been a supercomputer. But, today desktop computers operate several times faster than 195 mtops and our fastest supercomputers operate at 20,000 mtops—100 times faster than the current definition.

Since 1949, our Nation has had an elaborate system of national security export controls, designed to insure that our potential adversaries did not gain a military advantage by obtaining civilian dual use technology from the West. The export control system is coordinated with our allies through the organization known as CoCom. While it was far from perfect, that system served us well through the era of the cold war.

It is time to undertake a comprehensive review of our export control regime. If we fail to do this soon, we will significantly disadvantage one of America's most dynamic industries—the computer industry. Other than aircraft, no other industry is so competitive internationally, doing 60 percent of their business overseas. Yet, 80 percent of their research and development jobs and 60 percent of their manufacturing jobs have remained in the United States. No other industry has such short product cycles, with new generations of computers being introduced every 18 months, on average. Indeed, according to the industry, 70 percent of its revenues come from products less than 2 years old.

That is why the computer industry cannot afford an export control regime that is so drastically out of date. Today, the U.S. Government requires licenses for the same Intel 80486 microprocesser-based personal computers that are available at every discount store and in every mail order catalog, and which are being made in every other garage in Taiwan.

To make things worse, it has been 10 years since we wrote into the regulations our definition of what constitutes a supercomputer, with little change in that definition in the interim. Yet, as I noted, the power of supercomputers has increased a hundredfold during that period. Today, India and the People's Republic of China manufacture machines that fit the supercomputer definition, and yet the Federal Government maintains that same rigid security regimes and the same thresholds to define these products that we have had for a decade.

Mr. President, something needs to be done immediately to remedy the situation. As Scott McNealy, CEO of Sun Microsystems wrote in an op-ed in the Wall Steet Journal recently, "Miss one development cycle and you are seriously hurt, miss two and you are mortally wounded." Unless we update our control system we are in danger of losing the very industry on which we depend for our competitiveness. That is why I am introducing the High Technology Indexation Act today.

This bill would direct the administration to develop an indexation system to ensure that export controls keep pace with our rapidly changing technology. The bill does not seek to create a new control level through legislation. Rather, it requires the development of a process for evaluation and review, utilizing technical experts from high-technology industry to insure rapid response to changing technological conditions.

This legislation also provides a hallmark for the control of our highest technological achievement, the supercomputer. As I have noted, this is a part of the computer market which has had the greatest technological advancements, yet little regulation change. Today, desktop machines, costing as little as $30,000, are defined as supercomputers. In such cases, the required security regime can cost more than the machine itself. That regulatory condition on sales is incompatible with any rational marketing strategy and an overwhelming deterrent to sales in an industry so dependent on the overseas market for its livelihood. By next year, there will be tens of thousands of these machines available in the marketplace, the only way to sensibly control them is to focus on those with the greatest capability, the true supercomputers. That is what the High Technology Indexation Act directs the Government to do.

By indexing the definition of a supercomputer to 15 percent of the top performing computers available, this legislation allows American companies to compete on a more equal basis with our international competitors. It does not, however, remove the Government's ability to limit the sale of high-speed computers to enemy nations. Let me stress that this legislation does not eliminate the licensing requirements for sales of computers. Although I believe that the entire export control regime needs to be reformed soon, this legislation would not in any way change the licensing system. Thus, all computers that must be licensed now will continue to need licenses.

This legislation would ensure that the U.S. Government does not continue to treat desktop computers, which are readily available on the open market, as through they were supercomputers. It is my hope that this legislation will help American businesses to stay on the cutting edge of technological innovation by eliminating some of the unnecessary and burdensome regulation of the computer industry.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1496

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 "High Technology Indexation Act of 1993".

SEC. 2. INDEXING STANDARDS.

Section 5(g) of the Export Administration Act of 1979 (50 U.S.C. App. 2404(g)) is amended to read as follows:

"(g) INDEXING.—

"(1) REMOVAL OF OBSOLETE REQUIREMENTS.—

"(A) IN GENERAL.—In order to ensure that requirements for validated licenses and other licenses authorizing multiple exports are periodically removed as goods or technology subject to such requirements become obsolete with respect to the national security or the policies of the United States, not later than 6 months after the date of enactment of the High Technology Indexation Act of 1993, the Secretary shall establish, in response to recommendations of technical advisory committees under paragraph (2), indexing standards which provide for increases in the performance levels of goods or technology described in paragraph (2)(A) that are subject to any such licensing requirements.

"(B) EMPHASIS.—The indexing standards required under subparagraph (A) shall emphasize the technical specifications of goods or technology below which no authority or permission to export is required.

"(C) REMOVAL OF CONTROLS.—With respect to goods or technology referred to in subparagraph (B) which no longer require licensing under the increased performance level standards established in accordance with subparagraph (A)—

"(i) the removal of controls on exports of such goods or technology to controlled countries shall be incorporated into United States proposals to all multilateral regimes; and

"(ii) controls under this section on exports of such goods or technology to countries other than controlled countries shall be removed, after consultations with the multilateral regimes, as appropriate, unless—

"(I) the Secretary, after consultation with the Secretary of Defense, the Secretary of State, and the heads of other appropriate executive departments (as defined in section 101 of title 5, United States Code), makes a determination that removal of controls on the goods or technology will permit exports that will be detrimental to the national security or the policies of the United States; and

"(II) the Secretary reports that determination in writing, together with a description of the specific anticipated impact on the national security or the policies of the United States, to the Committee on Foreign Affairs of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate.

"(D) OTHER CONSIDERATIONS.—The Secretary shall also consider, where appropriate, eliminating site visitation requirements for goods and technology from which export controls have been removed under this paragraph.

"(2) RECOMMENDATIONS.—

"(A) IN GENERAL.—In carrying out this subsection, the Secretary shall direct the technical advisory committees appointed under subsection (h) to recommend indexing standards for goods or technology—

"(i) which are eligible for export under a distribution license;

"(ii) which are eligible for favorable consideration under the rules of the Coordinating Committee;

"(iii) below which exports require only notification of the governments participating in the Coordinating Committee; and

"(iv) below which no authority or permission to export may be required under this section.

"(B) SUBMISSION AND DETERMINATION OF ACCEPTANCE.—The technical advisory committees shall submit their recommendations for indexing standards as they are made to the Secretary, who shall determine, not later than 30 days after each submission, or not later than 45 days after a submission in the event of an objection by the head of any other executive department, whether to accept the standards or to refer them back to the appropriate technical advisory committee for further consideration.

"(C) TIMING OF PROPOSALS.—The proposals referred to in paragraph (1)(C)(i) shall be made at the next meeting of the Coordinating Committee, or any other multilateral regime, at which list review is conducted, that is held after the indexing standards established under this subsection are applied to the goods or technology involved.

"(3) POLICIES.—For purposes of this subsection, the term 'policies of the United States' means foreign policy and the nonproliferation policies referred to in section 6.".

SEC. 3. SUPERCOMPUTER EXPORTS.

(a) SUPERCOMPUTER EXPORTS AND REEXPORTS.—Section 5(a) of the Export Administration Act of 1979 (50 U.S.C. 2404(a)) is amended by adding at the end the following new paragraph:

"(7) SUPERCOMPUTER DEFINITION.—

"(A) PERFORMANCE-BASED INDEXING SYSTEM.— The Secretary shall, not later than 6 months after the date of the enactment of this paragraph, publish in the Federal Register a performance-based indexing system in order to ensure that the definition of 'supercomputer' under paragraph (6)(A) and all controls and security safeguard procedures applicable to supercomputer exports and reexports are commensurate with technological advances in the supercomputer industry.

"(B) SECURITY SAFEGUARD PROCEDURES.—Under the indexing system published in accordance with subparagraph (A), for destinations in any country (other than a controlled country) that is a party to and, as determined by the President, is adhering to the Treaty on the Non-Proliferation of Nuclear Weapons (done at Washington, London, and Moscow on July 1, 1968) or the Treaty for the Prohibition of Nuclear Weapons in Latin America (done at Mexico on February 14, 1967), no security safeguard procedures may be required in connection with any export or reexport of a supercomputer with a composite theoretical performance at or below approximately 15 percent of the composite theoretical performance of the average of the 2 most powerful supercomputers currently available commercially in the United States or elsewhere.

"(C) ADVISORY COMMITTEE INPUT.—Before publishing the performance-based indexing system under subparagraph (A), the Secretary shall seek the views of the appropriate technical advisory committees appointed under subsection (h), and other interested parties.

"(D) REPORTS TO CONGRESS.—Not later than 2 weeks after publication of such system in the Federal Register, the Secretary shall submit a written report to the Committee on Foreign Affairs of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate, that includes—

"(i) the text of the Federal Register notice;

"(ii) a summary of the views expressed by the technical advisory committees and other interested parties with respect to the performance-based indexing system; and

"(iii) a description of how the performance-based indexing system addresses the views of the technical advisory committees appointed under subsection (h) and other interested parties.

"(E) DEFINITION.—For purposes of this paragraph, the term 'security safeguard procedures' means procedures that are required by the Department of Commerce, as a condition of an authorization to export or reexport a supercomputer, primarily to restrict access to and resale of such supercomputer.".

Mr. KERRY. Mr. President, today I join with my distinguished colleague from California, Senator DIANNE FEINSTEIN, in introducing the High Technology Indexation Act of 1993. Our Nation's export control policy over the past few years has demonstrated that it is in critical need of alteration, as our high technology industries have suffered under the obsolete and onerous definitions that set the parameters of our export control system. Indexation is a partial answer—because it will remove items from the export list as technology progresses and such controls become unnecessary with respect to older technology which is increasingly further from the cutting edge.

Our bill would compel the U.S. Government to be more realistic in its definition of what constitutes a supercomputer and to change that definition as technology advances. We still must control technology that has military applications, but we also must design those controls carefully. We are certainly more likely to get cooperation from our allies and from the newly industrialized countries of the Pacific rim if we update our export control list. Ideally we should seek a control list that will both offer needed protections from weapons of mass destruction proliferation and to which will subscribe all the countries that possess high technology. With real effort, that delicate balance can be achieved. We can and should lead the way by updating our list, removing its current anachronistic application to technologies legally available on Third World street corners.

The cold war is over. Yet that fact is not reflected in the rules that govern high technology exports. We still have a system that denies modern telecommunications equipment, computers, and scientific instruments—our most competitive products—to markets in the former Soviet bloc and Asia. The computer industry offers a particularly glaring example of what is wrong with the current system. Computers have increased one hundred-fold in their speed over the decade since the U.S. Government first defined what constitutes a supercomputer for control purposes. Yet the original speed threshold in our export control policy has changed only marginally since the original definition. Computers with far more computing power than the threshold are available in stores around the world with no questions asked. Today many companies have to

compel their customers to erect elaborate and expensive supercomputer security programs as a condition of sale in order to comply with U.S. Government regulation. Such programs can cost more than the computers themselves, which is obviously a deterrent to marketing such machines.

Mr. President, I also hope that the administration will see this bill as an incentive to go abroad to seek the broadest possible cooperation in a multilateral regime to control technology. Technology is diffusing throughout the world, beyond the traditional western industrial States. We need to reach an understanding with the new technological competitors so that they are playing by the same rulebook which is used by our companies. If the same technology is available from foreign sources with no controls, U.S. companies lose business but the target country still is able to obtain the high technology it desires. That is the worst of all worlds.

Mr. President, it is time that we modernize our export control system so that U.S. companies can remain competitive in world markets. The High Technology Indexation Act of 1993 begins that process, and I hope my colleagues will look closely at its provisions and then join with the distinguished Senator from California and me in enacting it during this Congress.

By Mr. BURNS (for himself and Mr. McCAIN):

S. 1497. A bill to facilitate the development of an integrated, nationwide telecommunications system dedicated to instruction by guaranteeing the acquisition of a communications satellite system used solely for communications among State and local instructional institutions and agencies and instructional resource providers; to the Committee on Labor and Human Resources.

EDUCATIONAL SATELLITE LOAN GUARANTEE PROGRAM

• Mr. BURNS. Mr. President, America faces many problems and challenges in education. From Montana to Maine, from local school districts to large universities, educators are being asked to do more with less. There is overcrowding in urban areas, and a lack of access to educational opportunities in many rural areas. And everywhere we turn, budgets are being squeezed. We do not have to look far to see examples of the problems in education. In my home State, our university system faces funding decreases and tuition increases. The problems don't end with higher education either. Like many other States, the Montana Supreme Court has ruled that all public school students must be given equal educational opportunities. This is extremely difficult to accomplish in rural areas where a school may only have 20 to 25 students. And it is equally challenging for inner cities.

Every student deserves equal access to a quality education, but not every small rural school, or poor inner city school, can afford the resources and specialized instructors that are available in wealthier communities. Saco, MT, is a perfect example. The Saco High School has less than 40 students. They just can't afford to hire a Spanish teacher to teach one class a day. This could unfairly limit students' educational opportunities. Unfortunately, this is not an isolated example. I could go on, giving you examples from every State in the Union. But there is no point in doing that when the real question is, 'What are we going to do about it?'

We are being challenged as a Nation, and we must react—as a Nation, with unity of purpose. We must marshal our resources and find ways to overcome the problems in education. Our children's future is at stake. We must act now to position America to move into the 21st century with a well-educated, competitive work force. There are many exciting proposals being forwarded and each of them has merit. Over this Nation's history, we have used good old American ingenuity to conquer many challenges and forge new horizons. Oftentimes, technology plays a key role in making us world leaders. In the areas of space and defense, our technological know-how has made us second to none.

I believe we should act now to apply that same technological knowhow to education. If we do, our success will be no less than it has been in space and defense. Whether it be through copper wire, satellites, or fiber optics, distance learning can provide access to the vast educational resources of our Nation, regardless of wealth or geographic location.

Let's go back for a minute to Saco, MT. Educators in Saco have turned to telecommunications and distance learning to diversify and enrich their students' education. Students in Saco can take not only Spanish, but Russian, chemistry, and physics via satellite. The REA in eastern Montana also has a project linking schools in Terry, Baker, Plevna, and Ekalaka, MT, with fiber optics. The fiber link allows students in these communities to have a two-way audio and visual connection with their Spanish and German teachers over a hundred miles away. Unfortunately, barriers still exist which are holding back the full development of distance learning.

Even if these problems are addressed, a nationwide, fiber optic network may not be a reality for quite some time. However, we cannot wait to expand the opportunities available through distance learning. We must start right here, right now, by taking advantage of the satellite technology that exists today.

That is why I am introducing today, along with Senator McCAIN, the Edsat bill—a bill which will help remove some of the barriers that are stunting the growth of distance learning. This bill offers Federal loan guarantees to a non-Federal, nonprofit, public corporation which they can use to obtain financing for the purchase or lease of a dedicated education satellite system. A dedicated educational satellite will allow us to address two barriers faced by those involved in distance learning via satellite.

First, it will insure instructional programmers that they will be able to obtain affordable satellite transmission time without risk of preemption by commercial users. Second, it will allow educators using the programming to have one dish focused on one satellite off which they can receive at least 24 channels of instructional programming, 24 different programs, every hour of the school day.

There is no doubt in my mind that distance learning is a growth area and that there is a role for the Federal Government in facilitating that growth. Most States are involved with distance learning, and more schools are participating every year.

Following their 1989 education summit in Charlottesville, VA, where former Gov. Wallace Wilkinson of Kentucky and other Governors—including then-Governor of Arkansas, Bill Clinton—raised with President Bush the proposal for this dedicated system, the EDSAT Institute was formed to analyze the proposal. In 1991, they issued a report entitled "Analysis of a proposal for an Education Satellite," and they found, as did the OTA report, "Linking for Learning," that individual States and consortiums of States are investing heavily in distance learning technologies and that the education sector is a significant market.

The legislation we are introducing today addresses the issue of an infrastructure for distance learning. The OTA report also addresses this issue and concludes that "national leadership could focus [infrastructure] investments toward the future, ensuring that today's distance learning efforts carry our educational system into the 21st century." A commitment to a national telecommunications infrastructure for distance learning requires a change in the existing Federal role. That is what we are proposing today—a change in the Federal role and a change in the Federal Communications policy. Our approach is based on the precepts of Abraham Lincoln who said, and I paraphrase, that the legitimate role of the government is to do for the people that which they cannot do for themselves.

The application of this great precept to this initiative begs to questions. First, how do we know the people cannot provide for themselves an integrated, satellite-based telecommunications system? And once we determine that they can't, we must then ask

what the Federal Government role is in doing it for them?

The first question, why can't the education sector provide such a system themselves, is best answered by looking at the realities surrounding their use of satellite technology. While there is a significant market out there, it can best be described as disorganized and fragmented. For the most part, schools, school districts, State education agencies, colleges and universities all operate independently. In recent years, many States have undertaken efforts to plan and coordinate for distance learning. Many States have also formed distance learning consortiums. But until all the users are aggregated on a national level, they will not have enough market power to attract commercial interest for a telecommunications infrastructure to facilitate distance learning growth.

Aggregation is not the only hurdle that the education sector faces. They are also limited by short-term planning. As we all know, education budgets are formulated primarily at the State and local levels, and they are done on an annual or bi-annual basis. Since funding levels are uncertain from year to year, educators and administrators find it difficult to enter into long-term agreements. In the satellite market, these small, short-term users are considered occasional buyers. As occasional buyers, educational users must pay high commercial rates for service that is often undependable because they are subject to preemption. In today's satellite market, occasional buyers would not form a basis on which satellite vendors could offer dedicated service. A satellite vendor operates much like a shopping mall developer. Before they build and launch a satellite, they go out and procure contracts from users who can guarantee their use of a majority of the transponders for the life of the satellite—10 to 12 years. In doing this, they often look for an anchor tenant, a large user like HBO for example, and then fill up the rest of their capacity with smaller users. Clearly, the education sector is not in a position to satisfy these commercial practices and acquire for themselves a satellite dedicated to educational use.

So, how can the Federal Government help the education sector build a telecommunications infrastructure? Or more specifically, how can the Federal Government help the education sector acquire a satellite dedicated to education? Well, we could just go out and appropriate the money to buy a satellite, but I think would be very expensive and unnecessary. Instead we have the opportunity to enter into a public/private partnership which I think is the appropriate route to take. The legislation we are introducing says that the Federal Government's role is to take the risk from the private sector in order to encourage the development of a dedicated satellite system. A nonprofit, public corporation representing educational users of all levels will investigate all practical means to acquire the most cost effective, high-quality communications satellite system and report to the Secretary of Education their findings and recommendations. At that time, the Secretary will be authorized guarantee loans of up to $35 million of which not more than $5 million can be for the costs of operating and managing satellite services for up to 3 years.

The organization, the National Education Telecommunications Organization [NETO], was formed after the EDSAT Institute held seven regional meetings last summer. Through these meetings they recognized the need to aggregate the education market for distance learning and concluded that an education programming users organization was needed. NETO has a distinguished board of educators, public policy officials, State education agencies and telecommunications experts who are committed to the goal of developing an integrated telecommunications system dedicated to education. The first step, that of acquiring a dedicated satellite, is what we are facilitating through Federal loan guarantees.

Some have asked why NETO is needed. They have suggested that the Public Broadcasting System [PBS] is already in place and could meet the infrastructure needs of the distance learning community. This is not an attempt to replace PBS; I am a supporter of their mission and have spoken on a number of occasions in support of their efforts to expand educational programming. What we must keep in mind, however, is that PBS and NETO have very different missions. PBS is in the business of broadcasting. PBS provides programming and has acquired satellite time in order to deliver its own programming. In contrast, NETO's focus is on the distribution of distance learning—much of it live and interactive. NETO itself will not generate programming. NETO's sole concern is the creation of an infrastructure which will distribute instructional programming created by others at an equitable price to all users.

Although NETO will aggregate the market so that it will be of sufficient size, the education sector still faces the problem of being a short-term user. Educators cannot enter into the 5- or 10-year commitments that satellite vendors look for in long-term users. This legislation solves that problem by offering Federal loan guarantees to NETO so that they can, in turn, offer the satellite vendors the long-term commitment they need. Our proposal basically guarantees the vendor an anchor tenant. Without that guarantee, it is unlikely that even an aggregated education market would be able to secure a long-term lease or purchase arrangement with a satellite vendor.

If this legislation passes, the Federal Government will be setting a national policy in support of a telecommunications infrastructure for distance learning. A policy that will cost the Government relatively little compared to the benefits our Nation will receive through improved education and educational access. The risk to the Federal Government is minimal. The only risk the Government is assuming is the risk that the distance learning market will dissipate. I think the findings of the National Governors' Association, the OTA and the EDSAT Institute prove that highly unlikely. But I also believe that with distance learning, as with transportation and other infrastructure-dependent markets, once an infrastructure is in place the market will expand beyond our current expectations.

A dedicated satellite system will bring instructional programming which is now scattered across 12 to 15 satellites into one place in the sky. This collocation will allow educators to receive a variety of instructional programs without having to constantly reorient their satellite dish. By making the investment in a dedicated system on the front end, we are reducing distance learning costs for educators on the State and local levels. The programmers will benefit because they will be able to market their programming to a wider audience and will be guaranteed reliable satellite time at an affordable rate—a rate that will be equal no matter how much time they buy. Programmers include public schools, colleges, universities, State agencies, private sector corporations and consortiums, such as the Star Schools consortiums, and independents. The users will benefit because their investment in equipment to receive instructional programming may be reduced because of the technological advantages of focusing on one point in the sky. Users include primary and secondary students, college and university students, professionals interested in continuing education, community members and Government bodies. The benefits far outweigh the costs in my mind!

A dedicated educational satellite will allow students to benefit from equal access to quality education. This is really just a first step. Both NETO and I believe that a telecommunications infrastructure for use by the educational sector should not be technology specific. NETO's vision is for an integrated, nationwide telecommunications system, a transparent highway that encompasses land and space, over which educational and instructional resources can be delivered. They envision bringing together the land-based systems that are already in place, not replacing them. This is an inclusive effort, not an exclusive one. I hope that

my colleagues will join me in making this a reality.

Technology has transformed every sector of our lives. It can transform education as well. It will not replace teachers, it will empower them with better teaching tools. It will inspire our young people to actively engage in their education. It will expose them to the world around them and broaden their horizons. Our Nation's children deserve no less.●

By Mr. DANFORTH:

S. 1498. A bill to authorize the Secretary of Transportation to release restrictions imposed in connection with the conveyance of certain lands to the city of Rolla, MO; to the Committee on Commerce, Science, and Transportation.

ROLLA AIRPORT IMPROVEMENT ACT

● Mr. DANFORTH. Mr. President, in the past four decades, the Federal Government has deeded land to many communities for the construction of airports pursuant to section 16 of the Federal Airport Act (49 U.S.C. 1115). In 1958, Rolla, MO, received a 1,300-acre Federal grant of land for the establishment of a municipal airport. Since then, Rolla has built and expanded its airport to encompass 632 acres of land. The remaining 668 acres are used as a hay field and pasture land.

Rolla is a growing community. In 1987, the city of Rolla established a long term airport improvement plan, which is critical to the economic development of the region. At its inception, the plan extended over 15 years at an estimated cost of $50 million. To date, the airport has undergone some of the planned development, but the progress has been slowed due to the small amount of income the airport is able to generate from the sale of aviation fuel and the lease of a hanger.

The Rolla National Airport would like to finance the rest of its long-term airport improvement plans. It proposes to do so by selling a portion of its excess land. The sale could bring added revenue and enable the airport to meet future needs. There are businesses willing to invest in the purchase of airport land contingent on their ability to obtain fee simple title to the land. Without clear title, the businesses are reluctant to locate on airport land since banks would be unwilling to finance construction on the land subject to forfeiture.

Despite its ownership of excess land, its need for airport development, and the existence of prospective buyers, the Rolla National Airport is prohibited by its Federal deed from selling land. Section 16 of the Federal Airport Act provides that transferred land must be used exclusively for airport purposes or be subject to reversion to the Federal Government. The Federal Aviation Administration has interpreted such language as a prohibition on the sale of any portion of transferred airport lands.

Past legislation has been enacted to relieve airports in Iowa, Oklahoma, Colorado, and Alaska from similar restrictions. This legislation required that airports receive fair market value when conveying airport land and use the proceeds for the operation or improvement of the airport.

Mr. President, Rolla's situation mirrors the situation in those communities helped by past legislation. The sale of land, at fair market value, would generate funds to be dedicated solely to Rolla's airport development. An improvement in airport facilities would assist the community's efforts for expanded economic growth. I hope my colleagues will support this much needed legislation.●

By Mrs. MURRAY:

S. 1499. A bill to authorize the Secretary of Transportation to convey for scrapping by the Virginia V Foundation a vessel in the National Defense Reserve Fleet that is scheduled to be scrapped; to the Committee on Commerce, Science, and Transportation.

"VIRGINIA V" RESTORATION ACT OF 1993

● Mrs. MURRAY. Madam President, today I introduce S. 1499, a bill to convey the proceeds provided from the scrapping of a vessel from the National Defense Reserve Fleet to the Steamer Virginia V Foundation. I commend the efforts of the Steamer Virginia V Foundation. This nonprofit organization has been working and continues to work very had to restore and promote the *Virginia V*, the last operating wooden hull steamer on the west coast and the sole survivor of the mosquito fleet that was once common on Puget Sound.

My great State of Washington is noted for the beauty of its coastline, mountains, forests, rolling fields, and of course the Puget Sound waterway. Puget Sound's unique geographic setting has given Washington a rich maritime history.

The restoration of the *Virginia V* is a grand tribute to both the maritime history on Puget Sound and early 20th century steamers. The ship served the Puget Sound region in a variety of ways: She was a commuter ship and helped transport troops from fort to fort in 1940 and 1941.

The *Virginia V* was built on Puget Sound's Kitsap Peninsula in 1922, but its triple expansion steam engine dates back to 1904 and was originally in the *Virginia IV*. The foundation began restoring the aging vessel in 1976. In 1989, the stern of the *Virginia V* was replaced. Since then, various sections of the deck have been repaired and replaced. The bow still needs refurbishing and the foundation hopes to begin that project this winter. So, it is apparent that the *Virginia V* has received extremely valuable care, and, with continued support, the foundation will soon complete its restoration project.

Once she is fully restored, the vessel will serve both the community and visitors who desire to learn more about our maritime heritage and early 20th century steamships. The foundation has already been active in the community by providing the Special People's Christmas Cruise, cruises for the Children at Risk Program, as well as cruises for many other organizations. If the foundation receives the funds called for in this act, it will be able to complete hull repairs, restore the engine room, improve passenger seating, strengthen its educational facilities that are often used for seminars and meetings and upgrade galley facilities. Ultimately, the *Virginia V* will be safe, comfortable, and a tremendous asset to our community.

I commend the foundation for its successful efforts to fund past restoration efforts. They have garnered financial support from both the private sector and State and local governments. The foundation will receive approximately a $300,000 to $400,000 boost if we go ahead and convey the proceeds provided from the scrapping of a vessel from the National Defense Reserve Fleet to the Steamer Virginia V Foundation. These Federal funds will leverage other public and private money to save this historical maritime landmark. The foundation has worked hard since 1976 to preserve a unique piece of our State's history and it should be supported in its final push to restore the *Virginia V*.

Madam President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1499

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

SECTION 1. CONVEYANCE OF NDRF VESSEL FOR SCRAPPING BY VIRGINIA V FOUNDATION.

(a) SHORT TITLE.—This Act may be cited as the "VIRGINIA V Restoration Act of 1993".

(b) VESSEL CONVEYANCE AUTHORITY.—

(1) IN GENERAL.—Notwithstanding any other law, the Secretary of Transportation may convey to the VIRGINIA V Foundation, a nonprofit organization located in Seattle, Washington (in this section referred to as the "Foundation"), without consideration, all right, title, and interest of the United States Government in a vessel which—

(A) is in the National Defense Reserve Fleet on the date of the enactment of this Act;

(B) is of not less than 4,000 displacement tons;

(C) has no usefulness to the Government; and

(D) is scheduled to be scrapped.

(2) CONDITION.—As a condition of conveying a vessel to the Foundation pursuant to this Act, the Secretary shall require that the Foundation enter into an agreement with the Secretary which requires that the Foundation—

(A) sell the vessel for scrap purposes;

(B) use the proceeds of that scrapping for expenses directly related to the preservation and restoration of the historic steamship VIRGINIA V, located in Seattle, Washington;

(C) have raised, before the date of conveyance authorized by paragraph (1), at least $100,000 from non-Federal sources for use for that purpose; and

(D) comply with any other conditions the Secretary considers appropriate.

(c) DELIVERY.—The Secretary shall deliver a vessel conveyed under this Act to the Foundation—

(1) at the place where the vessel is located on the date of the approval of the conveyance;

(2) in its condition on that date; and

(3) without cost to the Government.

(d) EXPIRATION.—The authority of the Secretary to convey a vessel under this Act expires on the date which is 2 years after the date of the enactment of this Act.

(e) TREATMENT OF AMOUNTS AVAILABLE TO FOUNDATION.—Amounts available to, or used by, the Foundation pursuant to subparagraph (B) or (C) of subsection (b)(2) shall not be considered in any determination of the amounts available to the Department of the Interior for the VIRGINIA V Foundation.●

By Mr. LIEBERMAN (for himself and Mr. DECONCINI):

S. 1500. A bill to amend the Job Training Partnership Act to establish a program to assist discharged members of the Armed Forces in obtaining training and employment as managers and employees with public housing authorities and management companies; to the Committee on Labor and Human Resources.

THE LEADERSHIP EMPLOYMENT FOR ARMED SERVICES PERSONNEL PROGRAM ACT OF 1993

Mr. LIEBERMAN. Mr. President, I am pleased to introduce legislation today to extend an innovative and successful pilot program that trains recently discharged or retired GI's to be managers and role models in public housing communities across the country. The program gives solders, sailors, airmen, and marines who have served the Nation so honorably in trouble spots around the world, the opportunity to make a difference in the Nation's troubled public housing communities.

The program, know as the Leadership Employment for Armed Services Personnel [LEAP] Program, operates under the premise that military veterans possess unique leadership and management skills that are particularly well-suited to managing public housing communities. Veterans are not only accustomed to motivating large groups of diverse people in difficult and sometimes dangerous environments, but they are also know how to navigate government inventory, personnel and procurement regulations, and get things done.

Most importantly, veterans can serve as important role models in communities where they are desperately needed. Indeed, the 50 members of LEAP's first class of veterans were attracted to the program by advertisements in military newspapers seeking men and women who could take charge of an environment full of disorder and uncertainty and become a distinct and important role model.

By all accounts, LEAP's graduates have already begun to do so in small but important ways in public housing projects and subsidized housing across the country. The challenges are great in many of these communities where many young people have turned to drugs and crime because they have lost faith that there is an alternative. In the words of one 20-year Army veteran who is now on the job in a public housing project in Toledo, OH, "These kids need someone to tell them: I have been as poor as you are and I have escaped, and this is how I did it—and you can too. You should see their faces light up when I tell them they're important."

The LEAP Program graduated its first class of 50 in November 1992. Forty-eight of the graduates of the pilot program, which was funded by the Department of Housing and Urban Department, have been hired, 37 by housing authorities and housing management companies in 14 States and the District of Columbia.

There are hopeful signs that the new administration will keep the pilot program going with temporary discretionary funding, and I encourage them to do so. The legislation I am introducing today will keep the program going on a more permanent basis. It provides $2 million a year to LEAP's parent, the National Center for Housing Management, a non-profit organization established by Executive order in 1972, to continue training 250 veterans a year for the next 5 years, beginning in 1994. No additional appropriation are necessary as the bill funds the program through the Job Training Partnership Act.

The 5-week LEAP curriculum is rigorous, consisting of 200 hours of instruction and 16 hours of testing. Courses are well-tailored to the needs of public housing managers, including such subjects as security management, drug education and intervention, maintenance, fair housing obligations, and social service training.

The LEAP graduates now working for housing authorities and housing management companies have proved to be such successful employees that their employers have pledged their support and commitment to hiring future LEAP graduates. Ten veterans and housing organizations have voiced their support for legislation to continue the LEAP Program, including the Veterans of Foreign Wars of the United States, Association of the U.S. Army, the Air Force Association, and the Retired Officers Association.

This bill mirrors legislation introduced by Representative ELLIOT ENGEL in the House of Representative, H.R. 1886. Fifty Members of the House have joined as cosponsors. Senator DECONCINI is joining me today as a cosponsor and I am hopeful that more of our colleagues will join us soon.

This is a small but hopeful program. It pairs an enormous national resource—talented, trained veterans who are committed to continuing their service to the country—with an enormous national problem—our deteriorating public housing. I am confident that the highly motivated veterans who wish to continue their service on these domestic battlefields are up to the challenge. Energy and self-discipline spreads, particularly when it brings results.

Mr. President, I ask unanimous consent that the text of this legislation and an article from the Washington Post describing the LEAP pilot program be printed in the RECORD.

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

S. 1500

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

SECTION 1. PROGRAM TO ASSIST DISCHARGED MEMBERS OF THE ARMED FORCES IN OBTAINING TRAINING AND PLACEMENT IN PUBLIC HOUSING MANAGEMENT.

(a) TRAINING AND PLACEMENT PROGRAM.—(1) Part D of title IV of the Job Training Partnership Act (29 U.S.C. 1731 et seq.) is amended by adding at the end the following new section:

"SEC. 457. TRAINING PROGRAM IN PUBLIC HOUSING MANAGEMENT.

"(a) PROGRAM AUTHORIZED.—The Secretary shall enter into a cooperative agreement with the nonprofit National Center for Housing Management, established pursuant to Executive Order No. 11668 (42 U.S.C. 3531 note), to provide for a training program to assist recently separated members of the Armed Forces in obtaining the training necessary to become managers and employees in public housing authorities and management companies. Under the terms of the cooperative agreement, the training program shall be developed and operated by the National Center for Housing Management.

"(b) MEMBERS ELIGIBLE.—

"(1) IN GENERAL.—A member of the Armed Forces shall be eligible for selection to participate in the training program if the member—

"(A) is discharged or released from active duty after three or more years of continuous active duty immediately before the discharge or release; and

"(B) applies to participate in the training program within the one-year period beginning on the date of the discharge or release.

"(2) INELIGIBLE PERSONS.—A member of the Armed Forces who is discharged or released from service under other than honorable conditions shall not be eligible to participate in the training program.

"(c) SELECTION.—The National Center for Housing Management shall be responsible for the selection of participants for the training program. The Center shall place a special emphasis on selecting members of the Armed Forces who have lived in public housing projects.

"(d) CONTENT OF TRAINING PROGRAM.—The training program shall provide extensive

training to participants in such courses as housing management, maintenance management, occupancy management, security and drug reduction management, community change management, resident empowerment, tenant integrity, and fair housing and civil rights. The National Center for Housing Management shall provide such training through the use of recognized experts in these fields. The Center shall evaluate the performance of participants through the use of standardized tests.

"(e) NUMBER OF PARTICIPANTS.—Subject to the availability of appropriations for the training program, the National Center for Housing Management shall conduct at least 5 training sessions a year to achieve a graduation rate of at least 250 participants per year.

"(f) JOB PLACEMENT ASSISTANCE.—Upon graduation of a participant from the training program, the National Center for Housing Management shall also provide the graduate with appropriate job placement assistance through the Center's network of housing authorities and housing management companies.

"(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $2,000,000 for fiscal year 1994, and $2,000,000 for each subsequent fiscal year. The amounts authorized by this subsection shall be in addition to the amounts authorized under section 3(c)(1) to carry out this part.".

(2) The table of contents in section 1 of the Job Training Partnership Act is amended by inserting after the item relating to section 456 the following new item:

"Sec. 457. Training program in public housing management.".

(b) EFFECTIVE DATE.—Section 457 of the Job Training Partnership Act, as added by subsection (a), shall take effect on October 1, 1993.

[From the Washington Post, Dec. 29, 1992]

COLD WAR VICTORS TACKLE PUBLIC HOUSING PROJECTS—EX-SOLDIERS PROVIDE DISCIPLINE, LEADERSHIP

(By Mark Thompson)

A cadre of U.S. soldiers who helped win the Cold War is setting out on yet another challenging mission: restoring respect and stability to the nation's public housing projects.

In the past month, 50 former drill sergeants, infantry officers and other military specialists have fanned out across the country to meet, get to know and maybe change the social climate in public housing.

It's part of a program aimed at providing new jobs for soldiers whose careers have been cut short by military cutbacks, and making tough inner-city neighborhoods safer.

All male, and mostly black, the soldiers know they are needed in the projects, where federal reports show that women head 85 percent of families—and as many as 95 percent of families in the inner cities.

"There's such a lack of discipline among these kids that if we could get some good sergeants and talk to them on a daily basis, we could straighten them out," said Lemarse Washington, a 30-year Army infantry veteran who just completed a six-week course on how to be a maintenance chief or youth counselor.

The course included a week in public housing in the District. "It reminded me a lot of Vietnam," said Washington, 50, who now teaches in Huntsville, Ala., and hopes to find work with a housing authority. "There's a lack of respect for life."

Washington believes he and his colleagues can make a difference. "If you've spent more than two years in the Army, you've been responsible for young men, and the language that you speak, the way you walk, your whole demeanor commands respect," he said.

The number of Americans residing in public housing has risen from 2.8 million in 1980 to 4.3 million in 1990, nearly 2 percent of the nation's population, according to the Census Bureau.

Trevor Gray, 34, lived in a South Bronx public housing project before beginning an 11-year career in the Navy as an electronics technician.

"The buildings still look the same, but back then you usually had both parents in the home. Today you don't," Gary said.

Several weeks ago, Gray became a maintenance supervisor for the housing authority in Columbia.

"There's no male authority figure to make them behave," he said. "Young men won't listen to females."

Children in public housing face bleak futures: Most tenants are poor and getting poorer. The federal government estimates about 80 percent of them live below the poverty line are unemployed and are in one-parent families.

And crime surrounds them. In Washington, for example, four out of five crimes occur inside its public housing developments.

"The nation needs male role models in public housing," said W. Glenn Stevens, vice president of the National Center for Housing Management, a nonprofit group that sponsored the course.

"Children growing up in public housing may only have drug addicts as male role models," he said.

Greg Byrne, director of Florida's 12,000-unit Dade County Department of Housing and Urban Development, said he was "very excited" about the idea of no-nonsense military people working in public housing. "These people really know how to run facilities," he said.

The fledgling program began with a class of 50 ex-military men, selected for their organizational and people skills. Close to 1,500 vets applied for the program, dubbed LEAP for Leadership Employment for Armed Services Personnel. A $370,000 federal grant paid for the men to attend the course at Quantico Marine Base.

The soldiers were drawn to the program by ads in military newspapers seeking veterans to "handle disorder and uncertainty" and be "a distinct and important role model."

"That's exactly what I wanted to do," said Chester Tindall, 41, who recently retired from the Army after a 20-year career and who has spent the past month managing 3,300 units for Toledo's public housing authority. "I think one person can make a difference."

By Mr. McCAIN (for himself and Mr. DOMENICI):

S. 1501. A bill to repeal certain provisions of law relating to trading with Indians; to the Committee on Indian Affairs.

REPEAL OF THE TRADING WITH INDIANS ACT LEGISLATION

• Mr. McCAIN. Mr. President, I introduce legislation on behalf of myself and Senator DOMENICI, to repeal the Trading with Indians Act.

Senator DOMENICI and I recently met with Navajo Nation Vice President Marshall Plummer who brought to our attention the present-day problems created by Federal agencies enforcing the 1834 act. The act was passed as a means to protect Indians from being unduly influenced by Federal employees. The act was amended in 1980 to allow for certain exceptions by regulation, but still generally prohibits employees of both the Indian Health Service [IHS] and the Bureau of Indian Affairs [BIA] from having any interest in the employee's name or in the name of another person, "in any purchase or sale of any service or real or personal property * * * from or to any Indian."

The statute contains an absolute prohibition against an IHS or BIA employee making "any purchase or sale to an Indian of any real or personal property for the purpose of commercially selling, reselling, trading or bartering such property." Additionally, Government employees may not "acquire any interest in property held in trust, or subject to restriction against alienation imposed by the United States unless the conveyance or granting of such interest in such property is otherwise authorized by law."

Violations are punishable by a fine of not more than $5,000 or imprisonment of not more than 6 months or both. In addition, violators "shall be removed form office, notwithstanding any other provision of law concerning the termination from Federal employment." (18 U.S.C. 437(a)).

Obviously, no one contests the rationale behind the Trading with Indians Act. However, the effect of enforcing an 1834 statute in 1993 has already resulted in some unforeseen and unintended consequences on IHS employees and their families. Technically, an IHS or BIA employee is in violation of the act if they were to sell their automobile to an Indian. The following is an example of how the IHS decision to enforce the act has impacted one Navajo employee.

Ms. Karen Arviso currently serves as the Navajo area IHS health promotion and disease prevention coordinator. During the recent outbreak of the hantavirus, she personally traveled to several reservation communities to educate the Navajo people on what was then known about the mystery illness. She has enjoyed her job, but this Friday she will be terminated. The reason: Her husband applied for a small business loan from the Bureau of Indian Affairs. The BIA was willing to approve his loan but since his spouse worked for the IHS, the BIA needed the IHS to consent to waive the application of the act. No waiver was provided. Instead the IHS sent a letter to Ms. Arviso informing her that she was in violation of the act and would either have to resign or be terminated. To add further hardship, Ms. Arviso and her husband have had to recently purchase a mobile home because she will no longer be eligible for Federal housing.

Other individuals have been asked to resign or be terminated because their

spouses are involved in business activities on reservation. At the end of my statement is a letter that was recently sent to one IHS employee informing her that she was in violation of the act. While this particular situation is probably a technical violation of the act, I think everyone would agree that simply because an employee's spouse operates their own business is not necessarily sufficient reason to notify that employee that they must resign or be terminated. Moreover, where a conflict does exist, I believe the Standards of Ethical Conduct for Government Employees provide sufficient guidance to resolve such issues.

Senator DOMENICI and I have asked Secretaries Babbitt and Shalala to promptly review this matter and to give serious consideration to suspending further enforcement of the act until this bill has been acted upon. It is our intention to act promptly on this matter once we have received the administration's views.

I ask unanimous consent that a copy of a memorandum from the Navajo Area Indian Health Service and a copy of the bill be inserted in the RECORD.

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

S. 1501

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

SECTION 1. REPEAL.

Section 437 of title 18, United States Code, is repealed.

DEPARTMENT OF HEALTH AND HUMAN SERVICES,
September 21, 1993.

From: NAIHS: Executive Officer.
Subject: Trading With Indians Act.
To: Regina Hale, Staffing Assistant.

As a result of a discussion of the Trading With Indians Act in a staff meeting in Personnel, you asked the Personnel Office, Jennine Jones, whether or not your husband's law practice in Window Rock would place you in violation of the Act. The purpose of this letter is to notify you that we have determined that your interest in your husband's business renders you in violation of the Trading With Indians Act.

18 U.S.C. section 437 imposes criminal penalties upon officers, employees, and agents of the Indian Health Service who have an interest in certain transactions with Indians. Specifically, the law provides that any IHS employee who has an interest, either in the employee's name, or in the name of another person where such employee benefits or appears to benefit from such interest.

(1) in any contract made or under negotiation with an Indian, for the purchase or transportation or delivery of goods or supplies for any Indian, or

(2) in any purchase or sale of any service or real or personal property (or any interest therein) from or to any Indian,

or [who] colludes with any person attempting to obtain any contract, purchase, or sale, shall be fined not more than $5,000 or imprisoned not more than six months or both, and shall be removed from office, notwithstanding any other provision of law concerning termination from Federal employment.

18 U.S.C. section 437(a). Although the President or his designee is authorized to prescribe rules and regulations under which IHS employees may purchase from or sell to Indians, among the types of transactions which the President (and his designees) cannot authorize is "commercial trading." 18 U.S.C. section 437(b)(1), (2)(A). "Commercial trading" is not defined in the statute, but a regulation promulgated by the Secretary of the Interior (which applies to IHS employees until such time as the Secretary of HHS promulgates regulations) defines "commercial trading" as "any trading transaction where an employee engages in the business of buying and selling services or items which he is trading."

It is my determination that through your interest in your husband's law practice, you benefit from the sale of services, and given the business' location on the Navajo Reservation many of the business' customers presumably will be Indians. In light of the absolute prohibition against commercial trading with Indians by IHS employees, your interest in any transaction between your husband and an Indian would fall directly under the statute's absolute prohibition against commercial trading with Indians by IHS employees.

Based upon this determination, I must advise you that your financial interest in any prohibited transaction is cause for severe disciplinary action, as well as criminal penalties, under 18 U.S.C. section 437(a). Since your interest in your husband's law practice is incompatible with your position as an IHS employee, you must take steps to avoid any violations of the act (e.g., by divesting yourself of any interest in the business which would violate the Act), or resign from your position with the Indian Health Service. You must provide me proof that you have taken affirmative steps to divest yourself of your interest in your husband's law practice or otherwise remedy the situation within six months of your receipt of this letter. I am not proposing that any disciplinary action be taken at this time; however, it appears that I will have no choice but to consider taking some form of disciplinary action if you do not comply with the six month deadline.

If you have questions or need additional information, please feel free to consult with Jennine Jones, Area Personnel Officer, at 602/871-5831.

RON WOOD,
Executive Officer.●

By Mr. AKAKA:

S. 1502. A bill to require the Director of the Federal Emergency Management Agency to establish a FEMA region for the Pacific, and for other purposes; to the Committee on Governmental Affairs.

FEMA PACIFIC REGION CREATION ACT OF 1993

● Mr. AKAKA. Mr. President, today I am introducing legislation to require the Federal Emergency Management Agency [FEMA] to establish a new region, headquartered in Hawaii, that would encompass the Pacific Insular area, including Hawaii, the Commonwealth of the Northern Marianas Islands [CNMI], Guam, the Federated States of Micronesia [FSM], the Republic of the Marshall Islands [RMI], the Republic of Palau, and American Samoa.

FEMA's region IX currently has responsibility for administering emergency management assistance programs and responding to disasters throughout the Pacific as well as in California, Arizona, and Nevada. This enormous and diverse area, which covers millions of square miles, has suffered by far the largest number of disasters of any FEMA region. In the last twenty years alone, there have been 84 Presidentially declared disasters in Region IX—43 on the mainland and 41 in the Pacific Insular area. By anyone's measure, Region IX is stretched thin. This is exacerbated by the fact that FEMA personnel and resources have not grown in proportion to population increases.

The threats to California, Arizona, and Nevada are in some ways more complex and potentially devastating than elsewhere, not only because of the magnitude of potential disasters there, but also because of the greater numbers of people at risk. California itself is the equivalent of two States. Los Angeles and San Diego are two of the largest cities in the country, yet FEMA has no office or capability in these locations. Of the 84 Presidentially declared disasters I referred to earlier, 31 have occurred in California alone. Because of the Golden State's population, the impact of a flood or major earthquake is magnified many times, requiring significant resources for response and recovery. For example, the relatively small Loma Prieta quake in 1989 caused $7.5 billion in economic damage—and that was not the big one that the experts keep predicting.

Meeting the needs of California, Arizona, and Nevada is a difficult enough task—add responsibility for the American flag States—Hawaii, Guam, American Samoa, and CNMI—and the former trust territories—RMI, FSM, and Palau—and you come up with a service area that is arbitrary and unmanageable. Region IX's responsibility in the Pacific covers an area greater than the length and breadth of the U.S. mainland, stretching from Hawaii, at longitude 155 W and latitude 20 N, to the Republic of Palau, at longitude 135 E, to American Samoa, at latitude 14 S. Hawaii and American Samoa are 2,100 miles, and 4,200 miles from San Francisco, respectively, where region IX is headquartered. Palau, at 5,500 miles the most distant jurisdiction, is even more isolated: it takes at least 2 days to reach the former trust territory by modern jet aircraft—and that's assuming you make your connection! You can imagine the logistical problems that FEMA officials experience in monitoring and carrying out training and mitigation programs in these areas, much less responding to an actual disaster.

But distance is only one problem, if the most obvious. Difficulties in understanding native cultures, major time variations, lack of facilities, and differences in language, food, and climate

are all major hurdles that greatly reduce the effectiveness of relief efforts. Nowhere on the planet does one encounter more problems of this sort than in the Pacific Insular region. Also, each of the Pacific territories has a unique political structure and working culture that require direct knowledge, fine-tuned sensitivity, and continuous contact on the part of FEMA officials. There is a vast difference between working with officials of the Federated States of Micronesia and working with, say, Arizona emergency management authorities. Even counties in Hawaii are organized much differently from their mainland counterparts.

The result of this lumping together of the seven Insular Pacific jurisdictions with California, Arizona, and Nevada is that the Pacific has received less than adequate attention. Indeed, it appears that the only time that the Pacific receives consideration is following a disaster. Improving preparedness and mitigation activities in the Pacific have been discussed by FEMA but rarely implemented, if at all. In a sense, this is completely understandable: FEMA must assign its limited resources in the most optimal fashion, and one accepted way to allocate resources is to assign them on the basis of population. When weighed against the population base of the west coast, the relatively few numbers of people who comprise the American flag States and former trust territories can only come up short.

Mr. President, for many of the same reasons that I have outlined above, I introduced legislation 2 years ago calling for the establishment of a FEMA field office in Hawaii. Based on my bill, Congress set aside funds for the creation of such a facility in the fiscal year 1992 FEMA appropriations measure. After some delay, this office was established on the island of Oahu earlier this year. Although the new Office is a major improvement over the previous arrangement, the satellite facility is not a full service office. I have been informed that the Hawaii office's principal responsibilities at this point are to provide emergency disaster assistance to the Pacific insular area and to act as a liaison with local military and civil defense authorities. The office lacks full training, technical assistance, and hazard mitigation resources, which is a significant impediment to increasing disaster preparedness and mitigation in the Pacific area. On the other hand, to shift those functions to Hawaii from region IX headquarters would result in reduced staffing levels for the San Francisco office, impairing FEMA's ability to serve its west coast constituency.

Thus, Mr. President, while I am gratified that the Hawaii field office initiative has become a reality, I have since become convinced that it is not enough. I am persuaded that we need a full-fledged regional office that is devoted exclusively to the needs of the Pacific insular area. Our needs are pressing enough, deserving enough, and unique enough to warrant a separate insular Pacific regional office; we who live in the Pacific should not be forced into competing for resources with equally-needy citizens on the mainland.

Mr. President, I urge my colleagues to support this legislation. I ask unanimous consent that the text of the legislation be printed in the RECORD.

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

S. 1502

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

SECTION 1. FEMA REGION FOR THE PACIFIC.

The Director of the Federal Emergency Management Agency shall establish a region of the Federal Emergency Management Agency for the Pacific region, that encompasses—

(1) Hawaii, which shall serve as headquarters for the region;

(2) American Samoa;

(3) Guam;

(4) the Commonwealth of the Northern Mariana Islands;

(5) the Federated States of Micronesia;

(6) the Republic of Palau (until such time a the Compact of Free Association is ratified); and

(7) the Republic of the Marshall Islands.●

ADDITIONAL COSPONSORS

S. 181

At the request of Mr. MCCONNELL, the name of the Senator from New Hampshire [Mr. SMITH] was added as a cosponsor of S. 181, a bill to prohibit the export of American black bear viscera, and for other purposes.

S. 265

At the request of Mr. SHELBY, the name of the Senator from Nevada [Mr. REID] was added as a cosponsor of S. 265, a bill to increase the amount of credit available to fuel local, regional, and national economic growth by reducing the regulatory burden imposed upon financial institutions, and for other purposes.

S. 463

At the request of Mr. BUMPERS, the name of the Senator from Tennessee [Mr. MATHEWS] was withdrawn as a cosponsor of S. 463, a bill to prohibit the expenditure of appropriated funds on the Superconducting Super Collider program.

S. 483

At the request of Mr. SHELBY, the names of the Senator from Nevada [Mr. REID], the Senator from Connecticut [Mr. LIEBERMAN], the Senator from Mississippi [Mr. LOTT], the Senator from Hawaii [Mr. INOUYE], the Senator from Alaska [Mr. MURKOWSKI], the Senator from New Mexico [Mr. DOMENICI], the Senator from Delaware [Mr. ROTH], and the Senator from Arizona [Mr. DECONCINI] were added as cosponsors of S. 483, a bill to provide for the minting of coins in commemoration of Americans who have been prisoners of war, and for other purposes.

S. 500

At the request of Mr. WELLSTONE, his name was withdrawn as a cosponsor of S. 500, a bill to provide that professional baseball teams and leagues composed of such teams shall be subject to the antitrust laws.

S. 784

At the request of Mr. HATCH, the name of the Senator from Alabama [Mr. SHELBY] 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. 1063

At the request of Mr. HATCH, the name of the Senator from Missouri [Mr. BOND] was added as a cosponsor of S. 1063, a bill to amend the Employee Retirement Income Security Act of 1974 to clarify the treatment of a qualified football coaches plan.

S. 1111

At the request of Mr. KERREY, the names of the Senator from Louisiana [Mr. JOHNSTON] and the Senator from California [Mrs. FEINSTEIN] 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. 1356

At the request of Mr. DOLE, the name of the Senator from Kentucky [Mr. MCCONNELL] was added as a cosponsor of S. 1356, a bill to restore order, deter crime, and make our neighborhoods and communities safer and more secure places in which to live and work.

S. 1437

At the request of Mr. DOLE, the name of the Senator from Texas [Mrs. HUTCHISON] was added as a cosponsor of S. 1437, a bill to amend section 1562 of title 38, United States Code, to increase the rate of pension for persons on the Medal of Honor roll.

S. 1489

At the request of Mr. METZENBAUM, the names of the Senator from Hawaii [Mr. INOUYE], the Senator from Hawaii [Mr. AKAKA], and the Senator from Colorado [Mr. CAMPBELL] were added as cosponsors of S. 1489, a bill to redesignate the J. Edgar Hoover Federal Bureau of Investigation Building located at Ninth and Pennsylvania Avenue, NW Washington, D.C., as the Federal Bureau of Investigation Building.

SENATE JOINT RESOLUTION 107

At the request of Mr. BINGAMAN, the names of the Senator from Rhode Island [Mr. PELL], the Senator from Tennessee [Mr. MATHEWS], the Senator from Maryland [Mr. SARBANES], and

the Senator from New Mexico [Mr. DOMENICI] were added as cosponsors of Senate Joint Resolution 107, a joint resolution to designate the first Monday in October of each year as "Child Health Day."

SENATE JOINT RESOLUTION 119

At the request of Mr. KENNEDY, the names of the Senator from Montana [Mr. BAUCUS], the Senator from Kansas [Mr. DOLE], and the Senator from Nevada [Mr. BRYAN] were added as cosponsors of Senate Joint Resolution 119, a joint resolution to designate the month of March 1994 as "Irish-American Heritage Month."

SENATE JOINT RESOLUTION 130

At the request of Mr. KEMPTHORNE, the names of the Senator from North Carolina [Mr. FAIRCLOTH] and the Senator from Tennessee [Mr. MATHEWS] were added as cosponsors of Senate Joint Resolution 130, a joint resolution designating October 27, 1993, as "National Unfunded Federal Mandates Day."

AMENDMENTS SUBMITTED

LABOR, HEALTH AND HUMAN SERVICES, EDUCATION APPROPRIATIONS ACT FOR 1994

D'AMATO (AND OTHERS) AMENDMENT NO. 975

Mr. D'AMATO (for himself, Mr. DOLE, Mr. SPECTER, Mr. HELMS, Mr. BRADLEY, and Mr. LIEBERMAN) proposed an amendment to the bill (H.R. 2518) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies, for the fiscal year ending September 30, 1994, and for other purposes, as follows:

Insert at the appropriate place:

SEC. . It is the sense of the Senate that the United States Department of Justice should investigate whether any Federal criminal civil rights laws were violated as a result of (1) the murder of Yankel Rosenbaum on August 19, 1991, and (2) the circumstances surrounding the murder and accompanying riots in Crown Heights.

HELMS (AND BRYAN) AMENDMENT NO. 976

Mr. HELMS (for himself and Mr. BRYAN) proposed an amendment to the bill H.R. 2518, supra, as follows:

At the end add the following:

SEC. . RESTRICTION ON PAYMENT OF BENEFITS TO INDIVIDUALS CONFINED BY COURT ORDER TO PUBLIC INSTITUTIONS PURSUANT TO VERDICTS OF NOT GUILTY BY REASON OF INSANITY OR OTHER MENTAL DISORDER.

(a) IN GENERAL.—Section 202(x)(1) of the Social Security Act (42 U.S.C. 402(x)(1)) is amended—

(1) by inserting "(A)" after "(1)", and

(2) by adding at the end the following new subparagraph:

(B) Notwithstanding any other provision of this title, no monthly benefits shall be paid under this section or under section 223 to any individual for any month during which such individual is confined in any public institution by a court order pursuant to a verdict that the individual is guilty, but insane or not guilty of an offense by reason of insanity (or by reason of a similar finding, such as a mental disease, a mental defect, or mental incompetence).

(b) CONFORMING AMENDMENTS.—

(1) The heading for Section 202(x) of such act is amended by inserting "and Certain Other Inmates of Public Institutions" after "Prisoners".

(2) Section 202(x)(3), is amended by striking "any individual" and all the follows and inserting "any individual confined as described in paragraph (1) if the jail, prison, penal institution, correctional facility, or other public institution to which such individual is so confined is under the jurisdiction of such agency and the Secretary requires such information to carry out the provisions of this section.".

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply with respect to benefits for months commencing 90 days after the date of the enactment of this Act.

(2) SPECIAL RULE REGARDING PAYMENTS TO INSTITUTIONS.—The amendment made by subsection (a) shall not apply to any payment with respect to any individual, if, as of the date of the enactment of this Act, such payment is made directly to the public institution to compensate such institution for the expense of institutionalizing such individual.

HELMS AMENDMENT NO. 977

Mr. HELMS proposed an amendment to the bill H.R. 2518, supra, as follows:

At the appropriate place, add the following:

SEC. . None of the funds appropriated under this Act for the Medicaid Disproportionate Share Hospital payment program may be disbursed to a state until the Governor of such state certifies to the Secretary of Health and Human Services that such funds shall be expended solely for providing medical assistance under Medicaid: *Provided further*, That it is the sense of the Senate that any health care reform legislation enacted by Congress should modify or eliminate the Medicaid Disproportionate Share Hospital payment program, because states are currently abusing the program by spending Federal matching funds for purposes unrelated to Medicaid.

BINGAMAN AMENDMENT NO. 978

Mr. HARKIN (for Mr. BINGAMAN) proposed an amendment to the bill H.R. 2518, supra, as follows:

On page 45, line 20, after "1994" insert "of which $5 million shall be used for 'State Planning for Improving Student Achievement Through Integration of Technology Into the Curriculum,'".

SIMON (AND OTHERS) AMENDMENT NO. 979

Mr. HARKIN (for Mr. SIMON for himself, Mr. DODD, and Mr. KENNEDY) proposed an amendment to the bill H.R. 2518, supra, as follows:

On page 63, line 6, strike "$202,287,000" and all that follows through the end of line 8 and insert in lieu thereof "$206,287,000: *Provided*, That notwithstanding any other provision of this Act, including the provisos pertaining to consulting services under the heading Community Services Block Grants, no department, agency, or instrumentality of the of the United States Government receiving appropriated funds under this Act for fiscal year 1994 shall, during fiscal year 1994, obligate and expend funds for consulting services in excess of an amount equal to 94.975 percent of the amount estimated to be obligated and expended by such department, agency, or instrumentality for such services during fiscal year 1994: *Provider further*, That notwithstanding any other provision of this Act, the aggregate amount of funds appropriated by this Act to any such department, agency, or instrumentality for fiscal year 1994 is reduced by an amount equal to 5.025 percent of the amount to be expended by such department, agency or instrumentality during fiscal year 1994 for consulting services. As used in the preceding two provisos, the term consulting services includes any service within the definition of sub-object class 25.1 as described in the Office of Management and Budget Circular A-11, dated August 4, 1993."

DOLE (AND KASSEBAUM) AMENDMENT NO. 980

Mr. HARKIN (for Mr. DOLE for himself and Mrs. KASSEBAUM) proposed an amendment to the bill H.R. 2518, supra, as follows:

On page 47, line 10, strike "$467,080,000" and insert "$563,780,000".

On page 47, line 11, strike "$123,629,000" and insert "$121,629,000".

On page 47, line 12, strike "$29,462,000" and insert "$34,762,000".

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 1994

HATFIELD AMENDMENT NO. 981

Mr. HATFIELD proposed an amendment to the bill (H.R. 2445) making appropriations for energy and water development for the fiscal year ending September 30, 1994, and for other purposes, as follows:

On page 53, line 22, strike the work "directed" and replace in lieu thereof the word "urged".

BROWN AMENDMENT NO. 982

Mr. BROWN proposed an amendment to the bill H.R. 2445, supra, as follows:

On page 34, line 8, insert before the period ": *Provided further*, That none of the funds made available under this section for Department of Energy facilities may be spent to permit the continued construction of the superconducting super collider until after the Secretary delivers to the Committee an implementation plan for the specific recommendations of the Report of the DOE Review Committee on the Baseline Validation of the Superconducting Super Collider and the Secretary certifies that the management issues raised by General Accounting Office in its report dated February 1993, number GAO/RCED-93-87 have been adequately addressed and will not reoccur".

BUMPERS (AND OTHERS) AMENDMENT NO. 983

Mr. BUMPERS (for himself, Mr. WARNER, Mr. SASSER, Mr. COHEN, Mr. BRYAN, Mr. FEINGOLD, Mr. DORGAN, Mr. LAUTENBERG, Mr. BOND, Mr. EXON, Mr. JEFFORDS, Mr. KOHL, Mr. LEAHY, Mr. RIEGLE, Mr. WOFFORD, Mr. DECONCINI, and Mr. KERRY) proposed an amendment to the bill H.R. 2445, supra, as follows:

On page 33, line 22, after the first comma, strike all through page 3, and insert in lieu thereof the following: "1,195,114,000, to remain available until expended: *Provided*, That of the funds provided under this heading, $220,000,000 shall be made available for termination of the contracts relating to the Superconducting Super Collider program: *Provided*, That none of the funds".

McCAIN AMENDMENT NO. 984

(Ordered to lie on the table.)

Mr. McCAIN submitted an amendment intended to be proposed by him to the bill H.R. 2445, supra, as follows:

At the appropriate place in the bill, insert the following: "No funds appropriated in this Act shall be made available for landscaping techniques that do not promote savings from reductions in the purchase of water, energy, and use of chemicals [when appropriate]."

LEVIN (AND COHEN) AMENDMENT NO. 985

(Ordered to lie on the table.)

Mr. LEVIN (for himself and Mr. COHEN) submitted an amendment intended to be proposed by them to the bill H.R. 2445, supra, as follows:

On page 49, line 16, insert before the period at the end the following: ": *Provided*, That of the funds provided for under this heading, $70,236,500 shall not be available to the Tennessee Valley Authority until such time as the Tennessee Valley Authority releases the $8,300,000 in excess Technology Brokering Program fees to the Treasury".

UNITED STATES GRAIN STANDARDS ACT AMENDMENTS OF 1993

DASCHLE AMENDMENT NO. 986

Mr. JOHNSTON (for Mr. DASCHLE) proposed an amendment to the bill (S. 1490) to amend Public Law 100-518 and the United States Grain Standards Act to extend through September 30, 1988, the authority of the Federal Grain Inspection Service to collect fees to cover administrative and supervisory costs, and for other purposes, as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; REFERENCES.

(a) SHORT TITLE.—This Act may be cited as the "United States Grain Standards Act Amendments of 1993".

(b) REFERENCES TO UNITED STATES GRAIN STANDARDS ACT.—Except as otherwise expressly provided, whenever in this Act 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 United States Grain Standards Act (7 U.S.C. 71 et seq.).

SEC. 2. EXTENSION OF AUTHORITY TO COLLECT FEES TO COVER ADMINISTRATIVE AND SUPERVISORY COSTS.

(a) IN GENERAL.—Section 2 of the United States Grain Standards Act Amendments of 1988 (Public Law 100-518; 7 U.S.C. 79 note) is amended by striking "1993" and inserting "2003".

(b) LIMITATION ON ADMINISTRATIVE AND SUPERVISORY COSTS.—Section 7D (7 U.S.C 79d) is amended—

(1) by striking "inspection and weighing" and inserting "services performed"; and

(2) by striking "1993" and inserting "2003".

(c) REAUTHORIZATION OF APPROPRIATIONS.—Section 19 (7 U.S.C. 87h) is amended by striking "1993" and inserting "2003".

SEC. 3. COMPREHENSIVE COST CONTAINMENT PLAN.

Section 3A (7 U.S.C. 75a) is amended—

(1) by redesignating the first through fourth sentences as subsections (a) through (d), respectively; and

(2) by adding at the end the following new subsection:

"(e)(1) The Administrator shall develop and carry out a comprehensive cost containment plan to streamline and maximize the efficiency of the operations of the Service, including standardization activities, in order to minimize taxpayer expenditures and user fees and encourage the maximum use of official inspection and weighing services at domestic and export locations.

"(2) Not later than 180 days after the date of enactment of this subsection, the Administrator shall submit a report that describes actions taken to carry out paragraph (1) to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate.".

SEC. 4. USE OF INSPECTION AND WEIGHING FEES, AND OFFICIAL INSPECTION AND WEIGHING IN CANADIAN PORTS.

(a) INSPECTION AUTHORITY.—Section 7 (7 U.S.C. 79) is amended—

(1) in subsection (f)(1)(A)(vi), by striking "or other agricultural programs"; and

(2) in the second sentence of subsection (i), by inserting before the period at the end the following: "or as otherwise provided by agreement with the Canadian Government".

(b) WEIGHING AUTHORITY.—Section 7A (7 U.S.C. 79a) is amended—

(1) in the second sentence of subsection (c)(2), by inserting after "shall be deemed to refer to" the following: "'official weighing' or";

(2) in the second sentence of subsection (d), by inserting before the period at the end the following: "or as otherwise provided by agreement with the Canadian Government"; and

(3) in the first sentence of subsection (i), by inserting before the period at the end the following: "or as otherwise provided in section 7(i) and subsection (d)".

SEC. 5. PILOT PROGRAM FOR PERFORMING INSPECTION AND WEIGHING AT INTERIOR LOCATIONS.

(a) INSPECTION AUTHORITY.—Section 7(f)(2) (7 U.S.C. 79(f)(2)) is amended by inserting before the period at the end the following: ", except that the Administrator may conduct pilot programs to allow more than 1 official agency to carry out inspections within a single geographical area without undermining the policy stated in section 2".

(b) WEIGHING AUTHORITY.—The second sentence of section 7A(i) (7 U.S.C. 79a(i)) is amended by inserting before the period at the end the following: ", except that the Administrator may conduct pilot programs to allow more than 1 official agency to carry out the weighing provisions within a single geographic area without undermining the policy stated in section 2".

SEC. 6. LICENSING OF INSPECTORS.

Section 8 (7 U.S.C. 84) is amended—

(1) in subsection (a)—

(A) in paragraph (1) of the first sentence, by inserting after "and is employed" the following: ", or is supervised under a contractual arrangement,"; and

(B) in the second sentence, by striking "No person" and inserting "Except as otherwise provided in sections 7(i) and 7A(d), no person";

(2) in the first proviso of subsection (b), by striking "independently under the terms of a contract for the conduct of any functions involved in official inspection" and inserting "under the terms of a contract for the conduct of any functions"; and

(3) in subsection (d)—

(A) by inserting after "Persons employed" the following: "or supervised under a contractual arrangement"; and

(B) by inserting after "including persons employed" the following: "or supervised under a contractual arrangement".

SEC. 7. PROHIBITED ACTS.

(a) IN GENERAL.—Section 13(a) (7 U.S.C. 87b(a)) is amended by striking paragraph (11) and inserting the following new paragraph:

"(11) violate section 5, 6, 7, 7A, 7B, 8, 11, 12, 16, or 17A;".

(b) ADDING WATER TO GRAIN.—Section 13(d) is amended by adding at the end the following new paragraph:

"(4)(A) Except as provided in subparagraph (B), no person shall add water to grain for purposes other than milling, malting, or other processing or pest control operations.

"(B)(i) Subject to clause (ii), the Administrator shall allow, through the issuance of permits, the addition of water to grain to suppress grain dust unless the Administrator determines that the addition of water materially reduces the quality of the grain or impedes the objectives of this Act.

"(ii) The Administrator may charge a reasonable fee to recover the administrative and enforcement costs of carrying out clause (i). Fees collected under this subparagraph shall be deposited into the fund created by section 7(j).".

SEC. 8. CRIMINAL PENALTIES.

Section 14(a) (7 U.S.C. 87c(a)) is amended—

(1) by striking "shall be guilty of a misdemeanor and shall, on conviction thereof, be subject to imprisonment for not more than twelve months, or a fine of not more than $10,000, or both such imprisonment and fine; but, for subsequent offense subject to this subsection, such person"; and

(2) by inserting after "$20,000" the following: "(or, in the case of a violation of section 13(d)(4)(A), $50,000)".

SEC. 9. REPORTS, TESTING OF INSPECTION AND WEIGHING EQUIPMENT, OTHER SERVICES, AND APPROPRIATE COURTESIES TO REPRESENTATIVES OF FOREIGN COUNTRIES.

Section 16 (7 U.S.C. 87e) is amended—

(1) in subsection (b), by striking the third sentence; and

(2) by adding at the end the following new subsections:

"(g)(1) Subject to paragraphs (2) and (3), the Administrator may provide for the testing of weighing equipment used for purposes

other than weighing grain in accordance with such regulations as the Administrator may prescribe, at a fee established by regulation or contractual agreement.

"(2) Testing performed under paragraph (1) may not conflict with or impede the objectives of this Act.

"(3) Fees collected under paragraph (1) shall be reasonable and shall cover, as nearly as practicable, the estimated costs of the testing. The fees shall be deposited into the fund created by section 7(j).

"(h)(1) Subject to paragraphs (2) and (3), the Administrator may provide for the testing of grain inspection instruments used for commercial inspections in accordance with such regulations as the Administrator may prescribe, at a fee established by regulation or contractual agreement.

"(2) Testing performed under paragraph (1) may not conflict with or impede with objectives of this Act.

"(3) Fees collected under paragraph (1) shall be reasonable and shall cover, as nearly as practicable, the estimated costs of the testing. The fees shall be deposited into the fund created by section 7(j).

"(i)(1) The Administrator may perform such other services as the Administrator considers appropriate in accordance with such regulations as the Administrator may prescribe.

"(2) In addition to the fees authorized by sections 7, 7A, 7B, and 17A, and this section, the Administrator shall collect reasonable fees to cover the estimated costs of services performed under paragraph (1) other than standardization, compliance, and foreign monitoring activities.

"(3) To the extent practicable, the fees collected under paragraph (2), together with the proceeds from the sale of any samples, shall cover the costs, including administrative and supervisory costs, of services performed under paragraph (1).

"(4) Funds described in paragraph (3) shall be deposited into the fund created by section 7(j).

"(j) The Administrator may extend appropriate courtesies to official representatives of foreign countries in order to establish and maintain relationships to carry out the policy stated in section 2.".

SEC. 10. VIOLATION OF SUBPOENA.

Section 17(e) (7 U.S.C. 87f(e)) is amended by striking "the penalties set forth in subsection (a) of section 14 of this Act" and inserting "imprisonment for not more than 1 year or a fine of not more than $10,000 or both the imprisonment and fine".

SEC. 11. LIMITATION OF APPROPRIATIONS.

Section 19 (7 U.S.C. 87h) is amended by striking "sections 7, 7A, and 17A of this Act" and inserting "sections 7, 7A, 7B, 16, and 17A".

SEC. 12. STANDARDIZING COMMERCIAL INSPECTIONS.

Section 22(a) (7 U.S.C. 87k(a)) is amended by striking "and the National Conference on Weights and Measures" and inserting ", the National Conference on Weights and Measures, or other appropriate governmental, scientific, or technical organizations".

SEC. 13. ELIMINATION OF GENDER-BASED REFERENCES.

(a) Section 3 (7 U.S.C. 75) is amended—

(1) in subsection (a), by striking "his delegates" and inserting "delegates of the Secretary"; and

(2) in subsection (z), by striking "his delegates" and inserting "delegates of the Administrator".

(b) Section 4(a)(1) (7 U.S.C. 76(a)(1)) is amended by striking "his judgment" and inserting "the judgment of the Administrator".

(c) Section 5 (7 U.S.C. 77) is amended—

(1) in subsection (a)(1), by striking "his agent" and inserting "the agent of the shipper"; and

(2) in subsection (b), by striking "he" and inserting "the Administrator".

(d) Section 7 (7 U.S.C. 79) is amended—

(1) in subsection (a), by striking "he" and inserting "the Administrator";

(2) in subsection (b)—

(A) by striking "he" and inserting "the Administrator"; and

(B) by striking "his judgment" and inserting "the judgment of the Administrator"; and

(3) in subsection (e)(2)—

(A) by striking "he" and inserting "the Administrator"; and

(B) by striking "his discretion" and inserting "the discretion of the Administrator".

(e) Section 7A(e) (7 U.S.C. 79a(e)) is amended by striking "he" and inserting "the Administrator".

(f) Section 7B(a) (7 U.S.C. 79b(a)) is amended by striking "he" and inserting "the Administrator".

(g) Section 8 (7 U.S.C. 84) is amended—

(1) in subsection (a), by striking "him" and inserting "the Administrator"; and

(2) in subsections (c) and (f), by striking "he" each place it appears and inserting "the Administrator".

(h) Section 9 (7 U.S.C. 85) is amended by striking "him" and inserting "the licensee".

(i) Section 10 (7 U.S.C. 86) is amended—

(1) in subsection (a), by striking "he" each place it appears and inserting "the Administrator"; and

(2) in subsection (b), by striking "he" and inserting "the person".

(j) Section 11 (7 U.S.C. 87) is amended—

(1) in subsection (a), by striking "he" and inserting "the Administrator"; and

(2) in subsection (b)—

(A) in paragraph (1), by striking "he" and inserting "the producer"; and

(B) in paragraph (5), by striking "he" each place it appears and inserting "the Administrator".

(k) Section 12 (7 U.S.C. 87a) is amended—

(1) in subsection (b), by striking "his judgment" and inserting "the judgment of the Administrator"; and

(2) in subsection (c), by striking "he" and inserting "the Administrator".

(l) Section 13(a) (7 U.S.C. 87b(a)) is amended—

(1) in paragraph (2), by striking "his representative" and inserting "the representative of the Administrator";

(2) in paragraphs (7) and (8), by striking "his duties" each place it appears and inserting "the duties of the officer, employee, or other person"; and

(3) in paragraph (9), by striking "he" and inserting "the person".

(m) Section 14 (7 U.S.C. 87c) is amended—

(1) in subsection (a), by striking "he" and inserting "the person"; and

(2) in subsection (b), by striking "he" each place it appears and inserting "the Administrator".

(n) Section 15 (7 U.S.C. 87d) is amended by striking "his employment or office" and inserting "the employment or office of the official, agent, or other person".

(o) Section 17(e) (7 U.S.C. 87f(e)) is amended by striking "his power" and inserting "the power of the person".

(p) Section 17A (7 U.S.C. 87f-1) is amended—

(1) in subsection (a)(2), by striking "he" and inserting "the producer"; and

(2) in subsection (c), by striking "he" and inserting "the person".

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. JOHNSTON. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet at 2 p.m. on Wednesday, September 29, 1993, in open session, to receive testimony on lessons learned by the Defense Base Closure and Realignment Commission and the Department of Defense concerning the 1993 base closure process; and a proposed land exchange regarding portions of Fort Sheridan, IL, and a site in Arlington, VA.

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. JOHNSTON. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate, 9:30 a.m., September 29, 1993, to consider pending calendar business:

At the Wednesday, September 29, business meeting, the committee will consider the following agenda items:

Agenda No. 8—To consider the nomination of Daniel Dreyfus to be Director of Civilian Radioactive Waste Management, U.S. Department of Energy.

Agenda No. 2—The Committee will resume consideration of S. 21, to designate certain lands in the California desert as wilderness and to establish Death Valley, Joshua Tree, and Mojave National Parks.

Amendments are anticipated.

Agenda No. 5—S. 991, to direct the Secretary of the Interior and the Secretary of Energy to undertake initiatives to address certain needs in the Lower Mississippi Delta Region.

Senator JOHNSTON will circulate an amendment in the nature of a substitute.

The Committee will also take up any other items ready for consideration.

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

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. JOHNSTON. Mr. President, I ask unanimous consent that the full Committee on Environment and Public Works be authorized to meet during the session of the Senate on Wednesday, September 29, beginning at 9:30 a.m. to hear:

Robert Perciasepe, nominated by the President to be Assistant Administrator for the Office of Water Environmental Protection Agency;

Lynn R. Goldman, nominated by the President to be Assistant Administrator for the Office of Prevention, Pesticides and Toxic Substances Environmental Protection Agency;

Elliot P. Laws, nominated by the President to be Assistant Administrator for the Office of Solid Waste and

Emergency Response Environmental Protection Agency; and

Jean C. Nelson, nominated by the President to be general counsel Environmental Protection Agency.

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

COMMITTEE ON FINANCE

Mr. JOHNSTON. Mr. President, I ask unanimous consent that the Committee on Finance be permitted to meet today at 10 a.m. to hear testimony from Dr. Shirley Chater, nominated to be Commissioner of Social Security, and Judge Herbert Chabot, nominated to be a judge of the U.S. Tax Court.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. JOHNSTON. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, September 29, 1993, at 2 p.m. to hold nomination hearings on the following:

Mr. Roger R. Gamble, of Virginia, to be Ambassador to the Republic of Suriname;

Mr. Peter F. Romero, of Florida, to be Ambassador to the Republic of Ecuador; and

Mr. William Lacy Swing, of North Carolina, to be Ambassador to the Republic of Haiti.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. JOHNSTON. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, September 29, 1993, at 10 a.m. to hold nomination hearings on the following nominees:

Ms. Marian C. Bennett, of the District of Columbia, to be inspector general, U.S. Information Agency;

Ms. Toby Trister Gati, of New York, to be Assistant Secretary of State for Intelligence and Research; and

Mr. Daniel L. Spiegel, of Virginia, to be the U.S. Representative to the European Office of the United Nations, with the rank of Ambassador.

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

COMMITTEE ON LABOR AND HUMAN RESOURCES

Mr. JOHNSTON. Mr. President, I ask unanimous consent that the Committee on Labor and Human Resources be authorized to meet for a hearing on the Health Security Act of 1993, during the session of the Senate on Wednesday, September 29, 1993, at 10 a.m.

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

SUBCOMMITTEE ON ENERGY AND AGRICULTURAL TAXATION

Mr. JOHNSTON. Mr. President, I ask unanimous consent that the Subcommittee on Energy and Agricultural Taxation of the Committee on Finance be permitted to meet today at 2:30 p.m. to hear testimony on the subject of transportation fuel additives.

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

SUBCOMMITTEE ON HOUSING AND URBAN AFFAIRS

Mr. JOHNSTON. Mr. President, I ask unanimous consent that the Subcommittee on Housing and Urban Affairs of the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on Wednesday, September 29, 1993, at 10 a.m. to conduct a hearing on the first annual report of the Trade Promotion Coordinating Committee and the new Governmentwide strategic plan for U.S. export promotion and financing required by the Export Enhancement Act of 1992.

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

ADDITIONAL STATEMENTS

PROFESSIONAL BASEBALL ANTITRUST REFORM ACT OF 1993

• Mr. WELLSTONE. Mr. President, I ask unanimous consent that my name be removed as a cosponsor of S. 500, the Professional Baseball Antitrust Reform Act of 1993.

Since originally announcing my cosponsorship of this legislation, many concerns have been communicated to me about the possible instability that could be caused by removing baseball's antitrust exemption.

Baseball holds a unique place in our culture as well as in our economy, and I would like to give this subject even more extensive consideration.•

THE FEDERAL WOOL PROGRAM

• Mr. MCCAIN. Mr. President, I want to comment on action that was taken by the Senate on September 23, regarding the Department of Agriculture's Wool and Mohair Program. While I share the views of many of my colleagues about the cost of the Wool Program, I am deeply concerned about the harmful impact that the total elimination of this program would have on the participants who live in poverty.

In light of our massive Federal budget deficit, it is clearly time for the Senate to significantly reduce the cost of a range of public programs. We can no longer justify spending billions of taxpayers' dollars on programs that have clearly outlived their usefulness—if there ever was any legitimate rationale for them in the first place.

I cannot support spending almost $200 million a year on a Federal wool and mohair subsidy program, nor the payment of large sums to individual producers of wool and mohair. The Congress has an almost inexhaustible appetite for spending programs and subsidies, and this is just one of scores of Federal programs that should be either ended or significantly cut back.

There is one vital area of concern I have, however, regarding the complete elimination of the Wool Program. In Arizona and several other Western States, thousands of native Americans help support their families by tending small herds of sheep and goats. For most of these native Americans, life consists of a difficult daily struggle to put food on the table for their children, in a environment with almost no economic opportunity and astronomical unemployment.

There were 6,799 Navajo recipients of wool payments in 1992 in Arizona, New Mexico, and Utah, and most of these ranchers also received mohair payments. Tribal representatives state that the average Navajo producer owns only 40 sheep and 30 goats. The average payment received by each Navajo in the Wool Program last year was only $205, and $178 for the production of mohair. While these payments are small, they are vital to these native American families, some of whom are also beneficiaries of the Federal Food Stamp Program.

As every Member of the Senate is aware, food stamp recipients are the very poorest Americans, with incomes of at most $1,100 per month for a family of four. I do not want to make the lives of these impoverished families even more difficult by taking away the small payments they may receive from the production of wool. The director of the Navajo Nation's Washington Office stated that the total elimination of the Wool and Mohair Program would have a disastrous effect on many Navajo families. Unfortunately, all assistance received by wool producers who are below the poverty line would be ended by the amendment proposed by Senator BRYAN and passed by the Senate.

It is my belief that it would be both appropriate and compassionate to allow wool and mohair producers who qualify for food stamps to continue to receive program payments. If every Senator would take a moment to consider the often bleak quality of life that these proud and hardworking native Americans face, I think they all would agree.

While I think vital assistance payments should be continued to any low-income rancher who is eligible for food stamps, I can personally attest to how troubling the economic circumstances are that face native Americans who fit this profile.

The facts are profoundly disturbing: The percentage of Navajos below the poverty level is four times higher than the rest of the country; the median household income in Navajo country is less than one-third of the income for other Americans; unemployment in Indian country averages 4 to 5 times that of the national average, and on some reservations approaches an appalling 90

percent. More than 15 percent of Indian homes lack basic sanitation facilities—a rate 8 times worse than the rest of the United States. On Navajo lands alone, more than 11,000 homes lack running water and sewage facilities.

Allowing those ranchers who receive food stamps to continue receiving the modest level of benefits they currently receive under the Wool Program, would still enable the cost of this program to taxpayers to be reduced almost in its entirety. In 1992, Federal wool and mohair payments totaled $191 million. The total payments received by Navajos in the States of Arizona, Utah, and New Mexico was only $2.3 million last year, less than 2 percent of the wool and mohair program's overall budget.

While the Department of Agriculture does not have readily available figures on how much of this total budget was paid out to ranchers who may be eligible for food stamps, I can tell you the amount is very low. Officials at the USDA and Navajo tribal representatives estimate that approximately half of the native Americans who receive wool and mohair payments have incomes at or below the poverty level.

Based upon this figure, I think it is fair to estimate that wool and mohair payments to ranchers who are eligible for food stamps are likely to be less than $3 million annually. If this is the case, the preservation of small assistance payments to poor ranchers would still achieve a savings to the Treasury of about 97 percent, while at the same time shielding some of the most impoverished citizens in our Nation from additional economic pain.

Furthermore, no significant bureaucracy at USDA would be necessary to continue modest assistance to the small number of producers who qualify for food stamps. The Navajo Tribe, for instance, already administers the Federal Food Stamp Program on a contract basis with the USDA. Perhaps a similar arrangement could be established to continue assistance that has up until now been provided under the Wool and Mohair Program.

I fully agree that we should reduce Federal spending on farm programs. I have voted to do so in the past, and I will continue to do so in the future. We must not, however, hurt those Americans who are in the most urgent need of assistance. If a small family rancher is barely able to provide for their children and is thereby eligible for food stamps, we should not take away the very modest payment they may receive from the Federal Wool Program.

Preserving these payments for small wool and mohair producers with incomes near the poverty level would be helpful, but the much larger issue of improving economic conditions in Indian country is a more complex problem. I'm pleased to have sponsored the Indian Employment and Investment Act, which will provide tax incentives to companies locating or expanding business operations on a reservation. A modified version of this legislation was signed into law as part of the budget reconciliation bill passed by the Congress this summer. It will definitely be a helpful step in the difficult task of creating good jobs for native Americans.

I will raise this concern with members of the House Appropriations Committee as they consider H.R. 2493 as recently amended by the Senate, as well as my colleagues in the Senate should any further conference be necessary.•

THE SENTENCE GUIDELINES STRAITJACKET

• Mr. SIMON. Mr. President, one of the areas where we have played to the crowd rather than play to the facts is in the area of mandatory minimums in our prison sentences.

We have to adjust to reality and do a better job.

The Federal judges are complaining loudly and justifiably that they do not have the flexibility to do the kind of job on sentencing that they should do.

While it sounds tough to have the mandatory sentences, we now have 455 people per 100,000 in our prisons and jails, and a distant second in numbers is South Africa with 311. Canada has 109.

In 1970, we had 134 per 100,000. We thought we would solve the crime problem by spending billions and billions on more prisons, and our crime rate has escalated not declined.

It should not take a genius to figure out we have to do better.

Recently, the Chicago Tribune had an excellent editorial, "The Sentence Guidelines Straitjacket."

It talks about the lack of common sense that we follow with our present policy.

I tried, without success, to negotiate some sensible modifications of the mandatory minimums on the crime bill before it reached the floor, but there was a reluctance on the part of a key member of the committee, for whom I have great respect, to accept modifications of the mandatory minimums because of the fear of the political fallout. For obvious reasons, I will not identify that person.

The Chicago Tribune editorial properly points out in its final paragraph:

Excessive punishments for drug crimes are the result of political grandstanding by lawmakers who either don't know or don't care about he consequences for courts and prisons. The judges who say this policy is badly mistaken ought to be heard and heeded.

I ask that the entire editorial be placed into the RECORD at this point.

The editorial follows:

[From the Chicago Tribune, Sept. 5, 1993]

THE SENTENCE GUIDELINES STRAITJACKET

Last month a U.S. district court judge in Omaha gave a small public glimpse of the discontent simmering on the federal bench. Judge Lyle Strom refused to impose the 30-year prison terms dictated by law on four black defendants convicted of selling crack cocaine, ruling that the sentences would amount to racial discrimination. They got 20 years instead.

Strom's complaint is a powerful one: The law treats possession of one gram of crack as equivalent to possession of 100 grams of powder cocaine, even though the two are chemically the same. The 100-to-1 ratio badly skews the scales of justice against black defendants, who are much more likely to deal in crack than whites. Largely because of such laws, the average federal prison sentence is 49 percent longer for blacks that for whites—which amounts to more than 3½ years per offender.

Strom's decision may not survive an appeal, but the problem it addresses will. The uneven racial impact of our federal drug policy is only one of the results of a sentencing policy that has lost touch with reality.

In the 1980s, Congress resolved to show its toughness in fighting crime by enacting more than 100 mandatory sentences for drug violations and other offenses. For many crimes, the punishment far exceeds the crime. First offenders who have made the mistake of carrying a small packet of cocaine on an airplane or making a minor drug sale can find themselves in jail for a mandatory minimum sentence of 10 years. And in the federal system, there is no parole, meaning that those convicted must serve nearly their entire sentence even in the best circumstances.

The current federal judiciary, composed mostly of people appointed by Ronald Reagan or George Bush, is not known for coddling criminals. But it is verging on open revolt against these draconian penalties, which give judges virtually no latitude for mercy and crowd federal prisons with nonviolent offenders. Every federal judicial circuit has passed a resolution criticizing the laws. Some judges have simply refused to hear drug cases anymore—like Jack Weinstein of Brooklyn, who said in April that "I simply cannot sentence another impoverished person who destruction has no discernible impact on the drug trade."

At least one judge has resigned in protest. Others have refused to impose the mandatory sentences and dared appeals courts to overrule them. And, as the Philadelphia Inquirer reported recently, "It is becoming common for federal judges to apologize to convicted defendants while imposing the stiff jail terms."

The vociferous complaints from the men and women forced to apply these laws every day may finally be forcing some second thoughts in Washington. Attorney General Janet Reno has ordered a review of mandatory minimum sentences for drug offenders. Rep. Don Edwards, a California Democrat who heads the subcommittee on civil and constitutional rights, proposed to eliminate such penalties at least for nonviolent first-time offenders.

Excessive punishments for drug crimes are the result of political grandstanding by lawmakers who either don't know or don't care about the consequences for courts and prisons. The judges who say this policy is badly mistaken ought to be heard and heeded.•

HONORING NICK PETERSON

• Mr. DURENBERGER. Mr. President, I rise today to pay tribute to one of my constituents who recently won a truly

remarkable honor. On July 29, 1993, Nicholas Peterson of Prior Lake, MN, won the Bronze medal for welding at the International Youth Skills Olympics [IYSO] in Taipei, Taiwan.

Nick Peterson is 19 years old, and graduated from Apple Valley Senior High School last year. He learned welding at the Dakota County Secondary Technical Center—and he now works at Flocovery Systems, Inc., in Eden Prairie.

A member of the American Welding Society, Nick bested 13 of the 16 contestants in the international welding competition. Of a possible 600 points, he scored 522—just 22 points shy of the gold. The weld integrity on all of his projects was exceptional.

Nick Peterson is an example of the kind of excellence we need to encourage in every school and work place in this country. I ask my colleagues to join me in congratulating him on his medal, and wishing him continued success in the future.•

WORLD MARITIME DAY 1993

• Mr. HOLLINGS. Mr. President, the secretary-general of the International Maritime Organization [IMO], Mr. William A. O'Neil, has announced that World Maritime Day 1993 is to be observed today, September 29, 1993. The theme of this year's observance is "Implementation of IMO Standards—The Key to Success."

The IMO is a specialized agency established within the framework of the United Nations to develop international standards for improving safety at sea and preventing pollution of the oceans. The U.S. Coast Guard handles a large part of the U.S. responsibility with respect to the IMO. The Coast Guard leads U.S. delegations to meetings of the IMO Assembly, the Maritime Safety, Marine Environmental Protection, and Legal Committees, and to all subcommittees, in order to influence the development of safety and pollution prevention standards.

As you are aware, Mr. President, I have been a strong, vocal advocate of a vibrant and competitive U.S. maritime industry. As chairman of the Senate Committee on Commerce, Science, and Transportation, my oversight of the Coast Guard and other maritime activities necessarily involves me in oversight of the IMO and its development of the appropriate safety and pollution prevention standards, and in fostering subsequent worldwide cooperation and compliance.

The U.N. Maritime Conference of 1948 adopted the convention establishing the IMO as the first international body devoted exclusively to maritime matters. Mr. President, on the occasion of World Maritime Day 1993, I publicly acknowledge the IMO's 45 years of work in maritime safety and pollution prevention, and I urge my colleagues to continue with me in promoting safer shipping and cleaner oceans.•

HONORING LEONARD LINDQUIST

• Mr. DURENBERGER. Mr. President, I rise today to honor one of my most distinguished constituents and a good friend, Leonard Lindquist.

Early in September, it was announced that Leonard himself would be the first recipient of an award named after him—the Leonard Lindquist Award for Excellence in Community Service. I can think of few if any individuals I have ever met who so richly deserve this kind of honor.

Throughout his career as a lawyer, Leonard has been dedicated to using the law as an instrument for making the community a better place. Former Vice President Walter Mondale and former Congressman Don Fraser are both alumni of his public service-oriented law firm.

Former Agriculture Secretary and Democratic Governor of Minnesota, Orville Freeman, put it exactly right when he said that Leonard "called himself a Republican, but he always supported whoever he thought was right."

That's exactly the kind of public spirit Leonard exemplifies. He is a model for all people who are in politics—and need to be reminded that each of us has a higher calling than mere partisanship.

Leonard has been retired from his law practice for the last 5 years, but he has not retired from his involvement in public service. Most recently, he helped former Minnesota Vikings Jim Marshall and Oscar Reed start up an outreach program—Professional Sports Linkage, Inc.—to connect pro athletes and other celebrities with at-risk youngsters.

Marshall and Reed were so impressed with the fundraising and other assistance that Leonard provided that they created the Leonard Lindquist Award—and conferred it on him.

I'm sure my colleagues will agree that Leonard is well worthy of this award—and I ask them to join me in sending him our warmest congratulations.

I ask that an article about Leonard from the Minneapolis Star Tribune be included in the RECORD at the conclusion of my remarks.

The article follows:

[From the Minneapolis Star Tribune, Sept. 29, 1993]

LEONARD LINDQUIST GETS A DESERVED AWARD FOR HIS LIFE OF COMMUNITY SERVICE

(By Dick Youngblood)

Jim Marshall, a Purple People Eater of some renown, calls Leonard Lindquist "my hero."

Tony Bouza, the grandiloquent ex-Minneapolis police chief, once wrote Lindquist to proclaim: "Blessed be the peacemakers."

Mayor Don Fraser calls him, simply, "a really neat guy."

Their tributes, among others, have inspired me to break a precedent: I'm about to say something nice about a lawyer.

By all accounts, Lindquist has left an indelible mark on our community and, in a variety of ways, on the country as well. Consider:

As a founder with Senior U.S. District Judge Earl Larson of the law firm now known as Lindquist & Vennum, he set out from Day 1 to make the firm a strong and supportive base for attorneys dedicated to community service and public life.

Among the firm's alumni: Fritz Mondale, former vice president and U.S. Senator; Orville Freeman, the former Minnesota Governor who served as President John F. Kennedy's agriculture secretary; Minneapolis Mayor Don Fraser, who also was a U.S. Representative, and Minnesota Supreme Court Justice Alan Page, himself a onetime Purple People Eater.

As a lifelong Republican, Lindquist not only helped loft the aforementioned Democrats onto the political scene, but also found himself up to his pinstripes in a passel of liberal causes. As a state legislator in the 1950s, for instance, he was a leader in the fair-housing battle and sponsored the state's first law banning racial discrimination in nursing homes. And in the 1960s he was tapped by Minneapolis Mayor Art Naftalin, another DFLer, as chairman of the Mayor's Committee on Fair Employment Practice.

"Leonard is a true mugwump," said Freeman, now an associate in the Washington, D.C., office of the Popham, Haik law firm. "He called himself a Republican, but he always supported whoever he thought was right."

As a prominent national labor mediator and arbitrator, Lindquist was asked by Fraser to intervene in 1982 in the violent, three-month printers' strike at the Bureau of Engraving Inc.

The result: Lindquist wooed the two sides to the bargaining table and had the strike settled within days, thereby eliciting Bouza's biblical reference.

As a man who devoted his career to representing working people—from nurses to pilots to Mayo Clinic residents—Lindquist was hired as outside counsel in 1969 to help form the National Football League Players Association and assist in negotiating its first contract with NFL owners.

Although the relationship endured until 1988, Lindquist's initial meeting with one of the group's founders, John Mackey, was not what you'd call promising. Perusing a press release that identified Mackey as the tight end of the Baltimore Colts, Lindquist asked if there wasn't a misprint: "Shouldn't this be right end?" he inquired.

"I'd never seen a professional football game before," Lindquist confessed in an interview the other day. "I'd never had much time for that sort of thing."

To hear him tell it, he still doesn't have all that much time, never mind his age—81—and his lengthy but so far successful battle against prostate cancer. Indeed, the reason I'm bringing the gent to your attention this morning is that I've uncovered a significant failure here in the twilight of his illustrious career.

Truth be told, Lindquist is simply lousy at this retirement business. For one thing, while he retired from active law practice in 1988, at age 76, Lindquist still spends 20 to 30 hours or more a week as a labor arbitrator and mediator, a chore that has taken him in recent months from Miami to Chicago to Seattle—not to mention a few lesser-known

outposts in between. On a recent Tuesday, for example, he was aboard a 7:30 a.m. flight to Grand Forks to mediate a labor dispute.

More important, to borrow Fraser's words, Lindquist persists in the notion that lawyers—even octogenarian lawyers—"have an important and continuing obligation to the larger community."

All of which brings us back to the reason why Marshall, a member of a Minnesota Vikings defensive line dubbed "The Purple People Eaters," is saying nice things about Lindquist.

Marshall and former Vikings running back Oscar Reed are the founders of a truly creative inner-city organization, Professional Sport Linkage Inc., which uses athletes, business executives and other celebrities to help show at-risk youngsters that there are worthwhile alternatives to crime and drugs.

The private nonprofit organization offers programs ranging from chess, tennis and theater clubs to academic tutoring, job training and placement to about 100 youngsters referred by the courts, police, probation officers and community workers.

So what's all this got to do with Lindquist? Well, to help Marshall and Reed get started he placed the resources of Lindquist & Vennum at their disposal, including free legal advice, staff assistance and meeting space. "We didn't even have to pay for the doughnuts," said Reed, who has gained a couple of pounds since his playing days.

More important, Lindquist began putting the arm on acquaintances for contributions of time and money. "He did not request contributions," Marshall recalled, "He didn't encourage contributions. He insisted on contributions."

And this wasn't an isolated example, Marshall added: "At an age when most people would be out fishing, he's still doing what he's been doing for years—trying to make people's lives better."

And so, at a banquet early in September, Marshall announced that he and Reed were giving Lindquist their first annual Leonard Lindquist Award for Excellence in Community Service.

For his part, Lindquist has a fairly simple explanation for his unwillingness to relax: "I've always felt that, if the willingness to give dries up, so does the spirit," he said. Thus, despite prostate, cataract and hernia surgeries in the past three years, "I want to remain in the service as long as I feel I'm doing some good."•

THE TOP 50 WOMEN BUSINESS OWNERS

• Ms. MOSELEY-BRAUN. Mr. President, I have the distinguished honor today to recognize the top 50 women business owners in the country. These women, as well as all women business owners, should be acknowledged for their tremendous abilities and achievement.

The National Foundation of Women Business Owners [NFWBO], chaired by Ms. Laura Henderson of Prospect Associates, a local Washington based business, has completed important research substantiating the impact of women business owners as a new economic force. The foundation executive director, Dr. Sharon Hadary, played a key role in a research project that concluded that women-owned businesses employ more people in the United States than Fortune 500 companies do worldwide.

The 6.5 million women-owned businesses in the United States employ more than 11 million people. They operate in every industry sector including manufacturing, agribusiness, retail, health, and business and professional services. In addition, these women-owned businesses continue to expand. Over the last 2 years—while the largest companies in this Nation were reducing work forces—25 percent of women-owned business were adding employees.

I would like to take this opportunity to congratulate the top 50, and wish these women, and all women, continued success in their endeavors. Mr. President, I ask that a copy of the list of the NFWBO/top 50 be printed at this point in the RECORD.

The list follows:

THE NFWBO/WORKING WOMAN TOP 50

1. Pat Moran, President, JM Family Enterprises.
2. Marian Ilitch, Secretary, Treasurer, Little Caeser Enterprises.
3. Joyce Raley Teel, Co-Chair, Raley's.
4. Antonia Axson Johnson, Chair, Axel Johnson.
5. Liz Minyard, Gretchen Minyard Williams, Co-Chairs, Minyard Food Stores.
6. Linda Wachner, President, Chair, CEO, Warnaco Group.
7. Susie Tompkins, Co-Founder, Co-Owner, Esprit de Corp.
8. Sandie Tillotson, VP of Corporate Services, Nu Skin International.
9. Jenny Craig, Vice Chair, Jenny Craig.
10. Donna Steigerwaldt, Chair, CEO, Jockey International.
11. Norma Paige, Chair, Astronautics Corp. of America.
12. Helen Copley, Chair, CEO, Copley Press.
13. Barbara Levy Kipper, Chair, Chas. Levy.
14. Bettye Martin Musham, President, CEO, Gear Holdings.
15. Emily Woods, President, J. Crew.
16. Annabelle Fetterman, Chair, Lundy Packing.
17. Donna Karan, Chief Designer, CEO, Donna Karan.
18. Linda Johnson Rice, President, COO, Johnson Publishing.
19. Josephine Chaus, Chair, CEO, Bernard Chaus.
20. Dian Graves Owen, Chair, Owen Healthcare.
21. Ellen Gordon, President, Tootsie Roll Industries.
22. Carole Little, Co-Founder, Co-Chair, Carole Little.
23. Judy Sims, Chair, CEO, Software Spectrum.
24. Dorothy Owen, Chair, Owen Steel.
25. Adrienne Vittadini, Chair, Adrienne Vittadini.
26. Helen Jo Whitsell, Chair, CEO, Copeland Lumber Yards.
27. Lillian Vernon, CEO, Lillian Vernon.
28. Ann Gaither, President, Chair, CEO, J.H. Heafner.
29. Patricia Gallup, President, CEO, PC Connection.
30. Paula Kent Meehan, Chair, CEO, Redken Laboratories.
31. Jessica McClintock, President, CEO, Jessica McClintock.
32. Christel DeHaan, President, CEO, Resort Condominiums International.
33. June Morris, CEO, Morris Air.
34. Sondra Healy, Chair, Turtle Wax.
35. Marilyn Marks, CEO, Dorsey Trailers.
36. Kay Unger, Partner, Gillian.
37. Gertrude Boyle, Chair, Columbia Sportswear.
38. Lois Rust, President, Rose Acre Farms.
39. Joan Helpern, President, CEO, Joan and David.
40. Oprah Winfrey, Chair, CEO, Harpo Entertainment Group.
41. Marcy Carsey, Co-Owner, Carsey-Werner.
42. Lane Nemeth, President, CEO, Discovery Toys.
43. Sandy Gooch, Founder, Co-Owner, Mrs. Gooch's Natural Foods Markets.
44. Sheryl Handler, CEO, Thinking Machines.
45. Harriet Gerber Lewis, Chair, Gerber Plumbing Fixtures.
46. Libby Edelman, Senior Vice President, Sam & Libby.
47. Ruth Fortel, Chair, CEO, Ruth's Chris Steak House.
48. Jean Bernhard Buttner, President, Chair, CEO, Value Line.
49. Pleasant Rowland, President, Pleasant Co.
50. Jinger Heath, Chair, BeautiControl Cosmetics.•

PROPOSED PHASING OUT OF THE NATIONAL COMMISSION TO PREVENT INFANT MORTALITY

• Mr. DURENBERGER. Mr. President, I rise today to comment briefly on the proposed phaseout of the National Commission To Prevent Infant Mortality. The Commission has been an important source of information and inspiration for those of us involved with children's issues. I have felt honored to represent the Senate on the Commission for a number of years Mr. President, and I feel a deep sense of loss as its work apparently comes to an end through this legislation. The Commission will be sorely missed because of the numerous contributions it has made to making mothers and babies a top priority for our Nation, for States and for local communities. From the Commission's launching a national Resource Mothers Program to their continued push for one-stop-shopping integrated services for moms and kids, they have proven that leadership in the field of maternal and child health is needed in our country.

The Commission has sought to create alliances among groups not directly involved with maternal and child health issues, in order to broaden support for children. The National Health Education Consortium which represents over 60 national groups and nearly 12 million individuals and the National Consortium for African-American Children which represents over 100 national groups are just 2 of the important bridge-building initiatives the Commission has launched.

The Commission has commended public attention to the issues of mothers and children at risk. From nationally televised documentaries to countless newspaper stories and journal articles on the subject, the Commission has sought to keep the issues of promoting the health and well-being of mothers and children in the public eye.

The Commission has been called on numerous times by Members of Congress, the White House, private organizations and others for unbiased, current, accurate, state-of-the-art information about mothers and babies. Issues pertaining to mothers and children are spread so widely across congressional and administrative offices, that finding relevant information becomes a difficult and sometimes impossible undertaking. The Commission has always been an important resource for providing timely, accurate information to policy makers and the public.

Encouraging development of public/private partnerships is a critical strategy for long-term improvements in the lives of mothers and children. The Commission has been able to demonstrate by example, the value of public/private partnerships. The Commission has shown with limited dollars of support from the Federal Government matched by generous dollars from the private sector, that public/private partnerships can and do work.

Downsizing of Government is important—and I believe that it must be done. But I also believe that downsizing Government should take into account the usefulness and importance of the particular program or area being cut and how it fits into our national priorities. For a relatively small amount of funding—so small that it doesn't exist as a decimal point in the Federal budget—$460,000—the Commission has been able to make a substantial contribution to improving the lives of mothers and children.

The National Commission To Prevent Infant Mortality has performed a critical task by focusing the Nation's attention on the health and well-being of mothers and children as a national priority. I applaud their work and commitment and encourage all of us to continue the tremendous progress that they have already made.

In particular, I want to pay a special thanks to a number of individuals associated with the Commission, who have worked long and hard to improve the lives of mothers and children: Gov. Lawton Chiles of Florida, Chairman of the Commission; Representative ROY ROWLAND, Vice Chairman; Senator BILL BRADLEY, Representative BILL GOODLING, Lynda Johnson Robb, Dr. Herman Hein from Iowa, Rae Grad, Executive Director of the Commission and her staff and the many Federal, State, and local maternal and child health directors and advocates. All of these individuals have helped us to realize that children are our future—and there is no investment more important than their well-being.●

U.S. GRAIN STANDARDS ACT AMENDMENTS OF 1993

Mr. JOHNSTON. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of calendar No. 211, S. 1490, the U.S. Grain Standards Act Amendments of 1993.

The PRESIDING OFFICER. The clerk will state the bill by title.

The legislative clerk read as follows:

A bill (S. 1490) to amend Public Law 100-518 and the United States Grain Standards Act to extend through September 30, 1998, the authority of the Federal Grain Inspection Service to collect fees to cover administrative and supervisory costs, and for other purposes.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

AMENDMENT NO. 986

Mr. JOHNSTON. Mr. President, on behalf of Senator DASCHLE, I send to the desk a substitute amendment and ask unanimous consent that the amendment be agreed to and the motion to reconsider laid upon the table.

The PRESIDING OFFICER. Is there objection.

Without objection, it is so ordered.

So the amendment (No. 986) was agreed to, as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; REFERENCES.

(a) SHORT TITLE.—This Act may be cited as the "United States Grain Standards Act Amendments of 1993".

(b) REFERENCES TO UNITED STATES GRAIN STANDARDS ACT.—Except as otherwise expressly provided, whenever in this Act 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 United States Grain Standards Act (7 U.S.C. 71 et seq.).

SEC. 2. EXTENSION OF AUTHORITY TO COLLECT FEES TO COVER ADMINISTRATIVE AND SUPERVISORY COSTS.

(a) IN GENERAL.—Section 2 of the United States Grain Standards Act Amendments of 1988 (Public Law 100-518; 7 U.S.C. 79 note) is amended by striking "1993" and inserting "2003".

(b) LIMITATION ON ADMINISTRATIVE AND SUPERVISORY COSTS.—Section 7D (7 U.S.C 79d) is amended—

(1) by striking "inspection and weighing" and inserting "services performed"; and

(2) by striking "1993" and inserting "2003".

(c) REAUTHORIZATION OF APPROPRIATIONS.—Section 19 (7 U.S.C. 87h) is amended by striking "1993" and inserting "2003".

SEC. 3. COMPREHENSIVE COST CONTAINMENT PLAN.

Section 3A (7 U.S.C. 75a) is amended—

(1) by redesignating the first through fourth sentences as subsections (a) through (d), respectively; and

(2) by adding at the end the following new subsection:

"(e)(1) The Administrator shall develop and carry out a comprehensive cost containment plan to streamline and maximize the efficiency of the operations of the Service, including standardization activities, in order to minimize taxpayer expenditures and user fees and encourage the maximum use of official inspection and weighing services at domestic and export locations.

"(2) Not later than 180 days after the date of enactment of this subsection, the Administrator shall submit a report that describes actions taken to carry out paragraph (1) to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate.".

SEC. 4. USE OF INSPECTION AND WEIGHING FEES, AND OFFICIAL INSPECTION AND WEIGHING IN CANADIAN PORTS.

(a) INSPECTION AUTHORITY.—Section 7 (7 U.S.C. 79) is amended—

(1) in subsection (f)(1)(A)(vi), by striking "or other agricultural programs"; and

(2) in the second sentence of subsection (i), by inserting before the period at the end the following: "or as otherwise provided by agreement with the Canadian Government".

(b) WEIGHING AUTHORITY.—Section 7A (7 U.S.C. 79a) is amended—

(1) in the second sentence of subsection (c)(2), by inserting after "shall be deemed to refer to" the following: " 'official weighing' or";

(2) in the second sentence of subsection (d), by inserting before the period at the end the following: "or as otherwise provided by agreement with the Canadian Government"; and

(3) in the first sentence of subsection (i), by inserting before the period at the end the following: "or as otherwise provided in section 7(i) and subsection (d)".

SEC. 5. PILOT PROGRAM FOR PERFORMING INSPECTION AND WEIGHING AT INTERIOR LOCATIONS.

(a) INSPECTION AUTHORITY.—Section 7(f)(2) (7 U.S.C. 79(f)(2)) is amended by inserting before the period at the end the following: ", except that the Administrator may conduct pilot programs to allow more than 1 official agency to carry out inspections within a single geographical area without undermining the policy stated in section 2".

(b) WEIGHING AUTHORITY.—The second sentence of section 7A(i) (7 U.S.C. 79a(i)) is amended by inserting before the period at the end the following: ", except that the Administrator may conduct pilot programs to allow more than 1 official agency to carry out the weighing provisions within a single geographic area without undermining the policy stated in section 2".

SEC. 6. LICENSING OF INSPECTORS.

Section 8 (7 U.S.C. 84) is amended—

(1) in subsection (a)—

(A) in paragraph (1) of the first sentence, by inserting after "and is employed" the following: ", or is supervised under a contractual arrangement,"; and

(B) in the second sentence, by striking "No person" and inserting "Except as otherwise provided in sections 7(i) and 7A(d), no person";

(2) in the first proviso of subsection (b), by striking "independently under the terms of a contract for the conduct of any functions involved in official inspection" and inserting "under the terms of a contract for the conduct of any functions"; and

(3) in subsection (d)—

(A) by inserting after "Persons employed" the following: "or supervised under a contractual arrangement"; and

(B) by inserting after "including persons employed" the following: "or supervised under a contractual arrangement".

SEC. 7. PROHIBITED ACTS.

(a) IN GENERAL.—Section 13(a) (7 U.S.C. 87b(a)) is amended by striking paragraph (11) and inserting the following new paragraph:

"(11) violate section 5, 6, 7, 7A, 7B, 8, 11, 12, 16, or 17A;".

(b) ADDING WATER TO GRAIN.—Section 13(d) is amended by adding at the end the following new paragraph:

"(4)(A) Except as provided in subparagraph (B), no person shall add water to grain for purposes other than milling, malting, or other processing or pest control operations.

"(B)(i) Subject to clause (ii), the Administrator shall allow, through the issuance of permits, the addition of water to grain to suppress grain dust unless the Administrator determines that the addition of water materially reduces the quality of the grain or impedes the objectives of this Act.

"(ii) The Administrator may charge a reasonable fee to recover the administrative and enforcement costs of carrying out clause (i). Fees collected under this subparagraph shall be deposited into the fund created by section 7(j).".

SEC. 8. CRIMINAL PENALTIES.

Section 14(a) (7 U.S.C. 87c(a)) is amended—

(1) by striking "shall be guilty of a misdemeanor and shall, on conviction thereof, be subject to imprisonment for not more than twelve months, or a fine of not more than $10,000, or both such imprisonment and fine; but, for subsequent offense subject to this subsection, such person"; and

(2) by inserting after "$20,000" the following: "(or, in the case of a violation of section 13(d)(4)(A), $50,000)".

SEC. 9. REPORTS, TESTING OF INSPECTION AND WEIGHING EQUIPMENT, OTHER SERVICES, AND APPROPRIATE COURTESIES TO REPRESENTATIVES OF FOREIGN COUNTRIES.

Section 16 (7 U.S.C. 87e) is amended—

(1) in subsection (b), by striking the third sentence; and

(2) by adding at the end the following new subsections:

"(g)(1) Subject to paragraphs (2) and (3), the Administrator may provide for the testing of weighing equipment used for purposes other than weighing grain in accordance with such regulations as the Administrator may prescribe, at a fee established by regulation or contractual agreement.

"(2) Testing performed under paragraph (1) may not conflict with or impede the objectives of this Act.

"(3) Fees collected under paragraph (1) shall be reasonable and shall cover, as nearly as practicable, the estimated costs of the testing. The fees shall be deposited into the fund created by section 7(j).

"(h)(1) Subject to paragraphs (2) and (3), the Administrator may provide for the testing of grain inspection instruments used for commercial inspections in accordance with such regulations as the Administrator may prescribe, at a fee established by regulation or contractual agreement.

"(2) Testing performed under paragraph (1) may not conflict with or impede with objectives of this Act.

"(3) Fees collected under paragraph (1) shall be reasonable and shall cover, as nearly as practicable, the estimated costs of the testing. The fees shall be deposited into the fund created by section 7(j).

"(i)(1) The Administrator may perform such other services as the Administrator considers appropriate in accordance with such regulations as the Administrator may prescribe.

"(2) In addition to the fees authorized by sections 7, 7A, 7B, and 17A, and this section, the Administrator shall collect reasonable fees to cover the estimated costs of services performed under paragraph (1) other than standardization, compliance, and foreign monitoring activities.

"(3) To the extent practicable, the fees collected under paragraph (2), together with the proceeds from the sale of any samples, shall cover the costs, including administrative and supervisory costs, of services performed under paragraph (1).

"(4) Funds described in paragraph (3) shall be deposited into the fund created by section 7(j).

"(j) The Administrator may extend appropriate courtesies to official representatives of foreign countries in order to establish and maintain relationships to carry out the policy stated in section 2.".

SEC. 10. VIOLATION OF SUBPOENA.

Section 17(e) (7 U.S.C. 87f(e)) is amended by striking "the penalties set forth in subsection (a) of section 14 of this Act" and inserting "imprisonment for not more than 1 year or a fine of not more than $10,000 or both the imprisonment and fine".

SEC. 11. LIMITATION OF APPROPRIATIONS.

Section 19 (7 U.S.C. 87h) is amended by striking "sections 7, 7A, and 17A of this Act" and inserting "sections 7, 7A, 7B, 16, and 17A".

SEC. 12. STANDARDIZING COMMERCIAL INSPECTIONS.

Section 22(a) (7 U.S.C. 87k(a)) is amended by striking "and the National Conference on Weights and Measures" and inserting ", the National Conference on Weights and Measures, or other appropriate governmental, scientific, or technical organizations".

SEC. 13. ELIMINATION OF GENDER-BASED REFERENCES.

(a) Section 3 (7 U.S.C. 75) is amended—

(1) in subsection (a), by striking "his delegates" and inserting "delegates of the Secretary"; and

(2) in subsection (z), by striking "his delegates" and inserting "delegates of the Administrator".

(b) Section 4(a)(1) (7 U.S.C. 76(a)(1)) is amended by striking "his judgment" and inserting "the judgment of the Administrator".

(c) Section 5 (7 U.S.C. 77) is amended—

(1) in subsection (a)(1), by striking "his agent" and inserting "the agent of the shipper"; and

(2) in subsection (b), by striking "he" and inserting "the Administrator".

(d) Section 7 (7 U.S.C. 79) is amended—

(1) in subsection (a), by striking "he" and inserting "the Administrator";

(2) in subsection (b)—

(A) by striking "he" and inserting "the Administrator"; and

(B) by striking "his judgment" and inserting "the judgment of the Administrator"; and

(3) in subsection (e)(2)—

(A) by striking "he" and inserting "the Administrator"; and

(B) by striking "his discretion" and inserting "the discretion of the Administrator".

(e) Section 7A(e) (7 U.S.C. 79a(e)) is amended by striking "he" and inserting "the Administrator".

(f) Section 7B(a) (7 U.S.C. 79b(a)) is amended by striking "he" and inserting "the Administrator".

(g) Section 8 (7 U.S.C. 84) is amended—

(1) in subsection (a), by striking "him" and inserting "the Administrator"; and

(2) in subsections (c) and (f), by striking "he" each place it appears and inserting "the Administrator".

(h) Section 9 (7 U.S.C. 85) is amended by striking "him" and inserting "the licensee".

(i) Section 10 (7 U.S.C. 86) is amended—

(1) in subsection (a), by striking "he" each place it appears and inserting "the Administrator"; and

(2) in subsection (b), by striking "he" and inserting "the person".

(j) Section 11 (7 U.S.C. 87) is amended—

(1) in subsection (a), by striking "he" and inserting "the Administrator"; and

(2) in subsection (b)—

(A) in paragraph (1), by striking "he" and inserting "the producer"; and

(B) in paragraph (5), by striking "he" each place it appears and inserting "the Administrator".

(k) Section 12 (7 U.S.C. 87a) is amended—

(1) in subsection (b), by striking "his judgment" and inserting "the judgment of the Administrator"; and

(2) in subsection (c), by striking "he" and inserting "the Administrator".

(l) Section 13(a) (7 U.S.C. 87b(a)) is amended—

(1) in paragraph (2), by striking "his representative" and inserting "the representative of the Administrator";

(2) in paragraphs (7) and (8), by striking "his duties" each place it appears and inserting "the duties of the officer, employee, or other person"; and

(3) in paragraph (9), by striking "he" and inserting "the person".

(m) Section 14 (7 U.S.C. 87c) is amended—

(1) in subsection (a), by striking "he" and inserting "the person"; and

(2) in subsection (b), by striking "he" each place it appears and inserting "the Administrator".

(n) Section 15 (7 U.S.C. 87d) is amended by striking "his employment or office" and inserting "the employment or office of the official, agent, or other person".

(o) Section 17(e) (7 U.S.C. 87f(e)) is amended by striking "his power" and inserting "the power of the person".

(p) Section 17A (7 U.S.C. 87f-1) is amended—

(1) in subsection (a)(2), by striking "he" and inserting "the producer"; and

(2) in subsection (c), by striking "he" and inserting "the person".

The bill was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, shall it pass?

So the bill (S. 1490), as amended, was passed.

The title was amended so as to read: "To amend Public Law 100-518 and the United States Grain Standards Act to extend the authority of the Federal Grain Inspection Service to collect fees to cover administrative and supervisory costs, and for other purposes.".

MIDDLE EAST PEACE FACILITATION ACT OF 1993

Mr. JOHNSTON. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of calendar order No. 213, S. 1487, the Middle East Peace Facilitation Act of 1993; that the committee amendment be

agreed to; the bill be deemed read the third time and passed; the motion to reconsider laid upon the table, and any statements thereon appear at the appropriate place in the RECORD as though read.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senate proceeded to consider the bill, which had been reported from the Committee on Foreign Relations with an amendment as follows:

On page 2 line 24, by striking the word "Until," and inserting in lieu thereof "Notwithstanding any provision of the Foreign Operations, Export Financing and Related Programs Appropriations Act, 1994, until".

So as to make the bill read:

S. 1487

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 that—

(a) the Palestine Liberation Organization has recognized the State of Israel's right to exist in peace and security; accepted United Nations Security Council resolutions 242 and 338; committed itself to the peace process and peaceful coexistence with Israel, free from violence and all other acts which endanger peace and stability; and assumed responsibility over all PLO elements and personnel in order to assure their compliance, prevent violations and discipline violators;

(b) Israel has recognized the Palestine Liberation Organization as the representative of the Palestinian people;

(c) Israel and the Palestine Liberation Organization signed a Declaration of Principles on Interim Self-Government Arrangements on September 13, 1993 at the White House;

(d) the United States has resumed a bilateral dialogue with the Palestine Liberation Organization; and

(e) in order to implement the Declaration of Principles on Interim Self-Government Arrangements and facilitate the Middle East peace process, the President requires flexibility to waive certain provisions of law pertaining to the Palestine Liberation Organization.

SEC. 2. WAIVER AUTHORITY.

(a) Notwithstanding any provision of the Foreign Operations, Export Financing and Related Programs Appropriations Act, 1994, until January 1, 1994, the President shall have the authority to waive any provision of law enumerated in paragraph (b) of this section, provided that before exercising this authority, the President shall consult with the relevant Committees of the Senate and House of Representatives, and further provided that the President determines, and so certifies to the Chairmen and Ranking Members of the relevant Committees of the Senate and House of Representatives—

(1) that it is in the national interest of the United States, and,

(2) that the Palestine Liberation Organization continues to abide by all commitments in its letter of September 9, 1993, to the Prime Minister of Israel, in its letter of September 9, 1993, to the Foreign Minister of Norway, and in, and resulting from the implementation of, the Declaration of Principles signed on September 13, 1993.

(b) The following provisions of the following acts shall be waived in accordance with the procedure in paragraph (a) of this section.

(1) Section 307 of the Foreign Assistance Act, as amended, with respect to the Palestine Liberation Organization (PLO), programs for the PLO, and programs for the benefit of entities associated with it.

(2) Section 1003 of the Foreign Relations Authorization Act, fiscal years 1988 and 1989 (Public Law 100-204).

(3) Section 114 of the Department of State Authorization Act, Fiscal Years 1984 and 1985 (Public Law 98-164) with respect to the Palestine Liberation Organization (PLO), programs for the PLO, and programs for the benefit of entities associated with it.

(4) Section 37, Bretton Woods Agreement Act (Public Law 79-171).

ORDERS FOR THURSDAY, SEPTEMBER 30, 1993

Mr. JOHNSTON. 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., Thursday, September 30; that following the prayer, the Journal of the proceedings be deemed approved to date; the time for the two leaders be reserved for their use later in the day, as under the previous order; that the Senate proceed to the consideration of the conference report accompanying H.R. 2295; further, that relative to the Kerry amendment to H.R. 2445, the energy and water appropriations bill, that there be a time limitation of 4 hours with the time equally divided and controlled in the usual form, with no intervening amendment in order prior to disposition of the initial action on the Kerry amendment; and that when all time is used or yielded back, the Senate vote on or in relation to the Kerry amendment.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. JOHNSTON. 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. JOHNSTON. 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. JOHNSTON. Mr. President, to explain the previous action, it is my intent, and I believe the words so stated, that after the 4-hour time limitation on the Kerry amendment we expect to have a motion to table at that point. If it is tabled, of course the Kerry amendment is over with. If it is not tabled, then further amendments would then be in order along with further debate.

Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. JOHNSTON. I ask if that unanimous consent request so reflects.

The PRESIDING OFFICER. That explanation makes the agreement clear.

RECESS UNTIL 9 A.M. TOMORROW

Mr. JOHNSTON. Mr. President, if there is no further business to come before the Senate, I now ask unanimous consent that the Senate stand in recess as previously ordered.

There being no objection, the Senate, at 8:41 p.m., recessed until Thursday, September 30, 1993, at 9 a.m.

CONFIRMATION

Executive nomination confirmed by the Senate September 29, 1993:

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

JANE ALEXANDER, OF NEW YORK, TO BE CHAIRPERSON OF THE NATIONAL ENDOWMENT FOR THE ARTS FOR A TERM OF FOUR YEARS.

THE ABOVE NOMINATION WAS APPROVED SUBJECT TO THE NOMINEE'S COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

HOUSE OF REPRESENTATIVES—*Wednesday, September 29, 1993*

The House met at 10 a.m.

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

As the Sun lifts high in the sky and shows its light and warmth to the whole world, so may Your good spirit, O God, send its eternal light and its truth to each person. Fill our hearts with the bounty of every blessing and permeate our very souls with the assurances that Your word alone can give. May we go about our responsibilities this day with vigor and energy knowing that our contributions for justice and peace can become extraordinary when strengthened by the brightness of Your presence in our lives. Bless us this day and every day, 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.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentlewoman from Illinois [Mrs. COLLINS] come forward and lead the House in the Pledge of Allegiance.

Mrs. COLLINS of Illinois led the Pledge of Allegiance as follows:

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

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will recognize 15 Members on each side for 1-minute requests.

TRIBUTE TO SGT. EUGENE WILLIAMS: A FALLEN SOLDIER

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

Mrs. COLLINS of Illinois. Mr. Speaker, Sgt. Eugene Williams, a 26-year-old man who grew up in my district in Chicago was one of the three soldiers who gave their lives to the cause of peace in Somalia. This young man who was able to escape the daily violence and realities of urban life for young African-Americans, and who was able to survive a 7-month tour of duty in the Persian Gulf war, was unable to escape the danger in the streets of Mogadishu, where his U.S. Blackhawk helicopter was shot down by Somali guerrillas with a rocket-propelled grenade.

Sergeant Williams was the second oldest son of Mr. and Mrs. Johnnie Williams. As a youngster on Chicago's West Side, he chose the Boy Scouts over gangs and joined the Explorer Scout Troop sponsored by the Chicago Police Department. He was a graduate of the Victor Herbert Elementary School and a football player at Crane High School.

He joined the military in 1985 and served in South Korea and Germany. Earlier this year he reenlisted in the service of his country. In the words of his father, "he died fighting for others. He was just proud to be a soldier and to be in the Army. He loved his job." Mr. Speaker, I pay tribute to Sergeant Williams and send my heartfelt condolences to his family.

CONGRESS SHOULD NOT BE STAMPEDED INTO ONE HEALTH CARE PLAN

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

Mr. THOMAS of Wyoming. Mr. Speaker, we need fundamental change in the health care program in this country. Everyone agrees with that. We need to have a basic health care program that is extended to all citizens of this country.

But the drive for fundamental change does not mean we should embrace a federally controlled system of medical bureaucracy just to be able to say that we have made a change. The administration says they favor a simple system, a system that is free of bureaucracy. I wish that were so. Let us take a look for just a second at the hierarchy that is being put into place if we follow that system. A national health board appointed on a national basis to oversee health care. State alliances operated under Federal rules and regulations. A global budget enforced by the Federal Government. Price controls to be enforced by a national board of health care, and the Labor Department to monitor all of these activities, to deliver a federally supervised health care system.

Mr. Speaker, we need reform. But we need to have a reform that is developed in the private sector, that maintains choice, that maintains the best part of the system that we have, and we can do this, if we are not stampeded into going over the cliff for a federally controlled health care program.

LET RUSSIA FINANCE THEIR OWN DEMOCRACY

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

Mr. TRAFICANT. Mr. Speaker, Uncle Sam wants to send another $2.5 billion to Russia. I think it is time to check this out.

Rebels control one of the cities in Georgia. Armenians and Azeris are involved in a bloody war. The President of the Ukraine has taken control of the Ukrainian Parliament. The whole Russian Confederation they say is falling apart. And Boris Yeltsin has taken control and had military troops surround the Russian Parliament.

I say maybe this will be the first time in history that Uncle Sam gives foreign aid to a country that has not one, but two Presidents, ladies and gentlemen. Russia now has two Presidents.

I say let Uncle Sam step back and let the Russian people finance democracy in Russia. Maybe Congress would be wise to advise the administration instead of sending hard-earned taxpayer dollars we could use for health care, maybe we should send over a team of Dr. Ruth and Dr. Spock. That would be more helpful for the Russians.

"NO BLOODY WAY" IS SUGGESTED RESPONSE TO FRENCH ON TRADE ISSUES

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

Mr. BEREUTER. Mr. Speaker, recently an Australian Ambassador summed up how to best deal with the French in the Uruguay round world trade negotiations under the General Agreement on Tariffs and Trade. Responding to France's reneging on the much-heralded Blair House compromise on agricultural subsidies, the ambassador said, "No bloody way" to France's demands to renegotiate.

Mr. Speaker, "No bloody way," should become the rallying cry of the United States and the unsubsidized agricultural exporting countries of the Cairns group. Farmers in these nations have suffered along with U.S. producers

from absurd French agricultural policies. In November last year, these farmers finally thought the devastating agricultural subsidy war had ended and they were excited to concentrate on earning a decent living. However, French politicians have nearly destroyed those hopes by caving in to the terroristic threats of a group of militant French farmers dependent on rural French welfare.

Now, the French have blatantly reneged on a US-EC compromise in a way that was all too predictable. After accepting concessions from United States oilseed and soybean producers, who had patiently won recognition of their trade rights following a long dispute, the French agreed to accept that part of the compromise while clearly reneging on their written agreement to adhere to agreed upon cuts in the volume of subsidized agricultural exports.

Mr. Speaker, the intransigent French are not only sharing responsibility for forcing thousands of American and Australian farmers and millions of third-world farmers off of the land—they alone, are holding the world hostage by blocking, perhaps, the only international action able to end a world recession—that is completion of the Uruguay round of GATT. Consequently, U.S. trade officials should say, "No bloody way," to the French while unequivocally rejecting their completely unacceptable demands.

□ 1010

HEALTH CARE REFORM: KEEP THE GOOD, FIX THE BAD

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

Ms. DELAURO. Mr. Speaker, 1 week ago President Clinton presented his plan to reform our Nation's health care system. People in my district and people across the country tuned in on Wednesday night in record numbers to hear the President describe the National Health Security Act.

As the debate moves to Congress, public attention will now focus here as well. It would be a grave disservice to the American public to allow partisan bickering or special interest lobbying to sidetrack the debate on health care reform. Our mission in designing a health reform package should be clear: To preserve what is right with our health care system and to fix what is wrong.

Preserving what is right means ensuring that Americans have access to the quality care that we have come to expect. The Health Security Act will build upon that system and allow our medical institutions to continue to flourish.

Preserving what is right in our health care system also means retaining the right to choose your own physician.

The Health Security Act will guarantee every American a comprehensive benefits package that can never be taken away. To fix what is wrong with our health care system means we must cover the 37 million Americans who are currently without health insurance and the millions more who are underinsured.

To fix what is wrong with our health care system means a guarantee that no American family will lose coverage because of a lost job.

To fix what is wrong with our health care system means that no American will ever again be denied health coverage because of a preexisting condition.

In the coming weeks we will debate the Health Security Act. Undoubtedly we will make some changes to the President's plan. But let us be guided by two core goals: Preserving what is right and fixing what is wrong with health care in America.

THE HEALTH CARE PLAN WILL DESTROY JOBS

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

Ms. DUNN. Mr. Speaker, perhaps the Surgeon General should slap a warning on the President's health plan: This proposal may be hazardous to your job.

I say this because the heavy new regulations the President wants to place on small businesses across America will in fact destroy over 3 million jobs.

Last year, the highly respected Employee Benefits Research Institute conducted a study on the job-loss effect of an employer health insurance mandate—a mandate similar to the one the President is now proposing.

Its conclusion: A small business health insurance mandate will destroy 1.2 million jobs in America.

Mr. Speaker, there are better ways to extend insurance to the uninsured that will not destroy their jobs.

For employees and employers alike, let us reject this new Federal mandate on America's small businesses and low-wage workers.

HEALTH CARE IS A RIGHT, NOT A PRIVILEGE

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

Mr. GENE GREEN of Texas. Mr. Speaker, I rise today to talk about the American Health Security Act. The people of my district whom I represent overwhelmingly asked me to reform health care and provide coverage for all of our citizens.

Mr. Speaker,these people work hard to pay their bills and care for their families yet they are unable to meet the demands of our current health care system because of skyrocketing cost.

There are those who believe that the Government should stay out of health care completely because they believe that the market should set the cost of health care. What these people fail to realize is that market forces break down when life and death decisions are made. We simply cannot ask families to continue to make health care decisions based on the same way they choose what brand of peanut butter they buy.

Health care decisions are the most important ones a family will make which is why the system we establish must recognize, that the health and safety of our citizens is the first duty of our Government. This is why health care is a right and not a privilege.

Last year this sign was given to me by one of my constituents. The Health Care Security Act is a way to fulfill our obligation to promote the general welfare, providing for our citizens a true health security.

DISTINGUISHING THE MESSAGE FROM THE MESSENGER

(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, Americans can distinguish the message from the messenger—we are now reading the fine print behind the lofty principles. And the President's health care message is indeed very mixed: Claiming to encourage simplicity while creating an enormous new bureaucracy; claiming to boost the economy while charting a dangerous course toward major job loss from burdensome mandates; and claiming to produce savings while generating tremendous costs that inevitably will lead to higher taxes. In a major southwest Florida newspaper survey only days after the President made his pitch, only 2 of 10 people approved the Clinton plan. Americans see through slick marketing campaigns, want to fix what is broken by building on what works. We must invite the President to take a look at the Republican leader's message on health care. It is a message more than 2 of 10 Americans respond to favorably.

VOTE "NO" ON DEFENSE AUTHORIZATION BILL

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

Mr. SANDERS. Mr. Speaker, today we resume debate on the defense authorization bill, which proposes $263 billion in military spending. I will vote against this bill and urge my colleagues to do so.

Mr. Speaker, the cold war is over, and our major enemy in the world today is not Russia, not the Warsaw Pact, and not communism. Our major enemy is the hopelessness and despair felt by tens of millions of American workers who are either unemployed or are seeing their standard of living decline; our major enemy is the pain experienced by senior citizens who are unable to survive with dignity on their meager Social Security benefits; and by young people who are unable to afford the cost of a higher education. Our enemy today and the threat to our national security is the rage and the frustration being felt by millions of young people who may never have a decent job in their lives and the waste of having millions of Americans sleep out on our streets.

Mr. Speaker, we do not need star wars, we need educational opportunity for all. We do not need the D-5 missile program, we need to put millions of Americans to work rebuilding our Nation and constructing the affordable housing we desperately need. We do not need to spend over $100 billion a year defending Western Europe and Japan; we need to make certain that our children, our veterans, and our senior citizens live in dignity.

Mr. Speaker, let us vote "no" on the defense budget and "yes" for new priorities in America.

UNNECESSARY TORPEDO IN HEALTH CARE DEBATE

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

Mr. BUYER. Mr. Speaker, President Clinton came to us claiming two things: He would lift the ban on gays in the military, to allow homosexuals to serve in the armed services; he said, "I will lift the Henry Hyde amendment to permit Medicaid funds," taxpayer dollars, "to finance abortions."

On these two subjects, the will of the American people through the Congress has spoken: The House yesterday moved off of the Senate initiatives and codified the ban on gays in the military into law. The Senate yesterday moved on the House initiatives and overwhelmingly passed the Hyde amendment to ban the use of taxpayer dollars to finance abortions.

Despite this signal, President Clinton in the health care debate wants to finance abortions through his health care plan. Wait until the American people see that a female veteran can choose a VA health care plan and obtain an abortion from a VA clinic.

Mr. Clinton, that is an unnecessary torpedo into the health care debate.

INTERMOUNTAIN HEALTH CARE

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

Ms. SHEPHERD. Mr. Speaker, as we undertake health care reform in the coming months perhaps we must focus on achieving savings in the system by eliminating waste, curtailing fraud, and improving cost effectiveness. The experiences of Intermountain Health Care [IHC] in Utah suggest that we can meet this challenge by making a serious commitment to improving quality of care.

By establishing a computerized database to monitor and analyze health care outcomes, IHC doctors have improved their effectiveness while dramatically reducing costs. In one stunning example, IHC physicians were able to reduce their infection rates by more than 75 percent by moving forward the time antibiotics are administered before surgery. This measure saved $14,000 per avoided infection.

If every U.S. hospital achieved these standards, nationwide savings could exceed $1.5 billion. Mr. Speaker, it is clear that we can achieve great savings by renewing our commitment to quality. I urge my colleagues to join me in working with the President to accomplish this critical goal.

TERROR IN WASHINGTON, DC

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

Mr. MICA. Mr. Speaker, last night in Washington, DC, I went to sleep again to the wail of police and ambulance sirens. This morning's headlines and news stories chronicle the pain and suffering of this wounded city. The savage murders, violence and lawlessness on the streets of our Nation's Capital must come to an end.

My God, if it takes bringing out the National Guard as Mayor Kelly has suggested, I say act now. Act now before another night of terror on our streets. Act now before another innocent child bystander's life is snuffed out, another merchant brutally slain.

I say act now to stop the genocide of a generation of young male African-Americans. I say act now to bring out the National Guard, enact a Federal crime bill or take whatever measures necessary to bring this senseless killing to an end.

□ 1020

NOT ENOUGH TIME FOR NAFTA

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

Mr. APPLEGATE. Mr. Speaker, from the very beginning I have been against NAFTA, and I still am, but I have read some of the agreement and some of the arguments for it. I can see where benefits will come forth for the United States, for Mexico and for Canada, in about 10 or 12 years; but Mr. Speaker, the United States does not have the time, the industry or the jobs to sacrifice over 10 to 12 years.

If Mexico is sincere in free trade with the United States, they must then prove their mettle and show by example, not just agreements, before we enter into any free-trade agreement; but for now we should agree on no less than fair and equal trade that will phase in free trade when Mexico has shown her willingness to cooperate.

TIME TO BE DISGUSTED, NOT AMUSED

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

Mr. BARTLETT of Maryland. Mr. Speaker, yesterday as I was coming down the stairway in the Cannon Building with those great brass rails, I knocked off the rail a little poster. I picked it up, and it reads, "I used to be disgusted. Now I try to be amused."

That reminded me that it was disgust in large measure with the American voters which sent me here, and I needed to recommit myself to their trust.

It is tempting to be amused because of the shameless pork and the trampling of democracy in this body are so ludicrous.

I now need to recommit myself to not be amused, but to continue to be disgusted and to work with increasing Members on both sides of the aisle to make the necessary changes to eliminate the shameless pork and to restore democracy to this body.

Thank you. I do not know who put it there, but thank you for this note.

HEALTH SECURITY

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

Mrs. KENNELLY. Mr. Speaker, the debate on health care reform is now well underway. But as we proceed with hearings and consider the issues, and as we debate regulatory mechanisms and scoreable savings, let us not forget why we have undertaken this very important effort.

Plain and simple, far too many Americans either have no access to health care or live with the worry they may lose the access they have. My own State of Connecticut has one of the highest rates of individuals with private health insurance. Yet we have been battered by recession, and have struggled with layoffs. As we speak, 259,000 people—well over a quarter million, have no health insurance in Connecticut.

This is a difficult time for many. We can no longer feel secure about many of the things we used to take for granted. And that applies to health as well. Too many Americans no longer have the security of knowing that a serious illness will not devastate a family. Too many feel they cannot change jobs because they will jeopardize their health coverage. Too many defer important preventive care for lack of coverage.

Mr. Speaker, one important reason for tackling health care reform is to provide this kind of security for American families. The time for health security is now.

STRONG MESSAGE ON HEALTH CARE

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

Mr. DREIER. Mr. Speaker, last Friday evening I had the thrill of addressing the commencement of the ITT Technical Institute in West Covina, CA. There were nearly 2,000 people in the audience, and I did not know what the political makeup of it was, so I decided to spend my time talking about the fact that I have joined with President Clinton doing everything I possibly can to try to decrease trade barriers and expand exports to Mexico and other parts of the world.

I received a favorable response from that, but I was rather stunned when the graduates came by, and I shook each of their hands. While many of them said to me they supported our efforts to bring about a North American Free-Trade Agreement, I was very shocked when an overwhelming majority of those who spoke to me as they went through the line said—and I had not spoken about this issue at all—"Please do everything that you can to insure that this program which will bring about socialized medicine that President Clinton has supported is defeated."

I believe, Mr. Speaker, that provides a very strong message to us here that we need to find a market-oriented approach to deal with this issue.

HIGH COPAYMENTS FOR RURAL AREAS IN PRESIDENT'S HEALTH CARE PLAN

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

Mr. HAMBURG. Mr. Speaker, the President has promised to work with Congress to pass health care legislation that will guarantee health security to all Americans. The principle of universal access means that regardless of your income, comprehensive health benefits will be there for you. I applaud the President for his commitment to this goal and I will work with him to achieve it.

But I am concerned that many families in my district and across this country would not be able to afford the high costs they would have to pay under the President's proposal. The President proposes low copayments for people in HMO's and high copayments for everyone else. In a rural district like mine, many communities do not have ready access to HMO's. Residents living in such remote areas, often the least able to afford them, would be saddled with high copayments by default. Under the President's proposals, they would have to pay 20 percent of the cost for all hospital and physician services. This copayment could make health care affordable for many people in rural areas and undermine the goal of universal access.

Mr. Speaker, to guarantee every American health security we must guarantee that copayments will be affordable. I look forward to working with the President toward this goal.

ONE MORE SCANDAL

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

Mr. ROHRABACHER. Mr. Speaker, I was in the White House when I saw reputations ruined, life savings drained, and yes, pensions threatened, and who were the victims? They were President Reagan's own staff members and who were doing little more than trying to follow out the President's directive to try to stop a Soviet takeover of Central America, but there were Members of the Congress who disagreed with the President and were willing to ruin reputations, call special prosecutors in to try to get their way.

Well, now with a new Democratic administration, what do we see? We see a scandal at the Presidential Travel Office, the White House Travel Office where the President's relatives were trying to get a job and willing to ruin the careers of civil servants to do it.

Now we see a Cabinet member accused of taking $700,000 in order to facilitate the lifting of the embargo against Vietnam.

We need a special prosecutor. We need to stop this hypocrisy and the double standard. What was totally unacceptable for the Republicans and required the destruction of people's careers is being whitewashed and ignored by this administration.

Mr. Speaker, let us end the hypocrisy. Let us have a special prosecutor and let us set things straight.

□ 1030

LY BINH TO BE IN MY OFFICE TOMORROW

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

Mr. BURTON of Indiana. Mr. Speaker, the Clinton administration has taken two giant steps toward normalizing relations with Vietnam and lifting the embargo. One step was taken in July, and one was taken in September.

Now we find out that a Cabinet official, Mr. Ron Brown, the Secretary of the Department of Commerce, is accused of taking $700,000 to influence these decisions. He has said in the past that he never met with the conduit, the gentleman who is the conduit from the Vietnamese Government to our Government, but now he admits he has met with him, not once, not twice, but three times, once at the Department of Commerce.

In addition to that, Mr. Speaker, the gentleman who has made these accusations has taken an FBI lie detector test and passed it.

We have demanded an investigation into this, not unlike the Watergate or the Iran-Contra investigations, because it involves our foreign policy and a Cabinet official who may have influenced these decisions even though there are 2,200 POW/MIA's still unaccounted for in Vietnam.

Now the gentleman who has made these accusations is going to be in the Capitol tomorrow in my office. His name is Mr. Ly Binh. He will be in my office at 2:30, so any Member of this House, Democrat or Republican, who wants to get to the bottom of this alleged scam ought to be at my office at 2:30. It is 2411 Cannon Building.

THE IMPORTANCE OF COMMUNITY HEALTH CENTERS

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

Mr. RICHARDSON. Mr. Speaker, over the past 50 years the Federal Government has increased the number of public health programs that have been designed to try to prevent disease and illness, particularly among members of the population who do not have ready access to health care.

Each time I return to my district I see evidence of these very important public health programs. Community health centers and important outreach programs provide primary care to impoverished children and adults.

The Health Security Act of 1993, introduced last week by President Clinton, promises to improve our public health system by making community health centers essential providers of care. This will provide badly needed security to people who rely on community health centers for their care.

There should be no closed doors to people who are ill. Community health centers have always kept their doors open wide. I applaud the President's efforts and encourage my colleagues to make certain that the doors of community centers stay open to all who rely on their care for years to come.

KEEP PAC'S OUT OF HEALTH CARE REFORM

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

Mr. CALVERT. Mr. Speaker, last week, we heard our President deliver a call to reform our Nation's health care system.

We have also heard the President call for reform of the way we finance our political campaigns.

As Congress begins to seriously attack both of these issues, I believe it is important that we do not aggravate one problem in our attempt to solve another one.

I have grave concerns about the regional and corporate alliances that would play such an important role in the President's health care plan.

And, if they are formed, I am afraid they could interject themselves into partisan politics.

For that reason, Mr. Speaker, I have introduced a resolution which would bar any national health board established to oversee or set Federal standards regarding elements of the health care system—from forming a political action committee and from making contributions to Federal candidates.

A similar ban would apply to regional or corporate alliances.

This resolution will preserve the necessary neutrality of any new health-care bureaucrats.

CONGRESS MUST HELP SMALL BUSINESS TO PROVIDE HEALTH CARE COVERAGE FOR ITS EMPLOYEES

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

Mr. LAUGHLIN. Mr. Speaker, in his address to the joint session the President outlined six basic principles upon which national health care reform must be based. Of these six principles the sixth, responsibility, is the most basic of all. We, in Congress, have a responsibility to address the concerns of small business men and women of our Nation who are the very backbone of our country. We must ensure that small business employers will be able to obtain health insurance for their company at reasonable rates and will no longer be denied coverage because an employee has a sick child or spouse.

Mr. Speaker, small business owners have been telling me that they are facing the decisions between providing health care coverage for their employees or closing down their business. It is an essential feature of the President's program that 100 percent of the health care insurance premium be deductible. The changes we make to the system must take these factors into consideration and ensure that these men and women who provide jobs and make a significant contribution to our economy are not faced with the choice of providing health care or closing their business.

COST IMPACT LEGISLATION

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

Mr. MORAN. Mr. Speaker, much has been said about reinventing government these days, but, as my colleagues know, it is not the Federal Government that has the most profound impact upon people's lives. It is State and local governments that determine how well their children are educated, how well their families are protected by their police and fire departments, how difficult it is to travel from one place to another, and yet local and State governments today spend more money trying to meet unfunded Federal mandates than all the money they try to spend for those democratically determined priorities at the local and State level.

Mr. Speaker, it is time to recognize that, if we do not have the money in the appropriations bills to pay for the legislation that we pass, we ought not be imposing those costs on local and State governments.

I urge my colleagues to support the fair act which requires that legislation, before it reaches the House floor, contain just what the cost impact will be on local and State governments, as well as the private sector.

Mr. Speaker, I urge my colleagues to cosponsor that legislation and to truly reinvent government where it really counts.

PARLIAMENTARY INQUIRIES

Mr. WALKER. Mr. Speaker, I rise to propound a parliamentary inquiry.

The SPEAKER pro tempore (Mr. RICHARDSON). The gentleman will state his parliamentary inquiry.

Mr. WALKER. Mr. Speaker, what is the process by which we begin to deal with the issue raised by my colleague, the gentleman from Indiana [Mr. BURTON] a few moments ago? The gentleman from Indiana has made a statement which goes to the very heart of the integrity of governance in this country, and also it goes to the very heart of our foreign policy.

By what process can the House of Representatives begin an investigation of this very serious matter where we can be assured that the investigation will take place?

The SPEAKER pro tempore. The Chair advises the gentleman that committees of jurisdiction can initiate investigations on matters such as this.

Mr. WALKER. Well, Mr. Speaker, the problem is that the gentleman from Indiana has already written the committees of jurisdiction and is being stonewalled. My question is:

By what means can we ensure that, if the chairmen of those committees refuse to hold hearings on this matter of major significance, the House of Representatives can order such an investigation to take place?

The SPEAKER pro tempore. The Chair cannot respond more fully to the gentleman from Pennsylvania [Mr. WALKER] at this time.

Mr. WALKER. What strikes me as strange, Mr. Speaker, is when we had the chief of staff in the previous administration have a problem with driving a White House car to New York for some personal business, that could, in fact, be investigated almost immediately in the House of Representatives. Now we have a matter that goes to the heart of the governance of our society, and it does not sound to me as though there is any means by which we can get it investigated, and I am seeking to know whether or not there is a resolution of some sort that can be brought to the floor that would force this investigation to take place.

The SPEAKER pro tempore. The Chair cannot respond beyond the fact that a resolution can be introduced and referred to the appropriate committee of jurisdiction.

Mr. WALKER. But there is no privileged resolution that can be brought to the floor that would force the investigation to take place, Mr. Speaker?

The SPEAKER pro tempore. The Chair cannot comment on such an issue until seeing such a resolution.

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

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. BURTON of Indiana. Mr. Speaker, I thank the gentleman from Pennsylvania [Mr. WALKER] for his question.

I sent a letter to the chairman of the Committee on Foreign Affairs asking for an investigation. That appeared to me to be the committee of jurisdiction. He has indicated that he did not think he should do that, and he named a litany of other committees that ought to be notified, and that is what prompted the gentleman from Pennsylvania to ask these questions, and so we just want to know, if this merits an investigation, how do we do it?

□ 1040

The SPEAKER pro tempore (Mr. RICHARDSON). If the gentleman wants to introduce a resolution, the Chair

will refer it to the appropirate committee.

Mr. BURTON of Indiana. Mr. Speaker, we will do that.

GENERAL LEAVE

Mr. NATCHER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the consideration of House Joint Resolution 267, and that I may include tabular and extraneous material.

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

There was no objection.

CONTINUING APPROPRIATIONS, FISCAL YEAR 1994

Mr. NATCHER. Mr. Speaker, pursuant to the order of the House on Monday, September 27, 1993, I call up the joint resolution (H.J. Res. 267) making continuing appropriations for the fiscal year 1994, and for other purposes, and ask for its immediate consideration.

The Clerk read the joint resolution, as follows:

H.J. RES. 267

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, for the several departments, agencies, corporations, and other organizational units of Government for the fiscal year 1994, and for other purposes, namely:

SEC. 101. (a) Such amounts as may be necessary under the authority and conditions provided in applicable appropriations Acts for the fiscal year 1993 for continuing projects or activities including the costs of direct loans and loan guarantees (not otherwise specifically provided for in this joint resolution) which were conducted in the fiscal year 1993 and for which appropriations, funds, or other authority would be available in the following appropriations Acts:

The Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1994;

The Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1994, notwithstanding section 15 of the State Department Basic Authorities Act of 1956 and section 701 of the United States Information and Educational Exchange Act of 1948;

The Department of Defense Appropriations Act, 1994, notwithstanding section 504(a)(1) of the National Security Act of 1947;

The District of Columbia Appropriations Act, 1994;

The Energy and Water Development Appropriations Act, 1994;

The Department of the Interior and Related Agencies Appropriations Act, 1994;

The Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 1994;

The Military Construction Appropriations Act, 1994;

The Department of Transportation and Related Agencies Appropriations Act, 1994;

The Treasury, Postal Service, and General Government Appropriations Act, 1994; and

The Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1994:

Provided, That whenever the amount which would be made available or the authority which would be granted in these Acts is greater than that which would be available or granted under current operations, the pertinent project or activity shall be continued at a rate for operations not exceeding the current rate.

(b) Whenever the amount which would be made available or the authority which would be granted under an Act listed in this section as passed by the House as of October 1, 1993, is different from that which would be available or granted under such Act as passed by the Senate as of October 1, 1993, the pertinent project or activity shall be continued at a rate for operations not exceeding the current rate or the rate permitted by the action of the House or the Senate, whichever is lower, and under the authority and conditions provided in applicable appropriations Acts for the fiscal year 1993: *Provided*, That where an item is included in only one version of an Act as passed by both Houses as of October 1, 1993, the pertinent project or activity shall be continued under the appropriation, fund, or authority granted by the one House, but at a rate for operations not exceeding the current rate or the rate permitted by the action of the one House, whichever is lower, and under the authority and conditions provided in applicable appropriations Acts for the fiscal year 1993.

(c) Whenever an Act listed in this section has been passed by only the House as of October 1, 1993, the pertinent project or activity shall be continued under the appropriation, fund, or authority granted by the House, at a rate for operations not exceeding the current rate or the rate permitted by the action of the House, whichever is lower, and under the authority and conditions provided in applicable appropriations Acts for the fiscal year 1993: *Provided*, That where an item is funded in applicable appropriations Acts for the fiscal year 1993 and not includedin the version passed by the House as of October 1, 1993, the pertinent project or activity shall be continued under the appropriation, fund, or authority granted by applicable appropriations Acts for the fiscal year 1993 at a rate for operations not exceeding the current rate and under the authority and conditions provided in applicable appropriations Acts for the fiscal year 1993.

(d) Notwithstanding any other provision of this section, the amount which would otherwise be made available or the authority which would otherwise be granted under subsection (a), (b), or (c) for civilian personnel compensation and benefits in each department and agency shall be no higher than the amount or authority necessary to support the personnel level resulting from an overall fiscal year 1993 personnel reduction of 1 percent from each department or agency's base level of full-time equivalent employment consistent with 1993 enacted appropriations, pursuant to Executive Order 12839, issued February 10, 1993.

SEC. 102. No appropriation or funds made available or authority granted pursuant to section 101 for the Department of Defense shall be used for new production of items not funded for production in fiscal year 1993 or prior years, for the increase in production rates above those sustained with fiscal year 1993 funds, or to initiate, resume, or continue any project, activity, operation, or organization which are defined as any project, subproject, activity, budget activity, program element, and subprogram within a program element and for investment items are further defined as a P-1 line item in a budget activity within an appropriation account and an R-1 line item which includes a program element and subprogram element within an appropriation account, for which appropriations, funds, or other authority were not available during the fiscal year 1993: *Provided*, That no appropriation or funds made available or authority granted pursuant to section 101 for the Department of Defense shall be used to initiate multi-year procurements utilizing advance procurement funding for economic order quantity procurement unless specifically appropriated later.

SEC. 103. Appropriations made by section 101 shall be available to the extent and in the manner which would be provided by the pertinent appropriations Act.

SEC. 104. No appropriation or funds made available or authority granted pursuant to section 101 shall be used to initiate or resume any project or activity for which appropriations, funds, or other authority were not available during the fiscal year 1993.

SEC. 105. No provision which is included in an appropriations Act enumerated in section 101 but which wasnot included in the applicable appropriations Act for fiscal year 1993 and which by its terms in applicable to more than one appropriation, fund, or authority shall be applicable to any appropriation, fund, or authority provided in this joint resolution.

SEC. 106. Unless otherwise provided for in this joint resolution or in the applicable appropriations Act, appropriations and funds made available and authority granted pursuant to this joint resolution shall be available until (a) enactment into law of an appropriation for any project or activity provided for in this joint resolution, or (b) the enactment of the applicable appropriations Act by both Houses without any provision for such project or activity, or (c) October 21, 1993, whichever first occurs.

SEC. 107. Appropriations made and authority granted pursuant to this joint resolution shall cover all obligations or expenditures incurred for any program, project, or activity during the period for which funds or authority for such project or activity are available under this joint resolution.

SEC. 108. Expenditures made pursuant to this joint resolution shall be charged to the applicable appropriation, fund, or authorization whenever a bill in which such applicable appropriation, fund, or authorization is contained is enacted into law.

SEC. 109. No provision in any appropriations Act for the fiscal year 1994 referred to in section 101 of this joint resolution that makes the availability of any appropriation provided therein dependent upon the enactment of additional authorizing or other legislation shall be effective before the date set forth in section 106(c) of this joint resolution.

SEC. 110. Appropriations and funds made available by or authority granted pursuant to this joint resolution may be used without regard to the time limitations for submission and approval of apportionments set forth in section 1513 of title 31, United States Code, but nothing herein shall be construed to waive any other provision of law governing the apportionment of funds.

SEC. 111. Notwithstanding any other provision of this joint resolution, except section 106, activities funded in the Council on Environmental Quality and Office of Environmental Quality account shall be maintained at the current rate of operations.

SEC. 112. Notwithstanding any other provision of this joint resolution, except section 106, activities funded in the Selective Service System, Salaries and expenses account shall be maintained at the current rate of operations.

The SPEAKER pro tempore. Pursuant to the order of the House of Monday, September 27, 1993, the gentleman from Kentucky [Mr. NATCHER] 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 Kentucky [Mr. NATCHER].

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

Mr. Speaker, today we bring to the House a continuing resolution for fiscal year 1994 appropriations.

This joint resolution provides temporary, restrictive financing for programs covered under 11 of the 13 regular appropriations bills that have not yet been enacted into law. No extraneous issues are included in this resolution. The provisions of this continuing resolution apply until midnight October 21, 1993, or until the regular annual appropriations bills are enacted into law, whichever comes first.

Mr. Speaker, this continuing resolution is required because not all 13 regular appropriations bills that provide for the operation of the Government will be signed into law by the beginning of fiscal year 1994.

While conference action is occurring on bills after Senate passage, there is insufficient time to complete congressional action prior to the beginning of the fiscal year, and this resolution is therefore needed.

The Legislative Branch Appropriations Act of 1994 has been enacted into law and, accordingly, no provisions for programs funded in this act have been included in this resolution. The Foreign Operations Appropriations Act of 1994 is expected to be enacted into law prior to the beginning of the fiscal year and is not included in this resolution.

Mr. Speaker, the Appropriations Committee continues to be dedicated to the traditional appropriations process which means individual appropriations bills. Therefore, it will continue its efforts to get regular bills enacted as soon as possible. Based on current activities, the committee sees no need for any extension of this resolution beyond October 21 to get all regular appropriations bills enacted into law.

Section 101 of the resolution provides restrictive funding for 11 appropriations measures. Generally, projects or activities are continued at the lesser amount of either the House bill, the Senate bill or the current rate.

Mr. Speaker, this section also provides that the rate of operations for civilian personnel compensation cannot exceed the amount necessary to support the overall fiscal year 1993 personnel reduction level. This locks in the 1993 personnel savings called for in the President's reinventing government proposal started in an Executive order dated February 10, 1993.

Section 106 of the resolution provides that funds made available by this resolution continue to be available until midnight October 21, 1993, or until the enactment of the regular appropriations acts, whichever comes first. I emphasize that when regular bills are signed into law, the provisions of the continuing resolution automatically disengage and the regular appropriations bills then become the funding device.

Mr. Speaker, this resolution is clean of extraneous matter. This approach offers the best hope of achieving speedy congressional and executive branch approval and avoiding unnecessary Government disruptions, payless paydays, suspension of activities, and needless expense to the Nation.

In summary, this continuing resolution provides funding for 11 of the 13 regular appropriations bills at restrictive rates of operation for an interim period to allow for the smooth and continuous operation of the Government until final appropriations decisions are agreed upon by the Congress and the administration.

I urge its adoption.

Mr. Speaker, at this time I want to thank all of the Members of the House on both sides of the aisle for helping us with our appropriation bills. They have all helped us.

Mr. Speaker, last year the House passed all 13 of these bills and sent them to the other side in short order. We had a short term continuing resolution that only went for a brief period so that we could complete conference action.

Mr. Speaker, this year we only want one short term continuing resolution too. We want all 13 of these bills to go to the White House. We want the President to examine each one of them. If he wants to sign them, he can sign them. If he wants to veto them, he can veto them.

Mr. Speaker, as far as the continuing resolution is concerned, as I said, it is a clean resolution. There is nothing in there except the continuation of current year, ongoing programs and activities that will continue in fiscal year 1994 in these bills.

Mr. Speaker, I want to thank the gentleman from Indiana [Mr. MYERS] and every member of our committee on his side, including the gentleman from Pennsylvania [Mr. MCDADE], one of the ablest Members of this House, the ranking member, for working with us on all of these bills. We would not have progressed this far without that cooperation.

Mr. Speaker, I urge adoption of this resolution.

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 am a substitute today, as the chairman has stated. Our ranking Republican member, the gentleman from Pennsylvania [Mr. MCDADE], is unable to be here today, so I will attempt to fill his shoes in some capacity.

Mr. Speaker, as the chairman has stated, we once again find ourselves in a predicament, not an unfamiliar one on this Committee on Appropriations. It is one that has been forced upon us, where we must ask for a continuing resolution to fund every agency, to fund every department in the executive branch. As of midnight tomorrow, every one of the executive agencies runs out of money.

Mr. Speaker, that has not been the fault of the House of Representatives, nor the Committee on Appropriations, for most of these. In fact, by the August recess we in this House had completed 11 of the 13 major appropriations bills and sent them to the Senate. Unfortunately, we have been unable to get the Senate to act with the expeditiousness with which we acted. So we find ourselves in a situation today, through no fault of the Committee on Appropriations nor the House of Representatives, that we must ask for a continuing resolution.

Mr. Speaker, as the chairman has said, this is as clean as it can be. To make it very simple, this resolution provides that the agencies of government shall continue operating at last year's level, the Senate-passed version, or the House-passed version, or by their Committees on Appropriations, whichever of those three is the lowest.

Mr. Speaker, it is very simple, and I think very important. Every agency is required to continue the programs at no higher a level than last year and no greater extent covering any of the programs that may have been in the appropriations. They cannot, even though we may in some instances have programs in either the Senate or House-passed versions for the 1994 appropriations, they cannot expand those or develop new programs until there is an appropriation bill passed for that agency.

Mr. Speaker, at the suggestion of our ranking member, the gentleman from Pennsylvania [Mr. MCDADE], there is a provision on page 5 of this legislation providing that under the executive order signed by President Clinton, there is an agreement that Federal agencies shall be reduced in the next 3 years by 4 percent.

□ 1050

In order to accomplish this, we have put a provision in here that they must start 1994 by having achieved a reduction in these agencies of at least by 1 percent. So we are trying to make every maximum effort to hold down spending, to make sure that we conserve every dollar, that we save the

American taxpayers dollars. And we cannot wait for 1997 or 1998 to do that.

Our Committee on Appropriations realizes this. We are making every effort to accomplish just that.

Mr. Speaker, I completely support this effort to continue our Government. We just cannot put the country in chaos by not passing this continuing resolution. We hope that every Member can support it, but we understand some Members may find it necessary not to vote for this. But, if we do not pass this resolution today, there would be many agencies of the Federal Government that would be put into a very severe situation.

That has happened in the past, but nothing would be gained by that. We must keep the Government running. We have more Government maybe than we need, but at least we cannot afford at this point not to have it function and to continue.

Mr. Speaker, I urge that we all support this.

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

Mr. MYERS of Indiana. Mr. Speaker, I yield 2 minutes to the gentleman from Delaware [Mr. CASTLE].

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

I would like to state full praise for the chairman of the Committee on Appropriations and for all those who have worked on that process in the House of Representatives and, indeed, the leadership of the House of Representatives.

This is a very difficult process of handling 13 different budgets that we go through, very unique for me, as a freshman, to be able to handle this.

But I have to rise today to say that a continuing resolution today is an admission of failure of the budget process of the United States of America, and we should not forget that. Across this country, States and local governments have passed various measures to help them in their budgeting processes, a line-item veto, balanced budget amendments, capital budgets separate from their ongoing budgets, and it has worked. Practically in every State and local government and probably in every household and in every business across the United States of America, budgets are adopted on time because everybody understands the repercussions if they are not adopted on time.

Here in Congress, we have developed the most Byzantine process I have ever seen to get through the budget process, going through authorizations, appropriations, going from the House to the Senate. And the Senate is where the problems are right now. And then back through conference into the House and the Senate again and, finally, over to the President who will then sign it.

This continuing resolution, which gives us some extra days, basically, does not give the executive branch any time to consider the repercussions of what may be in those various budget measures that will go through.

So we have a tremendous problem in doing all this. It is very difficult, I think, for a lot of particularly new Members of this Congress to understand this process. It is even more difficult, I believe, for the press to be able to explain it properly, and I do not believe that the public, the people who really count in the United States of America, who are tired of tax increases, who are tired of a Congress which has overspent, to have any input whatsoever, and that is a tremendous problem in terms of what we are doing today.

The time has come to end this process. The time has come to simplify it, to put in the constitutional limitations as Members of Congress to speak to this, to let it never happen again, to make sure that the Senate understands what this message is loud and clear.

My final thought is that, and it is a warning, I have understood that in past years in the continuing resolution, a lot of different amendments have been attached to it, which have obtained things that might not otherwise be able to be done. I hope we do not see that this year, and I hope we never see that again.

I congratulate the chairman. He has done a wonderful job of this. But I would point out that this is not the way to do business. Hopefully, Congress can change its way in the future.

Mr. MYERS of Indiana. Mr. Speaker, I yield myself 1 minute.

The gentleman from Delaware [Mr. CASTLE] seemed to be defending the action of the executive branch and we are putting them in a bind. Actually, they put us in a bind. We did not get the President's budget until the middle of April. So one of the reasons this committee has been a long time getting here is the fact we did not have all the information coming out of the executive branch so we could not write legislation.

I share the gentleman's concerns that we need to change the budget system around here. In fact, I have got probably more radical changes I would recommend to change the budget system than maybe the gentleman would even recommend.

Nevertheless, this is not to say that the executive branch is entirely free of blame. We can only do what we can with what we have to work with. Again, we did not get the budget until April.

Mr. Speaker, I yield 2 minutes to the gentleman from Indiana [Mr. BURTON].

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

One of the big concerns that I have had since I came to Congress is every single year we continue to pass what is known as short-term CR's to keep Government running. That is a heck of a way to run a railroad, let alone a government.

We have 13 appropriations bills, and I want to commend the chairman and the ranking Republican and the members of the Committee on Appropriations for doing their dead-level best to get those 13 appropriations bills passed and sent to the Senate, passed by the Senate and then sent on to the President.

But the fact of the matter is, here we are again with a 3-week short-term CR, and it is something this Government should not be doing.

In addition to that, I would like to raise an issue. My colleague from Pennsylvania is going to ask a question here in a minute about the White House cutting 25 percent of their staff, as they said that they were going to do, I think by October.

This resolution, I understand, takes steps toward cutting overall executive branch Government by 4 percent over 4 years, 1 percent a year. But that is a far cry from the 25 percent cut that the President said he was going to institute at the White House in the past. I have problems with a continuing CR. I would like to question the White House on whethr or not they are going to live up to their commitment to cut their staff by 25 percent, as they promised.

If they do not do that, then we must question whether or not they are going to follow through on cutting the overall staff in the Government and the bureaucracy.

With that, Mr. Speaker, I want to thank the gentleman for yielding time to me.

Mr. MYERS of Indiana. Mr. Speaker, I yield 3 minutes to the gentleman from Pennsylvania [Mr. WALKER].

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

I would like to raise a couple of questions, as I go through this particular bill. I look at section 101 on page 5, regarding the 1-percent reduction in personnel.

I see that we are implementing that particular authority in the bill. And then I also look over at section 112, and I find that there we say, "notwithstanding any other provision of this joint resolution, salaries and expenses account shall be maintained at the current rate of operations."

My first question is, which is it? Is section 101 the governing section with regard to salaries and expenses with a 1-percent reduction, or is section 112 the governing chapter of this particular bill?

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

Mr. WALKER. I yield to the gentleman from Kentucky.

Mr. NATCHER. Mr. Speaker, the provision in section 101 dealing with the rate for civilian personnel compensation has been included because of an agreement worked out between the

chairman of our committee and the gentleman from Pennsylvania [Mr. McDADE], the ranking member. That is the reason it is in there. It should be in there.

As far as the section that the gentleman called attention to, 112, that deals only with the rate of operations for the Selective Service System.

I say to the gentleman from Pennsylvania [Mr. WALKER], the 1 percent civilian personnel reduction rate is the controlling factor of this resolution.

Mr. WALKER. So the Selective Service is not included in section 101?

Mr. NATCHER. Mr. Speaker, if the gentleman will continue to yield, the Executive order that causes the 1 percent personnel reduction applies to the Selective Service System, therefore that agency's rate for operation for civilian personnel is reduced by 1 percent.

Mr. WALKER. Then it seems to me it is a little confusing. On one hand we are saying that is there to reduce it 1 percent. On the other hand, the gentleman is saying "Keep it as it is."

Mr. NATCHER. Mr. Speaker, the Executive order, as the gentleman knows, would pertain to the entire Government except for a few small independent agencies and we have included a 1-percent rate reduction to account for this.

Mr. WALKER. So section 112 is not operative here. Section 101 is the governing section?

Mr. NATCHER. Mr. Speaker, the Selective Service System rate for operation for personnel compensation is only the amount needed consistent with the overall provision of the 1 percent reduction.

Mr. WALKER. The other question I have is with regard to the White House. As the gentleman from Indiana pointed out, as I understand it, this resolution says that the lower of the figures of either the Senate resolution, the House resolution or last year's spending will govern.

Do any of those resolutions contain the 25 percent reduction that the President has promised in the White House staff?

Mr. NATCHER. Mr. Speaker, that will be in the Treasury, Postal Service appropriation bill, which will be on the House floor tomorrow. That will be in that conference report. It will be in that conference report tomorrow.

Mr. WALKER. Mr. Speaker, is the gentleman saying that in the conference report tomorrow, the figures in there are a 25-percent reduction in the White House staff?

□ 1100

Mr. NATCHER. I think the gentleman will find that is correct.

Mr. WALKER. I will be happy to yield to the gentleman, but I just want to clarify my point. So in other words, because it is in the conference report, will that be the standard as of October 1 under the continuing resolution? In other words, we will have cut the White House staff 25 percent by passing this continuing resolution?

Mr. NATCHER. I would advise the gentleman as soon as the President signs the Treasury-Postal bill, that is it. It is in there.

Mr. WALKER. What about the continuing resolution, because the continuing resolution is going to govern us for at least a few days there probably? Does that include the 25 percent as well?

Mr. NATCHER. The continuing resolution provides that as each bill is signed that bill then drops out of the continuing resolution. It disengages.

Mr. WALKER. So it is the gentleman's intention and the committee's intention, as of October 1 the White House staff will be reduced 25 percent?

Mr. NATCHER. That is correct.

Mr. WALKER. And as far as you know, the administration is going to comply with that and, in fact, on October 1 will have a staff 25 percent less than it was when they took office?

Mr. NATCHER. That is correct.

Mr. WALKER. I thank the gentleman. That is very helpful. I appreciate the information.

Mr. MYERS of Indiana. Mr. Speaker, I yield 4 minutes to the gentleman from Illinois [Mr. PORTER], a member of the committee.

Mr. PORTER. Mr. Speaker, I do not rise in opposition to this resolution but I do rise in opposition to the events which have led to it.

Once again, this body is forced to pass a resolution to continue the functions of Government because the Congress and the President have failed to enact the 13 regular appropriations bills on time and within budget.

I do not find fault with the chairman of our Committee on Appropriations on this matter. Indeed it has always been his intent to avoid this occurrence.

And I am sure that the chairman is anguished by it. He has done everything he can to avoid having a CR.

Rather, this body has been repeatedly forced to wait to act. We had to wait for the President's budget, which—in violation of the Budget Act timetable—was very very late. Then, once we received that budget, and learned that the numbers contained within it did not meet the constraints of the budget resolution—we had to wait again for the administration to tell us what to keep and what to discard. In many cases, we made those decisions for the administration, exercising as we should our power of the purse. We also had to wait for the authorizing committees, who in turn in many circumstances had to wait for the administration.

Mr. Speaker, considering these impediments, I think it is a credit to the committee that we are only 2 weeks behind schedule. And I understand that a new administration may need some time to get its feet under it, and move forward in a timely manner.

But, 2 weeks—only 2 weeks—is still not acceptable. And it is not encouraging that the new administration is getting started with a CR, the same device that was relied on all too often in the past two administrations.

Continuing resolutions, Mr. Speaker, are not an appropriate way to govern. They are an admission of failure, a confession of irresponsibility.

This continuing resolution is a clean CR, and that is a good thing. But we cannot control the other body, and experience counsels that they will be tempted to muddy this document with pet projects and initiatives irrelevant to its central purpose.

CR's do not help Federal managers plan an annual budget. They are a major impediment to long range planning, to responsible budgeting, to reinventing Government. They promote waste because they force the bureaucracy to think in extremely short-range terms.

Mr. Speaker, a few years ago I collected 147 signatures on a letter to Ronald Reagan. The signers pledged to vote to uphold a veto of any continuing resolution. We also asked the President to pledge not to sign one if Congress sent it to him. This strategy worked: The President announced in his State of the Union address that he would not sign a CR. The result was that this body passed 13 bills on time and within budget. And indeed, the Congress passed all 13 bills on time, within budget, for the first time in almost 40 years.

I urge President Clinton to take seriously the importance of abiding by budget timetables. I urge the President to do everything in his power to ensure that not one more CR clouds the record of his administration. And I encourage this body—Members on both sides of the aisle—to do all we can to make sure that there are simply no more CR's.

Mr. MYERS of Indiana. Mr. Speaker, I had requests for time but the requestee is not here. So I yield myself 1 minute to summarize here some of the remarks made.

First, last year at this time, as the chairman stated, we only had one appropriation bill that had been sent to the White House. That was the agriculture bill.

This year, through no fault of ours, the scenario is the same. Only the legislative branch bill has been sent downtown. By not enacting this continuing resolution, we are sending a signal that we will fund ourselves, but not keep other Federal workers going.

I also want to emphasize that this year the action of this continuing resolution would be $9 billion in budget authority under the 1994 total 602(b) allocation. For those who are not familiar

with what a 602(b) is, that is the projection from the Budget Committee of how much we should be spending in these various categories. And on outlays where we are actually spending the money, we would be $8 billion below the 1994 total 602(b) allocation.

So this continuing resolution is making an effort to cut Federal spending. Maybe not as much as some of us would like to see. Ideally, if I were writing the bill, I would make much larger cuts than this. But we are a body where we have to cooperate, we have to compromise with not only ourselves in this body, but with the other body, the Senate across the Capitol.

So this is a good continuing resolution, as good as you can have. It is as clean as it possibly can be.

I urge that all Members to support this legislation.

Mr. MICHEL. Mr. Speaker, I find it unfortunate that 2 days before the beginning of the new fiscal year, we are faced with a continuing resolution because only 1 of the 13 regular appropriations bills has been signed into law.

The failure to complete the 13 regular appropriations bills by October 1, is one of the reasons that I recommended a 2-year budget cycle when I testified before the Joint Committee on the Organization of Congress earlier this year.

The only time in recent history that all regular appropriations bills were completed by October 1, was in 1988—the second year of the 2-year budget agreement of 1987.

The positive aspect of the continuing resolution before us today is that the basic bill provides spending at the lower level of the House-passed, Senate-passed, or last year's level, for each program through October 21.

It also goes further in an attempt to initiate some of the personnel savings envisioned in Vice President GORE's National Performance Review by reducing personnel levels percent below 1993 levels.

Last spring, President Clinton called for a 4-percent reduction in Federal personnel by fiscal year 1995. Subsequently, the Vice President's National Performance Review, issued September 7, recommended a larger, 12-percent reduction in Federal personnel by fiscal year 1999.

I strongly support at least a 1-percent reduction from 1993 levels provided in this continuing resolution which is the exact downpayment on the personnel reductions that was recommended by the President.

This action signals that we are willing to work with the President to implement Government savings and reforms. I pledge to continue to work toward implementing the total 5-year savings of $108 billion recommended in the Vice President's National Performance Review.

I will support the continuing resolution today because it is a clean bill that initiates some National Performance Review personnel savings.

In addition, to totally disrupt the Federal Government would place undue hardship on many individuals that rely on services from the Federal Government.

But, I would hope that there is serious consideration given to congressional reform proposals that improve the efficiency of Congress so that work can be completed in a timely fashion in the future.

I urge my colleagues to join me in voting for this clean, continuing resolution today.

Mr. BILIRAKIS. Mr. Speaker, here we go again.

Congress is required to pass 13 appropriations bills before the start of the new fiscal year. Since 1974, we have only succeeded in meeting that deadline twice—1977 and 1989. Once again, we will fail to meet this important deadline and have to pass another continuing resolution.

What many people do not realize, however, is that funds for Congress' own operations were approved in June and July by the House and Senate. In other words, while the budget for Congress is settled and approved—the rest of the Federal programs that people depend on are in financial limbo.

I believe that the funding requirements of Congress should only be considered after the needs of all other Americans are met to the best of our ability. I have introduced legislation, H.R. 1922, which would force Members of Congress to earn their own paychecks. Like every other wage earner and the salaried employee, I propose that Congress only be paid when it has completed its most basic work—to approve the general budget for the Federal Government, to discharge fully its responsibility over the Nation's pursestrings.

To accomplish this end, I would withhold our own paychecks and the money to run our offices until action is completed—on time—on all other general appropriations bills for the next fiscal year. Thus, instead of securing its own funding well in advance, Congress would be dead last in line for Federal spending.

My bill would effectively outlaw continuing resolutions, the huge spending bills that have been subject to widespread abuse. The proposal would also help to prevent the possibility of Government grinding to a halt, Social Security checks being threatened, and other programs held in limbo until appropriation bills are finally approved in the dead of night.

This proposal would not cure all institutional flaws or tackle broader ethical concerns, but I believe it would be a step in the right direction. I believe it would represent a change in thinking and attitude. I think people would prefer to see Congress step to the back of the line for a change.

If Congress was faced with the prospect of being shut down, then perhaps it would more seriously weigh the results of its inaction.

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

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

The SPEAKER pro tempore (Mr. RICHARDSON). Pursuant to the order of the House of Monday, September 27, 1993, the previous question is ordered on the joint resolution.

The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, and was read the third time.

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

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

Mr. WALKER. 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 274, nays 156, not voting 3, as follows:

[Roll No. 464]

YEAS—274

Abercrombie	Filner	Lowey
Ackerman	Fingerhut	Maloney
Andrews (ME)	Fish	Mann
Andrews (NJ)	Flake	Manton
Andrews (TX)	Foglietta	Margolies-Mezvinsky
Applegate	Ford (MI)	Markey
Bacchus (FL)	Ford (TN)	Martinez
Baesler	Frank (MA)	Matsui
Barca	Frost	Mazzoli
Barcia	Furse	McCloskey
Barlow	Gallo	McCurdy
Barrett (WI)	Gejdenson	McDermott
Bateman	Gephardt	McHale
Becerra	Geren	McKinney
Beilenson	Gibbons	McNulty
Bentley	Glickman	Meehan
Berman	Gonzalez	Meek
Bevill	Goodling	Menendez
Bilbray	Gordon	Mfume
Bishop	Green	Michel
Blackwell	Gutierrez	Miller (CA)
Bliley	Hall (OH)	Mineta
Bonior	Hall (TX)	Mink
Borski	Hamburg	Moakley
Boucher	Hamilton	Mollohan
Brewster	Harman	Montgomery
Brooks	Hastings	Moran
Browder	Hayes	Morella
Brown (CA)	Hefner	Murphy
Brown (FL)	Hilliard	Murtha
Brown (OH)	Hinchey	Myers
Bryant	Hoagland	Nadler
Byrne	Hobson	Natcher
Cantwell	Hochbrueckner	Neal (MA)
Cardin	Holden	Neal (NC)
Carr	Horn	Oberstar
Chapman	Houghton	Obey
Clay	Hoyer	Olver
Clayton	Hughes	Ortiz
Clement	Hutto	Orton
Clinger	Hyde	Owens
Clyburn	Inslee	Pallone
Coleman	Jefferson	Parker
Collins (IL)	Johnson (CT)	Pastor
Collins (MI)	Johnson (GA)	Payne (NJ)
Cooper	Johnson (SD)	Payne (VA)
Coppersmith	Johnson, E. B.	Pelosi
Coyne	Johnston	Peterson (FL)
Cramer	Kanjorski	Pickle
Danner	Kaptur	Pomeroy
Darden	Kennedy	Price (NC)
de la Garza	Kennelly	Rahall
Deal	Kildee	Rangel
DeFazio	Kleczka	Reed
DeLauro	Klein	Regula
Dellums	Klink	Reynolds
Derrick	Kolbe	Richardson
Deutsch	Kopetski	Roemer
Dicks	Kreidler	Rogers
Dingell	LaFalce	Rose
Dixon	Lambert	Rostenkowski
Dooley	Lancaster	Rowland
Durbin	Lantos	Roybal-Allard
Edwards (CA)	LaRocco	Rush
Edwards (TX)	Laughlin	Sabo
Engel	Lehman	Sanders
English (AZ)	Levin	Sangmeister
English (OK)	Lewis (GA)	Sarpalius
Eshoo	Lightfoot	Sawyer
Evans	Lipinski	Schenk
Farr	Livingston	Schiff
Fazio	Lloyd	Schumer
Fields (LA)	Long	

Scott
Serrano
Sharp
Shepherd
Sisisky
Skaggs
Skeen
Skelton
Slattery
Slaughter
Smith (IA)
Spratt
Stark
Stenholm
Stokes
Strickland
Studds
Stupak
Swett
Swift
Synar
Talent
Tanner
Tauzin
Taylor (MS)
Tejeda
Thompson
Thornton
Thurman
Torres
Torricelli
Towns
Traficant
Tucker
Unsoeld
Valentine
Velazquez
Vento
Visclosky
Volkmer
Vucanovich
Washington
Waters
Watt
Waxman
Wheat
Whitten
Williams
Wilson
Wise
Wolf
Woolsey
Wyden
Wynn
Yates
Young (FL)

NAYS—156

Allard
Archer
Armey
Bachus (AL)
Baker (CA)
Baker (LA)
Ballenger
Barrett (NE)
Bartlett
Barton
Bereuter
Bilirakis
Blute
Boehlert
Boehner
Bonilla
Bunning
Burton
Buyer
Callahan
Calvert
Camp
Canady
Castle
Coble
Collins (GA)
Combest
Condit
Costello
Cox
Crane
Crapo
Cunningham
DeLay
Diaz-Balart
Dickey
Doolittle
Dornan
Dreier
Duncan
Dunn
Emerson
Everett
Ewing
Fawell
Fields (TX)
Fowler
Franks (CT)
Franks (NJ)
Gallegly
Gekas
Gilchrest
Gillmor
Gilman
Gingrich
Goodlatte
Goss
Grams
Grandy
Greenwood
Gunderson
Hancock
Hansen
Hastert
Hefley
Herger
Hoekstra
Hoke
Huffington
Hunter
Hutchinson
Inglis
Inhofe
Istook
Jacobs
Johnson, Sam
Kasich
Kim
King
Kingston
Klug
Knollenberg
Kyl
Lazio
Leach
Levy
Lewis (CA)
Lewis (FL)
Linder
Machtley
Manzullo
McCandless
McCollum
McCrery
McHugh
McInnis
McKeon
McMillan
Meyers
Mica
Miller (FL)
Minge
Molinari
Moorhead
Nussle
Oxley
Packard
Paxon
Penny
Peterson (MN)
Petri
Pickett
Pombo
Porter
Portman
Poshard
Pryce (OH)
Quillen
Quinn
Ramstad
Ravenel
Ridge
Roberts
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Royce
Santorum
Saxton
Schaefer
Schroeder
Sensenbrenner
Shaw
Shays
Shuster
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solomon
Spence
Stearns
Stump
Sundquist
Taylor (NC)
Thomas (CA)
Thomas (WY)
Torkildsen
Upton
Walker
Walsh
Weldon
Young (AK)
Zeliff
Zimmer

NOT VOTING—3

Conyers
McDade
Smith (MI)

□ 1127

Ms. LAMBERT changed her vote from "nay" to "yea."

So the joint resolution was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

APPOINTMENT OF CONFEREES ON H.R. 2520, DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 1994

Mr. YATES. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 2520) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1994, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

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

There was no objection.

MOTION TO INSTRUCT OFFERED BY MR. REGULA

Mr. REGULA. Mr. Speaker, I offer a motion to instruct.

The Clerk will report the motion.

The Clerk read as follows:

Mr. REGULA moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the bill H.R. 2520, be instructed to insist on disagreement to the amendment of the Senate numbered 123.

Mr. KOLBE. Mr. Speaker, I would ask whether the distinguished chairman of the subcommittee, the gentleman from Illinois, is opposed to the motion to instruct conferees?

Mr. YATES. I am not opposed, Mr. Speaker.

Mr. KOLBE. Mr. Speaker, I am opposed to the motion to instruct, and pursuant to clause 1(b) of rule XXVIII, I request that one-third of the debate time be allotted to me on the motion.

The SPEAKER pro tempore. Under the rule, the gentleman from Ohio [Mr. REGULA] will be recognized for 20 minutes, the gentleman from Arizona [Mr. KOLBE] will be recognized for 20 minutes, and the gentleman from Illinois [Mr. YATES] will be recognized for 20 minutes.

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

Mr. REGULA. Mr. Speaker, I yield such time as he may consume to the gentleman from Florida [Mr. STEARNS] for the purpose of engaging in a colloquy.

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

□ 1130

First, I want to commend the gentleman on his motion and his efforts on the issue of grazing fees. This is sensitive and complicated issue, and the gentleman and the chairman, the gentleman from Illinois [Mr. YATES] are to be commended.

The House passed on July 15, by a vote of 240 to 184, an $8.7 million cut in the National Endowment of Arts. The House made a small but significant step toward controlling spending by this vote.

This vote was about fiscally responsibility. At a time when government's spending is out of control this was a welcome victory in the House.

It is my hope that the House conferees would insist on the House position in this matter. In past conferences, the House position has not been protected.

I realize that because of the rules of the House I am prevented from amending this motion to instruct conferees, but I seek the gentleman's assurances that the conferees will be empathic to the declared position of the House.

Mr. REGULA. Mr. Speaker, if the gentleman will yield, as he knows, I voted with him on the amendment to reduce the spending, and I want to assure him that I, on this side, will do all I can to preserve the will of the House in this matter, particularly in view of the large vote in support of the gentleman's amendment.

Mr. STEARNS. Mr. Speaker, I thank the gentleman from Ohio [Mr. REGULA] for his remarks.

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

Mr. Speaker, my colleagues, the conflict over the fate and future of grazing on the public lands continues to rage on. Some in the other body have likened the battle to the Civil War that tore our Nation apart in 1861. I would note, that far more significant war lasted only 4 years. This conflict has endured for almost two decades.

As a veteran of the grazing battles, I have come to three conclusions. For the opponents, there is no right time to increase grazing fees. There is no right method by which to increase grazing fees. And, there is no level of fee increase which is fair and reasonable.

I followed with great interest the recent debate in the other body on this issue and was pleased, if not somewhat surprised, to hear my Senate colleagues say they "want finality to the controversy." They said they "don't want to be dealing with this again next year." They even claimed to support reform. I couldn't agree more, unfortunately, their actions belie their words.

The 1-year moratorium adopted by the other body is merely a further delaying tactic. It will take the issue of grazing fees and range management off the table for 1 more year. For those of us who support the concept of charging fair market value for the use of public lands and who want to see a range program that is fair for the ranchers, the taxpayers and the environment, there is no time like the present.

I have read with interest, and some chagrin, the misinformation that has been spread about my motion to instruct. It has been said that my motion would "have the effect of raising grazing fees on public lands 130 percent." That is patently false—the motion to instruct takes no position on the level of fee increase or the reforms embodied in the Secretary's proposal. The conferees could consider a range of options

and do not necessarily have to endorse the Secretary's proposal. I personally endorse every part of it.

This issue has been debated on and off since 1976. This body has on four separate occasions in the past 3 years voted overwhelmingly for grazing fee increases in excess of the Secretary's proposal. This is the easiest of the votes because it is not a vote on a specific fee increase, not a vote on specific reform proposals, but simply a vote for change. A vote against the status quo.

If you take those who argued during the recent debate at their word, that is, "it is up to Congress to find the balance among these proposed changes," (Gorton) and that they are "not seeking to stonewall change but simply to be part of that process," (Bryan) then you should support my motion. My motion gives opponents of the administration's proposal a seat at the table. It effectively reopens the negotiations. The moratorium forecloses any near term resolution of this longstanding conflict.

Four times since 1990 the House has voted overwhelmingly to increase grazing fees and four times the response from the other body has been the same. Not the right vehicle, not the right time, not the right fee increase. The result of inaction: The fee, under the current flawed formula, continues to decline. In fact, the fee today is 24 percent lower than it was in 1980.

By virtually any measure the Federal fee is the lowest around. For example, fees collected by State land boards in 1991 ranged from $1.92 to $7.92 or an average of $3.90. Private lease rates in these same western States range from $17.96 to $8, or an average of $12.25. Simply put, the Federal Government is charging and receiving bargain basement rates.

Moreover, when you look at the cost of administering this program from a purely fiscal point of view, the Government would be better off eliminating the grazing program completely. Total costs in 1990 of administering the grazing program for both BLM and the Forest Service were $73.8 million. In fairness I would point out that some of this cost results from multiple use needs including wildlife enhancement. Total receipts were $27 million of which $5.5 million was returned to the western States and counties for a net loss to the Federal Treasury of $52 million. To remedy this deficit is why this motion is endorsed by the taxpayers union. The failure of the other body to address the numerous reform initiatives approved by this body is why the administration chose to act through a perfectly legal, perfectly deliberative and open rulemaking procedure which will not result in a fee increase before the end of fiscal year 1994 at the very earliest. For those who object to the Secretary's initiative I challenge them to offer a proposal. They have not. They have offered more of the same old bromides which when translated means do nothing.

Opponents of reform argue that there has not been adequate public input on this proposal. It is simply being put in place by executive fiat. I would point out, however, that there is precedent for addressing this issue administratively. President Reagan, in 1986, with no benefit of public hearings and no public comment period, literally with one stroke of the pen, extended indefinitely the current formula.

The process Secretary Babbitt has laid out is a much more open and public rulemaking procedure which has, and will continue to, involve extensive input from all interested parties. Five public hearings were held in the West before announcing a grazing reform package. An estimated 2,000 people attended those hearings and over 10,000 comments have already been received and are still coming in. Additional public hearings are also planned.

The only proposal on the table that would exclude the public and derail the opportunity for public input is the moratorium. The language in the Senate amendment specifically prohibits the use of any funds to continue any action involving the proposed rulemaking.

My colleagues also argue that the uncertainty surrounding this issue is in and of itself damaging to the lifestyle of western ranchers. I can understand that argument and stand ready to help end that uncertainty. Throughout the debate in the other body the proponents of the moratorium recognized that fees would ultimately go up.

Supporting the position embodied in the Senate amendment only further exacerbates the problem in the western communities caused by uncertainty. We can act today to end the uncertainty. A vote for my motion is a vote to end gridlock; a vote to provide stability and certainty to the western ranchers; a vote to end the conflict over the rangelands.

One other misconception that has surrounded this debate is the notion that this is a partisan issue. I find that argument particularly troublesome.

This is not a partisan issue. If it can be categorized it is a regional issue, but even that ignores the fact that these lands are publicly owned. They do not belong, as many in the West would have you believe, to the western ranchers. We have a duty to the owners, the American taxpayers, to see that these lands are managed properly and that the taxpayer receives a fair return for the use of these lands. That has not happened to date. Reform is critical if we are to right that injustice.

Sound fiscal policy as well as good stewardship demand that we begin phasing in a fairer, more market-based grazing fee, both for its economic benefits and its environmental ones.

Finally, this issue is not just about grazing fees. It is about whether or not we are going to address the broader issue of public lands reform, including reform of the antiquated 1872 mining law and reform of our timber policies.

Grazing fees is the easier of these public lands issues. If we put this issue effectively off the table for 1 more year, it will sound the death knell for this Congress, for any public lands reforms, whether it be grazing, mining, or timber harvesting.

Reform must start somewhere. It is time to put the taxpayers' interests ahead of the narrow special interests of the 2 percent of America's livestock producers who use the public rangelands for grazing.

There is ample room for compromise. The fee proposed by the administration can go down. It can be phased in over a longer period of time. The reform proposals can be revised or even eliminated. But none of these things are possible if the moratorium prevails.

Congress is by its nature a deliberative body, but we have many years to deliberate on this issue. The time for change is now. The time for action is now. It is high time to end the nearly two decades of gridlock on grazing fees.

□ 1140

Mr. Speaker, supporting this motion simply says that the conference committee on the Interior appropriations bill shall look at the grazing fee issue. The conferees can take any position they choose. They can deal with it however they might in the cost of grazing or any reforms. It does not lock the conference committee into anything. But if this fails, nothing can happen.

So I think it is vitally important that we address this issue as a matter of equity to the taxpayers of America that own this land, and, as a matter of equity to the ranchers who graze on these lands, so we can get a degree of certainty in what the future is in the grazing program of America.

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

Mr. YATES. Mr. Speaker, I wish to endorse the views of my good friend, the gentleman from Ohio [Mr. REGULA], and associate myself with his remarks. On this issue, the gentleman is right.

Mr. Speaker, I yield 3 minutes to the gentleman from California [Mr. MILLER], the distinguished chairman of the Committee on Natural Resources.

Mr. MILLER of California. Mr. Speaker, the gentleman from Ohio [Mr. REGULA] has properly framed the issue. The issue is, once again do we continue subsidizing the privileged class of people in this country who seek not only to have grazing fees at levels that they desire, but who now seek to postpone and prevent any review of those fees by this administration. They did not seek to postpone a review of those fees by a previous administration when they locked them into the current low rate.

This country has just gone through an agonizing process of budget reconciliation during which these fees were taken off the table by the Senate. We are about to enter into another budget reconciliation again next month, and the Senate's proposal is to take these fees off the table again.

What the Secretary of the Interior has done is set out a proposal over a 3-year period to raise these fees to $4.28 per cow—over a 3-year period, to gradually get to that price.

Mind you, the State of Montana is already at $4.24; Nebraska is at $7.53; North Dakota is at $8.50; Wyoming just voted to double their fees to $5; Colorado is $4.70 today. And where is the Federal Government? $1.86. $1.86 is what the Senate is trying to preserve.

Here is what is going on in private lands all across the country: $12 in South Dakota; $14 in Nebraska; $10 in Kansas; $9.49 in Idaho.

Everybody else is dealing with this in a businesslike fashion, except the Congress of the United States, especially the Senate, which time and again has rejected any effort to negotiate this, to consider legislation.

□ 1150

This body has voted overwhelmingly to raise these fees almost double the amount that the Secretary of the Interior is now proposing on an immediate basis, and the Secretary will string that out over 3 years.

The question is, Should we allow that process to go forward? The proposals have been made. They are out for public comment, something that was never provided when they locked in the fees. There was no public comment, as the gentleman from Ohio [Mr. REGULA] pointed out.

We must vote for this motion to instruct by the gentleman from Ohio so that the conference committee can deal with this issue and we can get it over and done with.

If Members listen to the Senate, a handful of Senators want to suggest to Members that it is never the right time, it is never the right amount, it is never the right issue.

We now have the ability to do this in the public light, in the public interest, in the interest of the taxpayers.

My colleagues, I urge support for the motion to instruct the conferees and to join the National Taxpayers Union, the League of Conservation Voters and almost every environmental group in this country. The minimum we can do for our constituents, who are paying the way, paying the subsidies for this program, is to allow this administration to bring it to some kind of common decency in terms of return for the taxpayers and the protection of the land.

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

Mr. Speaker, I rise in strong opposition to the Regula motion to instruct conferees. Members who are concerned about jobs, fairness and protecting the environment and U.S. taxpayers ought to reject this motion, too.

This motion will kill jobs. Lots of them. Raising grazing fees 130 percent, as this motion would do, will destroy jobs that support tens of thousands of rural ranching families. Board up the windows; close down the schools; put-up the "for sale" signs because the "out of touch" Washington beltway bandits who know not the slightest thing about public land grazing have issued their edict: No ranchers allowed on public lands. That is the message this motion sends and that is the attitude that has caused so much hostility toward government.

What business could withstand an increase over two times its current operating costs? Certainly not the families that make a modest living—an average of $28,000 annually—by providing low-cost beef to a hungry America and a growing export market.

Not only will this motion devastate the families who depend on ranching for their livelihood, but entire rural communities, consumers of beef and the environment will all be worse-off without the contributions of public ranchers.

In Arizona, there is a $302 million annual positive impact from ranching. This includes $30 million in taxes and $18.5 million in range improvements and results in the production of enough beef to feed 4.6 million Americans annually.

Those who are against family ranchers make two arguments, both of which contain holes large enough to drive 100 head of cattle through.

The first argument is that grazing fees on Federal lands amount to a subsidy. Nothing could be further from the truth. These proponents of misinformation compare private lease rates with public leases as if they are one and the same. Any serious evaluation of the two reveals significant differences.

Federal rangeland is not lush meadows, but mostly sparse desert or mountainous terrain. Federal permittees bear additional costs of transportation, herding, and predator and death losses. These permittees must pay for and maintain water systems on public lands that benefit grazing livestock as well as wildlife. The Federal permittee has the right to the grass only, yet must pay for all maintenance and improvements. Ranchers invest an average of $11,000 annually in money and labor to improve Federal rangeland. When these costs are included, the differences between Federal and private lease rates—not surprisingly—disappear. In many cases, final costs to Federal permittees actually surpass private lease rates.

When one considers the inferior quality of range forage, fewer services, shared access with other users, it is no surprise that 20 percent of grazing allotments go unused on Forest Service lands. If this is such a great deal for ranchers, why isn't the percentage of leased allotments much higher?

The current grazing fee is not a subsidy—it actually saves money for U.S. taxpayers. The costs of managing Federal rangelands would have to be incurred no matter what the level of grazing. Moreover, the public and wildlife would not enjoy the benefits—like building and maintaining fences and roads—that are now provided by ranchers. Former BLM Director, Cy Jamison, predicts that removing ranchers from Federal lands would result in an increase of up to 50 percent in the cost of managing public lands.

The value of rancher improvements is not small change. According to the BLM, in just one grazing district in Wyoming, BLM would be required to build 13,222 miles of fencing at a cost of almost $98 million if ranchers were removed from those lands! Estimates of the total cost to the Federal Government of fencing alone go into the several billion dollar range.

Mr. Speaker, very bluntly: Public lands ranchers do not receive a subsidy.

But what of the second argument of the opponents of family ranching: that the environment will be better off without—or with less—Federal grazing? Like the subsidy argument, closer scrutiny shows this argument to be unfounded. In fact, without public ranching, the environment would suffer.

Properly managed livestock grazing is good for rangelands. It reduces the risk of forest fires; it improves the condition of the land; and it promotes the growth of young trees. The thousands of watering facilities built by ranchers this century have improved the lands and wildlife populations. Since 1960, for instance, elk populations on Federal lands have increased 782 percent and moose populations have ballooned 476 percent. The result, according to BLM, is that Federal rangelands are in better forage condition than at any time this century.

One does not need to be a range expert to understand why the lands are doing so well. All one needs is a basic understanding of market economics. Ranchers are good stewards of public land because it is their best financial interest to do so—and because they know environmental protection reaps economic benefits. They carve out a living based on the condition of the rangeland. Unlike the Members in this chamber, theirs is more than an academic pursuit; their livelihoods depend on good healthy rangeland.

Proponents of this motion claim that voting for it is a vote to end gridlock. Don't be fooled. A vote for this motion is a vote to abdicate our congressional responsibility to set national policy on the administration of Federal lands. A

vote against this motion is also a vote for a fair, thorough, and open public process—something that has not occurred to date.

After all the bogus arguments are stripped away, the simple truth is revealed: the fight to increase grazing fees is about removing ranchers from Federal rangeland for purely political reasons.

Stop this charade. The current grazing fee formula is fair. It works, and it's in the public interest. Vote for jobs, vote for the environment, vote for hard-working American ranchers—vote against the motion to instruct.

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

Mr. REGULA. Mr. Speaker, I yield 2½ minutes to the gentleman from Illinois [Mr. PORTER].

Mr. PORTER. Mr. Speaker, it is time that the 24,000 cattlemen who feed their livestock on 270 million acres of public land pay a fairer rate for grazing. Not a year from now, not sometime in the future, now.

These ranchers represent only 2 percent of the cattlemen in the United States and produce less than 2 percent of the country's beef. Yet, they pay only $1.86 per animal per month to graze on public lands, while the rest of the ranching industry pays an average of $10 per animal per month to graze on comparable private lands.

The loss to the taxpayers is in the millions. Mr. Speaker, these ranchers do not need a government subsidy. In fact at least four of them have made it to the Forbes magazine list of 96 billionaires in the United States.

In a time of fiscal problems, subsidies to special groups, subsidies to those who do not have a real need simply cannot be afforded.

We should be embarrassed that we cannot have the courage to cut out these indefensible subsidies. Republicans believe, Mr. Speaker, in market mechanisms. We believe in market pricing. It is interesting that we are for the market unless it gores our ox, and then somehow our philosophy goes out the window.

Mr. Speaker, if we cannot cut this one reasonably and over a period of time, where can we cut?

It is argued that this is apples and oranges, but the Domenici amendment prevents us even looking at those apples and oranges for yet another year. Enough is enough.

Support the Regula motion to instruct. It is right for taxpayers. It is right for America.

Mr. YATES. Mr. Speaker, I yield 3 minutes to the distinguished chairman of the subcommittee of the Committee on Natural Resources, the gentleman from Minnesota [Mr. VENTO].

Mr. VENTO. Mr. Speaker, I rise in strong support of the Regula motion to instruct. Hopefully, the House will not be cowed, like the Senate was, in terms of voting for the special interests on this policy.

Mr. Speaker, the existing policy with regard to the grazing on our public lands and those permitted to graze cattle makes a mockery of sound policy. That is why this proposal that the gentleman from Ohio [Mr. REGULA] is offering and the effort to work in good faith with the Secretary of the Interior on this has received support of the Taxpayers Union, has received the support of Citizens Against Government Waste and has received, of course, the very strong support of virtually every conservation and environmental group in this country.

Those who are opposed to it are those that benefit from it. Who are they? They are big companies. They are special interests. It is not just the little individual—the small rancher. In fact, Secretary Babbitt, by going out West and trying to develop a process in terms of input and hearing has, in fact, done yeoman's work in terms of trying to place this issue in an open public forum.

This policy was yielded upon and removed from the reconciliation bill and the administration stated they "were going to deal with it in the normal course—the regular administrative process or through changes in law."

Now we have the Senate attempting to slam dunk through the appropriations process a failed policy and continue the denial that they have made with regard to what the solution should be, what the policy should be with regards to the cost of grazing and using public lands.

It is not just that this freezes the process for 1 year. The fact is, the effect of this is there will be no change in grazing policy in 1993, no change in 1994, and probably no change in even 1995.

Even under the best of circumstances, going through the environmental impact statements and the other procedures, the earliest that this policy, if this were permitted to proceed in an administrative vein would be in July 1994.

□ 1200

That is when the policy could be put into effect. If you freeze this through a moratorium and say that the Secretary of the Interior and the administration cannot even study the problem until next October, and this particular proposal, what is going to happen? We are not going to have then another 10 months, another year. It is going to be 1995, if ever, to see a policy change.

Of course, I think something could shake up the other body over there, the Senate, and something miraculous could descend on them and they all of a sudden could come out for good public policy in terms of managing the range. But we have problems on the range today, and that has not happened in the past decade regarding public grazing issues.

In fact, the House has repeatedly sent bills over there trying to engage the Senate in dealing with this issue in a legislative manner. They have rejected that. They have been in a state of denial. The last administration sympathized with the special interests, in terms of management of public land and specifically regarding grazing permit charges. They gave in to political concerns and the taxpayer and the range ecosystem have paid the price.

Mr. Speaker, I hope the House will vote for the Regula motion and vote for sound public policy on the range today and tomorrow.

Mr. Speaker, our conferees on the Interior appropriation bill definitely should reject the ill-conceived Senate attempt to kill public land range reform.

The Senate amendment is simply yet another attempt to block effective steps toward reform of grazing and rangeland management, just as the Senate has blocked such steps for the past decade.

Home on the western range, reform is long overdue. The taxpayers are being short-changed because the current system keeps grazing fees far below fair market value—not only below the price of private forage, but below what most Western States themselves charge for grazing on their State lands, lands which are intermingled with the national rangelands and are similar to the national lands in character and value. These State lands are often the mirror image of national range lands that are being leased on the cheap.

The House has repeatedly voted to scrap this obsolete system and to establish grazing fees that would more closely reflect market value. The new administration's proposals would finally move in that same direction, but the Senate amendment would actually block the administration from even developing those proposals.

Range reform involves more than grazing fees. In fact, while grazing fee increases are certainly justified and needed, they are less significant than other proposed changes in range management.

These changes—including greater public involvement, greater protection for the rangeland riparian areas that are so valuable for wildlife and the environment, less pressure on arid public rangeland, and using grazing-fee receipts for better land management—have also been supported by the House, and are addressed in the administration's preliminary reform proposals.

The Senate amendment would block all administrative steps toward these much needed reforms. It would prohibit the administration from "taking any action involved" in connection with developing its grazing reform initiative. While the dollars are important, the rational land management of these hundreds of millions of acres of public land is imperative.

The Senate proposal not only means that present policies could not be changed, it means that no proposals for change could be developed—and, in fact, that nobody in the administration could even review and consider the comments of the livestock industry or any

other public comments related to development of a final proposal for rangeland reform. This type of narrow special interest control of America's public lands is repugnant and a slap in the face to the Secretary of the Interior's good faith effort to provide deliberate consideration of revisions to the grazing policies.

The House should surely reject this amendment. We should expect and encourage Secretaries Babbitt and Espy to consider public comments that are submitted over the next month, to develop a draft environmental impact statement—one that itself will be subject to further public comments—and to complete development of a complete reform proposal. Let us not hogtie the new Secretary of the Interior, who is trying to end gridlock and change public land policies through an open, fair process.

Congress can participate in this process and also can address grazing reform through legislation if there is a sincere desire to do so.

Several House grazing reform bills are pending, including one I introduced along with the gentleman from Georgia [Mr. DARDEN] on which hearings already have been held. Also pending is a bill for a 4-year reauthorization of the Bureau of Land Management. It also would be an appropriate measure for addressing grazing fees and rangeland reform.

Comparable bills are pending in the Senate, including the 2-year BLM reauthorization bill just passed by the House.

So, despite what some have said, the Senate amendment is not needed to preserve Congress' options. The Senate, in fact, has repeatedly rejected positive initiatives to engage in constructive grazing policy reform. Rather it has been satisfied to permit special interest to bully past administrations into maintaining faulty grazing fees.

In my opinion, it would be better for Congress to enact rangeland reform, rather than for needed changes to be made solely by the administration. And the House has been—and, I think, still is—ready to act on grazing reform.

The problem has been in the Senate. The problem clearly still is in the Senate as demonstrated by the amendment that is the subject of this motion to instruct House conferees.

Some supporters of the Senate amendment claimed that the amendment was not intended to stall rangeland reform. They said that they intended to seek the passage of legislation. I hope that is true. I hope that this time, finally, they will succeed in having the Senate pass a range reform bill. I am sure the House is ready to act. But if we fail to instruct conferees and serve notice about our opposition to this Senate attempt to kill range reform, both the House and the positive new administration policies of reform could be slam dunked through the appropriation process and avoid for a full year any administrative reform. In fact, it takes 10 months to fully, properly implement the change in grazing fees. If all goes well, the Senate freeze would mean that the administration could not take action for 2 years: No action in 1993, no action in 1994, and no action until maybe 1995. A big "maybe".

Mr. Speaker, the administration should be allowed to go forward with development of its own reform proposals. We should not prevent that—in fact, we should be encouraging Secretary Babbitt and the rest of the administration to continue with their efforts.

The Senate amendment would bring to an absolute stop this administration initiative. It is certainly unwise and premature. The House should instruct our conferees to soundly reject it.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. MONTGOMERY). Under the rule, Members should not characterize the Senate on this matter.

Mr. KOLBE. Mr. Speaker, I yield 1 minute to the distinguished gentleman from California [Mr. HERGER].

Mr. HERGER. Mr. Speaker, I rise in opposition to the Regula-Synar motion to instruct. The increase in grazing fees that the Clinton administration would like to enact without congressional approval will destroy the entire Western livestock industry and the rural communities it supports.

The livestock industry is the key to rural development throughout much of the West. Every dollar a rancher spends yields another $5 in economic activity. The vast majority of ranch families are small businesses which earn less than $28,000 a year. The huge increase in the Federal grazing fee will force thousands of family ranchers out of business. The last thing Congress needs to do is support a policy which will damage small businesses.

Mr. Speaker, I strongly urge my colleagues to vote against this motion.

Mr. YATES. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Colorado [Mr. SKAGGS].

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

Mr. Speaker, I hope the House will support the motion offered by the gentleman from Ohio [Mr. REGULA] to instruct the House's conferees on H.R. 2520, Interior appropriations for fiscal year 1994, to have them reject the Senate's amendment blocking Secretary Babbitt's efforts to reform grazing and rangeland management practices.

There are sound environmental and fiscal reasons to support these reforms. Large expanses of public lands in the West are used for grazing, and large parts of those lands are actively eroding because they have lost much of their plant cover. The Bureau of Land Management states that two-thirds of the public lands it manages are in less than satisfactory condition.

Over the past decade, Colorado has been a model state for improvement of range conditions. In fact, Colorado is one of the few states in which BLM claims that its management efforts have resulted in improved range conditions in specific, identified areas. But even in this best case, the improvement has been minimal—involving a small fraction of BLM's rangelands in Colorado.

Overall, Colorado's rangelands are in trouble. According to the available, site-specific published data, 82 percent of BLM's rangelands in Colorado are in unsatisfactory condition. More than one-third—36 percent—are rated in the lowest category,or in poor condition. Poor condition means that these lands are "producing only a fraction of the vegetative cover compared to similar lands because they have lost so much plant cover and soil." That also means that these lands are actively eroding, and their condition is deteriorating.

Long-term range conditions are important to the ranching community. But, as Secretary Babbitt's proposal recognizes, rangelands also support extensive areas of critical habitat for wildlife, influence the water quality of virtually every river and stream, and provide recreational opportunities for millions of visitors. The deterioration of these lands—which the BLM attributed substantially to over-grazing—damages all of these important uses.

Given this situation, it is clear that we need to do more to restore the environmental condition of public rangelands. But, with a growing Federal deficit, where are the funds going to come from? The obvious and the equitable answer is that they should come from an increase in grazing fees. By statute, over 60 percent of the Federal grazing fee—62.5 percent to be exact—must be returned to the area involved for investments in improving rangeland conditions.

An increase in fees not only is needed but is justifiable. Today, the grazing fees charged by the BLM and Forest Service cover less than half of the cost of the agencies' rangeland management programs—programs which have not been able to halt deterioration on these lands at current funding levels.

For years, BLM has resisted making the connection between range conditions and grazing fees. I think that it is time for the BLM to acknowledge that grazing is a for-profit commercial activity, and its fees should recover at lease grazing's fair share of the cost of maintaining the underlying service—in this case maintaining the environment which supports grazing.

With people demanding deficit reduction, with the public pressing for more action to protect the environment, the proposals which Secretary Babbitt has made make sense. Increasing grazing fees, opening the range management process to other users of the public lands, and increasing investments in rangeland improvements are all needed steps—and are all responsive to the public.

While ranching families have raised legitimate concerns about some aspects of the Secretary's proposals, his direction is the right direction—and we should not let the Senate block him from proceeding. The process the Department intends to follow will provide the public, including the ranching community, with several more opportunities to critique future versions of the

proposal. Further, under the Administrative Procedures Act, the Department will be required to respond, on the record, to all substantive concerns and criticism which are expressed. Moreover, Secretary Babbitt certainly recognizes that grazing is and should be a continued use of the public lands.

The bottom line is that range reform makes fiscal and environmental sense. The Senate amendment would just perpetuate gridlock and ignore the continuing deterioration of western rangelands. The Senate amendment should be rejected. I urge my colleagues to vote in support of the motion to instruct.

Mr. REGULA. Mr. Speaker, I yield 1 minute to the gentlewoman from Maryland [Mrs. MORELLA].

Mrs. MORELLA. Mr. Speaker, I rise to speak in support of the Regula motion to instruct conferees to reject the Senate amendment to the Interior Department appropriations bill, which would impose a 1-year moratorium on raising the grazing fees on Federal land.

The administration's reforms related to grazing fees and public lands management are overdue. Why should the Federal Government continue to subsidize grazing on public lands?

For 3 years, I and a large number of my colleagues in the House have voted to increase Federal grazing fees. Yet, each year this House vote is disregarded in conference.

Secretary Babbitt plans to issue proposed rules to increase grazing fees. These regulations will go through a comment period and only after that will final rules be written. The Secretary has proposed a 3 year phase-in of fees. Let us give the Secretary time to issue these proposals.

Mr. Speaker, the league of conservation voters, the National Wildlife Federation and every environmental organization supports the Regula motion. I ask my colleagues to support a reform of Federal grazing fees and vote yes on the Regula motion to instruct.

Mr. KOLBE. Mr. Speaker, I yield 2 minutes to the gentleman from Utah [Mr. HANSEN].

Mr. HANSEN. Mr. Speaker, as this country developed, most of the States took all of their public land, every square inch of it. In the West we really did not do that. It turned into the Bureau of Land Management, the Forest Service, and State lands.

We have been managing that land in a process we call multiple use: campers use it, hunters use it, birdwatchers, backpackers, fishermen, and also grazing uses it. How do we care for that? We have various tools. A lot of people do not understand this, but hunting is a tool. We keep down herds with hunting. Controlled burning is a tool. Cutting trees is a tool, and grazing is a tool.

One of the foremost experts that we have in America on public land is Dr. Jim Bounds. Dr. Jim Bounds has made the statement that if we take cattle and sheep off the range, watch it burn, just count on it. We will burn the range from one area to the other.

Mr. Speaker, I find it very interesting, an article that came from Canada. Our folks in Canada went through the same exercise as the Regula thing: Take the sheep and cattle off the range. Now what are they doing? "Rent a sheep, save a forest." Now someone came up with the brilliant idea of putting sheep on the range and paying $5 a month for sheep and cattle to go on the public range.

Ten years from now we will be standing here and someone will have a great idea, saying, How are we going to keep the burning in the West down? Put sheep or cattle on it, and let us take it out of the public funds to take care of that particular area.

What this is, it is an attack on the multiple use of the ground. I would urge Members to keep three things in mind. If we pass this Regula instruction, we will ruin the environment, we will hurt the industry, and it will cost the United States money. I would urge a no vote. Let us use some common sense on use of the public ground.

Maybe the people in the West should have been as smart as they were in Ohio and Oklahoma and other States, and should have taken over all of the public ground, which should be under the administration of the States anyway.

Mr. YATES. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Montana [Mr. WILLIAMS].

Mr. WILLIAMS. Mr. Speaker, I rise against the amendment and for the moratorium. I am not interested in stonewalling, I am not interested in delaying. I believe Congress, preferably this year, should deal with this matter of changing policy and some increase in grazing fees. The grazers in America are also supportive of some increase in grazing fees.

I say the Congress should do it, not a bureaucrat by executive fiat downtown, but the Congress, because there is a great deal more in Secretary Babbitt's proposal than a simple increase in grazing fees. He has subleasing, which is a change in that policy; a change in grazing advisory boards; a change in the very important matter of tenure; that is, how long a grazer can have the right to lease.

Then there is the critically important matter which Secretary Babbit would change with regard to water rights. Mr. Speaker, these are policy issues. These are matters which the Congress of the United States, if it is going to change, should codify the changes.

I urge my colleagues to support the right of the Congress to make policy changes, and not have it done downtown by executive fiat.

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

Mrs. VUCANOVICH. Mr. Speaker, I rise in opposition to the motion offered by the gentleman from Ohio [Mr. REGULA]. Once again, my colleague from a State with no public rangelands, and few beef cattle, is attempting to make policy that affects my constituents greatly, and his own not at all—except perhaps for a few Midwestern feedlot operators who stand to gain from diminished competition from Western ranchers.

Mr. Speaker, I remind my colleagues that the other body recently placed a moratorium on the expenditure of funds by the Interior Department to implement rangeland reforms by administrative fiat. They did this so that Congress might have proper opportunity to address legislative reform.

My colleague, the gentleman from Ohio, seeks to instruct our conferees not to accept such language. Yet, Mr. REGULA, himself, is the author of a moratorium, in this same bill, on mineral patent processing by the Department. He did this in order to freeze the status quo while Congress considers reform of the mining laws governing the public lands. Now, it seems to me the Congress ought to be consistent in the use of spending moratoria as a tool to effect public policy.

So which is it to be? My constituents are impacted by both Mr. REGULA's mining patent moratorium and the Senate-passed rangeland reform moratorium. The House could take a stand, on principle, against this legislative tactic, in any and all forms—mining, grazing, offshore oil-drilling, you name it.

On the other hand we can acknowledge the utility of moratoria to effect the will of Congress. If so, let us dry our hypocritical tears shed over the actions of the other body and defeat this motion. But, my colleagues, you cannot have it both ways.

Mr. Speaker, I urge a no vote on this motion.

□ 1210

Mr. YATES. Mr. Speaker, I yield 1 minute to the distinguished gentleman from California [Mr. HAMBURG].

Mr. HAMBURG. Mr. Speaker, I want to associate myself with the very fine amendment by the gentleman from Ohio [Mr. REGULA], and also with the remarks made by the gentleman from California [Mr. MILLER], the gentleman from Minnesota [Mr. VENTO], and the support of Chairman YATES.

I believe that the Secretary of the Interior, Mr. Babbitt, has demonstrated important leadership on this issue to create a direct relationship between grazing permits, the grazing market, and the impact on public lands.

Senator DOMENICI's amendment I believe is an attempt to freeze reform. We need to move forward with this issue, and I want my freshman colleagues to know and to understand

that the House of Representatives has been trying to deal with this issue since 1976. We need that push from the administration and the leadership that has been shown by Secretary Babbitt.

Secretary Babbitt has put into place a very strong public process. He has held hearings all over the West. He has published a rule. He has taken public comment. He is committed to a fair and open process which balances the interests that are concerned here.

Please join me in voting to instruct our representatives at the conference to oppose the Domenici amendment, to create open space so that our Secretary of the Interior can lead the way to reform in this very important area.

Mr. KOLBE. Mr. Speaker, I yield 2 minutes to the very distinguished gentleman from Oregon [Mr. SMITH].

Mr. SMITH of Oregon. Mr. Speaker, I thank the gentleman for yielding the time.

Mr. Speaker, I am sure Members are confused about why the Senate voted so heavily for a moratorium. The obvious answer is this: This issue has been before the authorizing committees in this Congress for the last 11 years that I have been here, and the people who know most about it, the members of those committees, have never brought a bill to the floor.

We have tried to compromise this issue and cannot do it. The people who know most about it did not bring a bill to the floor. So that is why we end run this program through the Rules Committee, we end run it with this kind of an idea of an instruction to conferees.

The facts are that the people who know understand that there is no subsidy for grazing fees. There is none, because the fee now covers the cost of management of grazing on public lands. And the facts are that it costs more to run cattle on public lands than it does to run on private lands. Think of it with this fee between $1.86 and $10. It costs more to run on Federal lands, proven by economists throughout the country.

Now why do States demand higher prices? They have better land. Why does private enterprise, private land, command higher fees? Better land. It is that simple. The worst land in the country to graze on is Federal land.

If you think there is deprivation because of livestock, you are wrong. Look at this chart. The range after 6 years of drought, 36 percent is in fair condition, 31 percent in good condition, 5 percent excellent, unclassified 13, and poor 15 percent. Now that is the classification of the land by the Bureau of Land Management.

If there is such a deprivation to public lands, why have wild game, big game, competitors some say with livestock, increased dramatically? Look at the antelope, bighorn sheep, deer, elk, moose, all up, huge, in huge numbers in the West for all the benefit from, grazing alongside with cattle.

I ask Members not to impose this tax on people. We have just choked down the Clinton tax increase. This is the next one. Vote "no."

Mr. YATES. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from New Mexico [Mr. RICHARDSON].

Mr. RICHARDSON. Mr. Speaker, I do not support the Secretary of the Interior's grazing-fee increases. I believe they would be a serious problem for many small ranchers throughout the West, especially the smallest ranchers.

However, I will be supporting the Regula motion, because I believe this issue has been debated to death for years, and it is time to bite the bullet.

I am concerned about an administration proposal perhaps a year from now that may be more damaging. I am concerned that if we put this issue off one more year, where are we going to be in that year? My concern is those small ranchers with 50 to 300 head of cattle that would be severely impacted by the administration's proposal.

I believe that if we can negotiate the difference now that we will be better off. I have been promised a seat at the table with Secretary Babbitt, with Mr. SYNAR, with Mr. MILLER, with my colleagues who I have long supported on this issue.

I think the current grazing formula is reasonably fair. But if we put it off, we are not getting anywhere. The time has come to negotiate the best possible deal. The time has come to deal with this issue now. The time has come to put this issue behind us so that we can deal with other land issues that are important on the national agenda.

Mr. Speaker, once again, to my colleagues who have been very sincere and positive on this issue, I do not support the Secretary's proposal. I believe we are going to have to compromise it. I believe we are going to, unfortunately, draw lines between big and small ranchers, because the smaller ranchers are going to be more severely impacted. That is political reality.

For that reason, Mr. Speaker, I urge support for the Regula motion.

Mr. Speaker, today I rise to express my concerns with the way in which the administration's grazing reform seems to be headed. I do not support the administration's proposal as it is currently structured. I believe that significant changes are needed to make this reform acceptable.

I recently requested a study from Texas A&M University to evaluate the impacts of the proposed 230-percent increase in the public land grazing fee. From this study, I have concluded that the small ranchers—ranchers grazing less than 300 head of cattle—will be significantly hurt by the proposed increase in grazing fees. I am especially concerned with the impacts that the proposed reform could have on the small ranchers in New Mexico. We need to ensure that the limits and timing of fee increases are reasonable and allow for a viable grazing industry that is dependent of public lands.

Despite my reservations about the grazing plan, I believe strongly that this issue needs to be settled now. We cannot afford to have debate on these grazing issues prolonged by a 1-year moratorium. What will 1 year buy us? It will merely prolong the debate, harden positions on both sides, and result with a reform package that is even worse than what we have to work with today.

I have talked with both proponents and opponents to the proposed grazing reform. I believe we can reach agreement on what is needed to reform grazing. I have talked with Representative SYNAR and other colleagues in the House, and I have personal assurances from Secretary Babbitt that I will be at the table with the administration in negotiating changes to make this a workable reform package.

Now is the time for Congress to negotiate with the administration on the grazing reform package. I will work directly with the administration and Secretary Babbitt to modify and improve the provisions in the grazing reform proposal. I encourage you to work with me and take advantage of this opportunity. We need to cooperatively arrive at grazing regulations that we can all live with. Let's not delay this any further. Let's get on with resolving the grazing issues now.

I urge my colleagues to support the Regula motion and move forward now negotiating with the administration. We need a grazing reform package that will work, not prolonged debate for another year.

Mr. KOLBE. Mr. Speaker, I yield 1 minute to the distinguished gentleman from California [Mr. PACKARD], a member of the subcommittee.

Mr. PACKARD. Mr. Speaker, I rise to express opposition to the motion to instruct conferees on the Interior appropriations bill. This motion would instruct conferees to disagree with the Senate language in the Interior appropriations bill, that places a 1 year moratorium on the issue of grazing fees on public lands.

Whether you agree or disagree with raising the grazing fees, the bottom line is that this motion would cut lawmakers out of this debate. Clearly, this is an issue which demands congressional action, and we should not be precluded from input.

I believe that Secretary Babbitt should not be able to unilaterally raise grazing fees of public lands without congressional approval. The people elected Members of Congress to serve them as Government debates issues of great importance—such as the use of our public lands. If my colleagues support the motion to instruct, they sanction removing themselves from this debate.

The Senate language will ensure that we have a voice in the process, and we do not turn the entire decisionmaking process over to Secretary Babbitt and the Interior Department. I urge my colleagues to vote against this motion to instruct the Interior conferees.

Mr. YATES. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia [Mr. DARDEN].

Mr. DARDEN. Mr. Speaker, I rise in strong support of the motion offered by the gentleman from Ohio [Mr. REGULA] to instruct the conferees. And I want to commend him for taking this very, very bold action.

For the past 7 years, I have joined several of our colleagues in introducing legislation to increase Federal grazing fees to fair market value and to reform public rangeland management. This body has approved rangeland management reform measures at least four times in the last 3 years.

Mr. Speaker, reform of the current rangelands management system is badly needed. The BLM and the U.S. Forest Service rangeland programs, which manage over 260 million acres of public land, operate at a combined deficit of approximately $50 million per year. In addition to this operating loss, the American taxpayer is losing millions of dollars in grazing fee revenues every year as the result of the current Federal grazing fee that is 20 percent of the market value in some locations and one-third of the average market value in the Western United States.

Mr. Speaker, in a time when the Federal deficit is a critical concern to the American people and this body, responsible management of public resources alone is reason enough to support this motion to instruct the conferees. But there are other reasons to support public rangeland management reforms.

The current program is fundamentally unfair to the vast majority of our Nation's livestock ranchers. Nationally, only 3 percent of all ranchers have access to this federally subsidized grazing land. In the Western States, only 10 percent of the ranchers have access to this below-cost service. The majority of ranchers, large and small, who do not have access to Federal grazing land are placed at a competitive disadvantage by the current policy. The Federal Government should not penalize the vast majority of this Nation's ranchers by subsidizing their competition.

Mr. Speaker, the rangeland reforms contemplated by Secretary Babbitt would also help restore thousands of acres of rangeland damaged by overgrazing and poor management by offering better permit terms to those ranchers who manage their allotments in a sound environmental manner. Allotments for conservation-related use would also be made available under the new proposal. In a number of reports issued over the past several years, the GAO has described the environmental risks created by declining allotment conditions, insufficient monitoring, and generally inadequate management of large sections of BLM and Forest Service rangeland. The management changes proposed by the administration are not only environmentally responsible, but also protect the value and utility of an important public resource.

Mr. Speaker, many of those receiving the grazing fee subsidy are large ranching businesses, not the small ranchers that some would have us believe. In fact, last year's combined report issued by BLM and the Forest Service showed that almost one-half—47 percent—of the total available grazing forage managed by the BLM was controlled by only 10 percent of the total permittees. One permittee controls over 5 million acres of grazing land, an area larger than six of our Nation's States.

Mr. Speaker, I commend Secretary Babbitt for addressing this issue and I urge the members of this body to cast a vote for fair and responsible management of taxpayers' property by supporting Mr. REGULA's motion.

□ 1220

Mr. KOLBE. Mr. Speaker, I yield 1 minute to the gentleman from Colorado [Mr. HEFLEY].

Mr. HEFLEY. I thank the gentleman for yielding this time to me.

Mr. Speaker, Colorado is the home of 13,000 of the Nation's approximately 27,000 permittees; almost half of all the people we are talking about are in Colorado. These increases could devastate the ranching industry in Colorado. It could cripple Colorado's agricultural industry, which historically has been one of the most stable segments of our sometimes boom-and-bust economy out there.

The projected increases could rise more than 130 percent over the next 5 years, and we think that is a great way to bring in money for the Federal Government, it is a little like the boat buyers act tax we put in a few years ago. We are not going to bring in more money, we are going to force permittees, many of them, into leaving ranching altogether.

It is not fair to see grazing fees as a windfall for ranchers. We need to realize that the rangeland we are talking about is a rangeland that, when we were homesteading this country, no one wanted; the worst land, the highest land, the least productive land. This is a land no one wanted. That is why the Federal Government still has it. And the rancher must bear both the grazing fee and the cost of improvements, such as water and fencing.

Total costs using Federal lands often, already, cost ranchers in excess of $9. By comparison, private leases cost around $8.50 per animal unit month, and the landlord provides the improvements.

I encourage you to vote against this motion to instruct.

Mr. KOLBE. Mr. Speaker, I yield 1 minute to the gentleman from Colorado [Mr. MCINNIS].

Mr. MCINNIS. Mr. Speaker, there are a couple of points I wish to make. First of all, the issue here is not the pluses or the minuses of grazing, the issue is whether or not we should issue a moratorium. Why do we need a moratorium? Because we have not gotten a fair hearing.

I missed my only votes out of the Natural Resources Subcommittee because I went to one of those hearings. They were nothing but a courtesy. You can nod your head or shake it in disgust, but let me read you an internal memo that came out of the Interior Department and then you tell me if this is a fair hearing. This is to the Secretary of Interior, Mr. Babbitt, from his director of communications:

> DEAR SECRETARY: We realize you want to use price increases as a strawman to draw attention from management issues. But there are other ways this might be done.
>
> We've not yet done enough to sell the public and media on what will be coming out in the regs. Let us manage, manage the first public comments, manage them so the regs are perceived to be fair and in the long-term interest of the region.
>
> For those with concern of the environment, the riparian zone, our own statistics can be used to show the range is in better shape than at any point in this century. With that in mind, we must make deliberate and public attempts to prove how bad the conditions are in many riparian zones.

Those public hearings were nothing but a joke.

I urge a "no" vote.

Mr. KOLBE. Mr. Speaker, I yield 1 minute to the gentleman from Idaho [Mr. CRAPO].

Mr. CRAPO. I thank the gentleman for yielding this time to me.

Mr. Speaker, I too rise in opposition to this motion. It has been argued here that we should support this motion because we need to better manage the rangeland. But let us recognize that arguing about proper price for the use of our rangelands should not be used as a tool to manipulate agendas on the range issues.

It has been argued here that the price being paid for the use of our rangeland is not high enough. Some said it is only 20 percent of the market value. They do not point out that the impact of this could be devastating on the agricultural industry in Idaho, or rangeland utilized throughout this country, because users pay those additional costs for management and handling of the Federal lands that they are able to use. But the most important point to make here is that we should oppose this motion to make sure that Congress remains a part of making this decision.

The amendment that was just talked about indicates there is a very carefully managed and carefully calculated effort on the way to impose these new increases by Executive fiat, taking Congress out of the system. That is why the Senate acted, and that is why we must take the same course and allow Congress to work this issue rather than to continue to let it be managed by Executive fiat.

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

Mr. THOMAS of Wyoming. Mr. Speaker, 1 minute is hardly enough time to cover it, but I am opposed to the bill. I have a book I just got on Western wisdom the book is called "Don't Squat With Your Spurs On." That is good advice. But it also says in there in other little bits, and one of them is, "Don't ask your barber if you need a haircut." I sort of think about that when everyone who has spoken here in support of this comes from somewhere else other than the States dedicated to public lands. We have 50 percent in our State, some go as high as 80 percent. These are not parks; these are not wilderness; these are lands that were left after the homesteads took place.

These are not high-productive areas. We are talking about multiple use here, the opportunity to use multiply these lands that are in public ownership. The rest of your States, the lands went to private ownership or went to the State.

I have a suggestion: Why do you not deed it to the States? Why do you not do that in a fairness mood? We will take care of it, and you will not have the cost of dealing with it.

We have talked about the condition of the range. The condition of the range is good. The wildlife is up; that is good for hunters. We have talked about multiple use. We have talked about the price, comparing apples and oranges. We need to have a chance to do something with this besides moving forward with the Secretary's plan that will put people off the ground.

Mr. KOLBE. Mr. Speaker, I yield 1 minute to the gentleman from Utah [Mr. ORTON].

Mr. ORTON. I thank the gentleman for yielding this time to me.

Mr. Speaker, I rise in opposition to the Regula motion. Most agree that public land use policy should be examined and updated. However, the administration rangeland plan goes too far and totally ignores the role of Congress in managing our Federal lands.

Congress has a role, as it should be, since we represent districts which in many cases are 50 percent, 70 percent, or 90 percent owned by the Federal Government. The people who are impacted by the proposed 130 percent fee increase must have a voice in the process.

The administration has just begun public hearings gathering facts and data on grazing. Recent studies conclude that there is no Federal subsidy—that grazing on public lands is actually more costly than grazing private land. However, when the Federal Government owns 70 percent to 90 percent of the land, as in most Western States, there is little choice: Either you graze livestock on public land or you go out of business.

I urge my colleagues not to short circuit the process—allow the moratorium to extend time to gather the facts and make a reasoned decision. Oppose the Regula motion.

□ 1230

Mr. KOLBE. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. DOOLITTLE].

Mr. DOOLITTLE. Mr. Speaker, I think the reasons for opposing the Regula motion to instruct have all been given. I rise to oppose the motion before us.

I am glad that we have the moratorium language from the Senate on grazing fees.

I view this effort to remove the moratorium as part of a series of attacks on the resource-based industries, whether to limit the public lands for grazing, whether to limit the use of water for agriculture, the use of lands for mining or for timber harvesting. I think enough is enough.

If we want to get back to having people employed and to becoming competitive again and having a higher quality of life, we have got to be able to allow these lands to be used by ranchers who live in the area.

As many know, there is not much other use that these public lands can be put to. The fees are reasonable. We are not giving a subsidy here, considering that the users have to build their own fences, provide their own water, plus buy their grazing permits.

So, Mr. Speaker, I urge opposition to this motion.

Mr. YATES. Mr. Speaker, I yield 4 minutes to the gentleman from Oklahoma [Mr. SYNAR].

Mr. SYNAR. Mr. Speaker, in the few minutes we have remaining in this debate, I hope that we can move away from the hyperbole by some of the speakers and return to the calm recitation of the facts.

Fact No. 1. The taxpayers of this country lost $1 billion coming to the Treasury during the decade of the eighties, subsidizing 2 percent of the cattle industry of this country.

Fact No. 2. Of that 2 percent of the cattle industry that has enjoyed this subsidy for literally decades, 2 percent of it control almost half the grazing lands in our country. They do not represent the Ma and Pa operations that have been portrayed here today. Some of the major benefactors of the grazing permits are companies like Getty Oil, Union Oil, Texaco, Zenchiku Land & Livestock Co. out of Japan, Metropolitan and John Hancock Mutual Life Insurance Cos., some the largest companies in our country.

Fact No. 3. Sixty percent of the grazing land in this country well into the next century will be in poor or unsatisfactory condition.

Fact No. 4, and probably the most important: In 10 years of debate on this floor and in the committees of this Congress, there has not been one presentation of one shred of verifiable evidence to support any accusations and objections that have been presented today. It will not kill jobs; it will not raise cattle prices, hurt the environment, destroy western communities, kill small business, or run ranchers off the land.

To the contrary, the evidence after 10 years is overwhelming and indisputable that this is the proper thing to do for the management of our range lands.

Mr. Speaker and my fellow colleagues and fellow Americans, it is time to run our public range lands more like a business. It is time to give our western ranchers a good dose of free enterprise.

This administration, under the leadership of Bruce Babbitt, has given us a wise and workable solution to a longstanding dispute that very frankly we in Congress simply cannot resolve.

The Secretaries of Interior and Agriculture went out to five public meetings and heard from literally thousands of citizens who participated in these hearings and will participate in the process as we move forward.

It is very simply time for Congress to get out of the way and let the process move forward.

The bottom line for those who support the Senate position is that there is never going to be a right time to increase the grazing fees and there is never going to be an increase that is acceptable.

For those of us who support the concept of fair market value for the use of our public lands and for a range program that works for both the taxpayers and the environment, the only solution is to support the Regula motion to instruct.

Finally, let us be honest with ourselves. Let us be honest with our constituents. If we cannot do this small thing for the taxpayers, we will never convince the public that we are serious about reducing the Federal deficit or public land reform.

Mr. Speaker, support the Regula motion to instruct.

Mr. KOLBE. Mr. Speaker, I yield such time as he may consume to the gentleman from California [Mr. LEHMAN].

Mr. LEHMAN. Mr. Speaker, I thank the gentleman for yielding time to me. I rise in opposition to the motion.

Mr. Speaker, I rise in opposition to the Regula amendment. I believe strongly that we must promote proper stewardship of our Federal lands, make all reasonable efforts to balance the budget, and always strive to strengthen our economy. As far as I can tell, though, the administration's proposal will accomplish none of these objectives. Some reform of Federal grazing policy is, indeed, necessary, but it must recognize distinct differences between public and private lands.

Ranchers already have a built-in incentive to properly manage Federal lands on which their cattle graze—they need to continue grazing on

that land for years into the future. If there are problems, conditions can be built into permits to encourage better stewardship. As well, permits can be extended beyond 10 years for especially good land stewards.

Doubling grazing fees and drastically increasing Federal burdens will only serve to drive ranchers from public lands. Without ranchers sustainably utilizing Federal lands, less money will go to the Treasury and the budget will be worse off, not better.

There can be no question that cattle ranching families play a significant role in regional economies, both directly through the product they bring to market and indirectly through other businesses such as automobile and equipment dealers, feedstores and grocery stores, doctors and dentists, that rely on the broader ranching economy. Already hard hit by our lingering recession, many rural areas will be dealt a knockout blow. This will especially be the case in many parts of California, which is having a particularly difficult time during this recession.

But the recession has been forgotten by those who would propose the current version of reform of Federal grazing policies. I believe some reform is necessary but believe it should recognize differences between public and private lands. Public land reserved for multiple use was not placed in wilderness for a reason. These lands are of lower grade and cost more to use and maintain.

Protect proper stewardship of Federal lands, the budget, and the economy. Oppose the Regula amendment.

Mr. KOLBE. Mr. Speaker, I yield such time as he may consume to the gentleman from California [Mr. POMBO].

Mr. POMBO. Mr. Speaker, I rise in opposition to the Regula motion to instruct.

Mr. KOLBE. Mr. Speaker, I yield such time as he may consume to the gentleman from California [Mr. CUNNINGHAM].

Mr. CUNNINGHAM. Mr. Speaker, I rise in opposition to the Regula tax increase.

Mr. KOLBE. Mr. Speaker, I yield such time as he may consume to the gentleman from California [Mr. DOOLEY].

Mr. DOOLEY. Mr. Speaker, I rise in opposition to the motion.

Mr. Speaker, I rise in opposition to the Regula motion to instruct conferees on H.R. 2520, the Interior appropriations bill for fiscal year 1994.

Mr. Speaker, I do not oppose an increase in the Federal grazing fee. However, I do object to the continuing efforts to circumvent the legislative process in an effort to achieve a large increase in the fee. Most ranchers who lease Federal land understand the need for an adjustment in the fee, but understandably oppose huge increases, like the 130-percent increase proposed by the administration, because it would be devastating to their business.

I think that the administration's proposal deserves some study. I believe that Secretary Babbitt has made his best effort to propose a solution. However, I object to having his solution implemented without congressional input and oversight. The House and Senate committees with jurisdiction over Bureau of Land Management and Forest Service land have the responsibility to ensure that any changes made to the Federal grazing program be fair, sensible, and just. Clearly, the administration needs to play a role in this process, but shutting out Congress is not acceptable.

We have debated the issue of grazing fees many times in this Chamber, and I won't take a lot of time reiterating these arguments, but I would like to point out one important issue. It is clear to anyone who has taken the time to study grazing in the Western States that grazing on Federal land is vastly different from grazing on private land. Each time we debate this issue, proponents of an increased fee compare the private fee with the Federal fee. Unfortunately, this is comparing apples and oranges. Ranchers who use Federal grazing permits are required to make many range improvements that private permit holders are not. A report prepared by the Departments of Interior and Agriculture found that the 23,600 ranchers who hold Federal permits have receipts that are 17 percent below the industry average. It is clear that a Federal grazing permit does not give a rancher a competitive advantage. Any change in the grazing formula must take into account the investment that a rancher must make on public lands.

Mr. Speaker, Congress cannot continue to shirk its responsibility to make decisions on how our public lands and other natural resources are to be managed. While I know firsthand that we won't always agree on these issues, I strongly believe that we owe it to our constituents to fulfill this important responsibility.

Mr. KOLBE. Mr. Speaker, I yield our remaining time to the gentleman from New Mexico [Mr. SKEEN], a distinguished member of the Committee on Appropriations.

Mr. SKEEN. Mr. Speaker, I want to apologize to the gun control lobby for plagiarism, but it illustrates the Shoot Out at the O.K. Corral that we have done time and time again.

With the utmost respect for the proponents of this measure, for whom I do have a great deal of love and respect, at least for a few of them, we have met again and I will dispute facts one, two, three, four and five, and you can shake that packet of GAO studies that have been done. They even contradict themselves. It is totally refutable.

How many of you in here have ever had a grazing permit? Hold your hands up. One, two, three, four.

How many of you wish that you did not have them? One, two, three, four. I do not. I bought mine off because I knew one day that we were going to face this kind of a problem with people who have no attachment to the real problem of land management under a grazing permit system, who are going to object to the system as it is, when it was imposed on the ranching communities in Western States, not like other States that own all their land. This was put upon us as a method of having somebody steward the land from the 1800's on up to the 1900's.

Mr. Speaker, this is not a subsidy to ranchers under any circumstances.

How in the world do you think that you can compare private leasing systems with a public land system is fallacious, has no bearing whatever, none, and will never have because they are totally two different things.

Market value, how do you establish market value when there is no market? You cannot sell a permit. You cannot buy a permit. You have to conform to the method of leasing this land by owning adjacent land, putting in the capital improvements, control the water base and all the rest.

Environmentally, let me say this, the greatest managers in the environment that you have are those grazing permitees you have today because they manage that land day in and day out.

The BLM, you never see them and never will.

Mr. YATES. Mr. Speaker, I yield my remaining time to the gentleman from Ohio [Mr. REGULA].

□ 1240

Mr. REGULA. Mr. Speaker, I think we should take one more step. In holding up our hands, asking everybody in this room who owns these lands to hold up their hands; well, of course, it is everyone in this room because these lands belong to all the people of these United States. What we are seeking to do is have fairness in the administration of these lands in terms of the fees that are charged.

Now this is supported by the National Taxpayers Union. It is supported by practically every environmental group in this country. The reason that it is equitable, Mr. Speaker, is it makes sense, and of course we have heard how ranchers will go out of business.

Well, what I do not understand is how the 98 percent of the ranchers that do not graze on public lands stay in business. They seem to manage somehow, as opposed to the 2 percent that get the subsidies in the form of lower grazing fees, lower by 20 percent now than in 1980. I would like to know what else we can buy that is 20 percent cheaper today than it was in 1980. That speaks eloquently to the fact that there is something inequitable about the present standard.

I would point out, too, that we have had a lot of concern about budget deficits. We are subsidizing these fees to the tune of $52 million.

Now let me in fairness say that that also helps the multiple use of these lands, and I am all for the multiple use, and I have no quarrel with leasing of these lands. I think it makes good sense to have the ranchers use them. It is simply a matter of getting what is fair.

And let me point out what my motion does not do. It does not, and I emphasize it does not, endorse Secretary

Babbitt's plan. It does not increase grazing fees.

What does it do? It allows the House and Senate conferees, the elected representatives of the people, the elected representatives of the owners of the land, to establish a fair and equitable grazing fee, fair to the ranchers, fair to the taxpayers, fair to the Treasury, a program that will be fair to all that will recognize the realities of today.

Mr. Speaker, I urge all of my colleagues to support this motion so that the conferees from the House and the Senate, and, as my colleagues heard, the gentleman from New Mexico, others, will have an opportunity to participate. Let us get rid of this problem that has been around. However the conferees decide, along with input from the Members of this body, let us achieve a fair and equitable program for the taxpayers, for the ranchers and all concerned. I urge this body to support this motion.

Mr. KYL. Mr. Speaker, I rise in opposition to the Synar-Regula motion to instruct conferees. The Senate rightly denied funds for implementation of the Clinton administration's Rangeland Reform 1994 Program. Given the impact it will undoubtedly have—it will devastate many already struggling Western communities—Congress ought to have an opportunity to fully review and assess its impact, and vote on it, before it is implemented. The Senate amendment will allow that time to act.

Mr. Speaker, President Clinton's 130-percent increase in Federal grazing fees is a job-killer. It is unreasonable. It appears to be an effort to eliminate livestock grazing as an acceptable use of public lands, and it ought to be rejected.

If the concern is about environmental damage resulting from overgrazing, there are ways to address that. Those who are abusing public lands and causing significant damage can be identified and either brought into compliance or be denied a grazing permit. However, the vast majority of ranchers are good stewards of the land. They need to be. Their livelihoods depend on it.

If the concern is about wildlife, managed grazing can be an asset. Livestock producers have built—with their own funds—tens of thousands of watering sites on Federal lands.

If the concern is about the comparability of fees with those charged on State or private lands, let's compare apples to apples. A rancher on Federal land, unlike his counterpart on private land, must build his own erosion control measures, stockponds and watering holes, and fencing. That ought to be taken into account when setting fees.

If the concern is about fair return to the Treasury, a more modest increase could be considered. Most ranching families earn less than $28,000 per year, and an increase of the magnitude proposed here today will simply put them over the edge. Once bankrupt and unemployed, they won't be paying grazing fees, or income taxes. Revenues to the Treasury will fall.

Mr. Chairman, legitimate concerns can be addressed. The Clinton program is not about resolving concerns. It is about eliminating grazing from public lands. I urge the defeat of the Synar-Regula motion to instruct, and support for the Senate amendment to block implementation of the Clinton policy.

Mr. SMITH of Michigan. Mr. Speaker, the motion to instruct conferees on the fiscal year 1994 Interior Appropriations bill to raise grazing fees could devastate rural communities in the West and set a very bad precedent. We should not raise grazing fees 130 percent: It is not justified because of environmental reasons. The Bureau of Land Management found that public rangelands are in better condition than any time this century. It is not for budget reasons a recent Heritage Foundation study found what westerners have known for some time—that public lands grazing is not priced below market value and that higher grazing fees could actually result in less Federal revenue, with millions of additional dollars having to be spent on fencing and other improvements to the land. If bids were taken the grazing fees would probably be less. Indeed, the former Director of the BLM predicts that if ranchers were eliminated from Federal lands, costs to the Federal Government for rangeland management would increase by as much as 50 percent. I urge this body to let the Senate language prevail and that in the next year we examine the possibility of bidding or otherwise assuring a fair market value.

Mr. REED. Mr. Speaker, this is not gridlock, this is a total roadblock.

Despite overwhelming public support for raising Federal fees charged for grazing livestock on public lands, the other body has voted to preclude the Clinton administration from implementing this necessary reform. I believe that we should approve the Regula motion to instruct conferees, and reject the Senate amendment extending the freeze on grazing fees. We must allow the President to act.

For decades, a small group of ranchers representing only 2 percent of all livestock producers, has enjoyed the benefits of an outdated and unfair grazing fee policy that is both financially and environmentally unsound. By effectively limiting Federal grazing fees to only one-fifth of the those charged by private landowners, this program inflicts a double whammy on the taxpayer: costing the Government in lost revenue and preventing the collection of sufficient fees to administering the program or to cover the cost of restoring habitats damaged by grazing.

By supporting the Regula motion, the Members of this House can take an important first step in bringing about the long overdue end to Federal subsidies of livestock grazing on public lands. I intend to take this unique opportunity to protect the American taxpayer and our environment, and I urge my colleagues to join me in my support of this motion.

Mr. SANTORUM. Mr. Speaker, the House of Representatives has approved legislation in each of the past several years to increase the fees for grazing on land administered by the Bureau of Land Management and the Forest Service. In every instance, the House-passed language has been removed from the final measure by Senate conferees.

Recently, the Secretary of the Interior took the initiative by proposing increased grazing fees over the next 3 years within the context of overall rangeland reform. This action is in the proposed rulemaking stage, and public comment is being received. An amendment to H.R. 2520, however, could derail this process by prohibiting spending any funds to continue any action involving the proposed rulemaking. This language, offered by Senator DOMENICI of New Mexico places a 1-year moratorium on the reform process. Even though I do not endorse the broad scope of the Secretary's proposal, I cannot support the intent of the Domenici amendment to delay these reforms. We have avoided real reform in the area of grazing fees for far too long.

I recognize that fair value grazing is not a realistic alternative for many Western ranchers. Some reform, however, is necessary in order to bring this subsidy into line with the costs to the Federal Government. I favor a fair resolution to ensure that the fee increases are reasonable. But if the Domenici amendment is retained, then there will be no compromise on grazing fees for at least another year.

In 1992, I voted with 244 of my colleagues to reform this program, which effectively subsidizes ranchers at a cost to the Federal Government of more than $50 million a year. Today, we are considering a motion to permit the process of reform to proceed. I believe that it is important that we move toward a resolution of this issue. Therefore, I intend to vote for the motion to instruct the House conferees to reject the Domenici amendment.

Mr. DEFAZIO. Mr. Speaker, I rise to support the administration's efforts to comprehensively reform grazing practices on our public lands. I want to stress the word "reform."

I have consistently opposed attempts in this body to levy punitive grazing fee increases on ranchers in the West. I said that any fee increase should be part of a comprehensive proposal to grazing practices. The administration's proposal passes that test.

I don't necessarily support every detail of Secretary Babbitt's proposal. But I flat-out oppose the Senate's effort to stifle debate on long overdue rangeland management reforms. The Senate's position would prevent the administration from even reviewing comments from the public on its proposal, including constructive suggestions from the ranching community. It would prevent any meaningful reforms for the next year. This debate has nothing to do with protecting congressional prerogatives; it has everything to do with protecting a system that no longer serves the public interest.

Mr. FAZIO. Mr. Speaker, I rise in opposition to the Regula motion and do so as a supporter of rangeland reform.

Let me state at the outset that the current grazing fee formula needs to be reformed and a grazing fee increase is warranted. Unfortunately, there is the appearance that the administration has already set a new grazing fee target and is now in the process of justifying the proposed increase. It appears as though a decision has been made on the new grazing fee level before the rulemaking process has been completed. Before embracing a proposed fee increase, there must be an open and fair process that entertains the concerns and interests of all parties, including industry.

Additionally, Mr. Speaker, the practical effect of the moratorium will be minimal. Under the current rulemaking process, a final rule on

rangeland reform will not likely be implemented until the fall of next year, about the time the proposed moratorium would expire. The process can continue to move forward unimpeded during this time.

I support rangeland reform, but I want a constructive, open and fair process to achieve it. Therefore, I will oppose the Regula amendment. Simply let the administration know that I want an inclusive process, free from predetermined outcomes.

Ms. LOWEY, Mr. Speaker, I rise in strong support of the motion offered by the gentleman from Ohio to instruct the House conferees to reject the Senate amendment to the bill imposing a 1-year moratorium on administration actions to establish market-rate grazing fees and enact other rangeland reforms.

We have an opportunity to begin reinventing Government today by telling the House conferees that we will wait no longer to end the senseless waste of taxpayer dollars and sensitive rangelands caused by Federal grazing subsidies.

The Vice President's reinventing Government task force recently issued its report which called on the Federal Government to charge market-rate prices for the use of Federal property. Undercharging for grazing rights encourages environmentally harmful overgrazing and provides ranchers on Federal lands an unfair advantage over their competitors who must pay market rates for grazing privileges.

Year after year, Members of this body have struggled to reform Federal rangeland policies only to lose to the special interests. I have supported those efforts and this year I introduced legislation of my own to direct the Department of Interior to charge market rates for grazing privileges on Federal lands. This measure would save an estimated $80 million over the next 5 years.

The Department of Interior, headed by Secretary Babbitt, has signaled its intention to move forward with grazing policy reforms that include charging market rates for grazing privileges. The proponents of the Senate moratorium want to block the Interior Department's efforts to end this wasteful subsidy. They want to prolong the gridlock and preserve a sweetheart deal that the Federal Government has been giving to some cattle rangers all these years.

It is time to take a stand for the national interest. It is time to tell the privileged few, who have been enjoying special treatment at the expense of the American taxpayer, to pay their way like everyone else.

Mr. Speaker, I can think of better ways to spend the estimated $80 million that Federal grazing subsidies will cost the American people over the next 5 years—by reducing the Federal deficit, by enhancing our commitment to education, by investing in our neglected infrastructure.

These are the choices that the American people sent us here to make. I urge my colleagues who have expressed support for reinventing Government to vote for reinventing Government today. Support the Regula motion to instruct the conferees.

Mr. PASTOR. Mr. Speaker, today the House spoke on an issue of great importance to our Nation's ranching and livestock industry. By a majority vote, the House instructed its conferees for the fiscal year 1994 Department of the Interior and related agencies appropriations bill to insist disagreement to Senate amendment No. 123, which would place a moratorium on the Clinton administration's efforts to reform the Federal Government's policy for livestock grazing on public lands.

As a supporter of this motion to instruct conferees, I would like to state that I am firmly committed to a healthy and productive livestock industry in the United States. I do believe however, that the time has come for definitive action on the question of grazing fees and rangeland management reform. It is in this spirit that I cast my vote in favor of the motion to instruct the House conferees.

I would like to state, Mr. Speaker, that my vote for the motion does not necessarily constitute support for any specific recommendation or provision contained in Secretary Bruce Babbitt's proposed reforms. Rather, my vote indicates my strong desire to continue the reform dialog. To date, the administration has held five public meetings in the West and has heard from thousands of people. In December, when a draft environmental impact statement and draft regulations on the proposed reforms will be released, there will be additional opportunities for input from the public. My vote today was for the continuation of this process.

For years now, Congress has attempted to bring stability to the manner in which the Federal Government manages its rangelands. And for years, Congress has been unable to agree on a solution. What is needed today is not a continuation of this gridlock, but an end to the grazing fees debate that has produced so much uncertainly for ranchers and others throughout the country.

With this said, Mr. Speaker, I want to highlight the important fact that by its action today, the House is not relinquishing its ability to legislatively change any administration plan for reform or to develop its own reform measures. As a Member of Congress and an Arizonan committed to a productive livestock industry, I will be closely watching the continued development of the administration's proposed reforms for the management of Federal rangelands and the grazing fees system.

Mr. ORTON. Mr. Speaker, I rise in opposition to the Regula motion. Most agree that public land use policy should be examined and updated. However, the administration rangeland plan goes too far and totally ignores the role of Congress in managing our federal lands.

Congress has a role, which is as it should be, since we represent districts which in many cases are 50 percent, 70 percent or 90 percent owned by the Federal Government. The people who are impacted by the proposed 130 percent fee increase must have a voice in the process.

Such a massive increase in the grazing fee would have a devastating impact on many livestock producers in my district and across the west. The Federal Government owns almost 70 percent of the land in Utah. In most of the rural counties in my district, the Federal Government owns over 90 percent of the land; in several, it owns 98 percent. This high level of federal ownership presents economic and other challenges which my colleagues from the East cannot even imagine. In my district, as in most western states, there is little choice. Either you graze public land or you go out of business.

My colleagues should make no mistake about it. The increase in the grazing fee which the administration is proposing would put many livestock producers in my district and across the West out-of-business. A wide range of unanticipated costs would result. The most serious are the social and human costs in small rural communities. But since the proponents of an increase in grazing fees insist on trying to frame the debate in purely dollar terms, let me briefly mention a couple of the direct dollars costs to the Federal Government.

A direct, but hidden cost would be the increased expenditures for entitlement programs as we destroy the ability of many of our citizens in the rural West to earn a living. Before we allow any increase in grazing fees in the guise of providing a fair return to the treasury, it would seem wise to me to determine whether such a change would result in net gain or loss to the treasury. This has not been done.

Another hidden impact would be upon banks. Banks in rural communities which have in the past accepted a grazing permit as loan collateral would be increasingly stressed by the bankruptcies which would result by this action by the administration. The value of grazing permits has plummeted in the face of these proposed increases significantly reducing the collateral value of the permit securing these loans. Some banks could fail. Others could be so badly hurt that they would not be able to provide the money needed by the private sector to enhance the economies and quality of life in these rural areas. This unfortunate chain of events, in turn, could slow the growth of the national economy with consequences for the nation as a whole.

Let me cite just one other impact. As the base of rural counties erodes, so does their ability to provide the basic services to the millions of visitors to the federal lands. Most of my colleagues are not aware that the counties provide landfills for garbage, pay for search and rescue activities, provide police protection and law enforcement on most public lands and a wide range of other services with no or very little compensation by the Federal Government. The cost to the Federal Government to provide these services in my district would far exceed the relatively small amount of money the increased grazing fees would return to the treasury.

If the evidence were clear that grazing fees were indeed below the fair market value, I could understand the desire of some in this body and in the administration to raise fees quickly. But the data from a number of studies suggest that even at the current rate, it actually costs more to graze on public land than to graze on comparable private land. There certainly is no subsidy to livestock producers and grazing fees in the west are certainly not below fair market value.

It is particularly disturbing to me that the decision by the administration to increase grazing fees ignores this evidence. Equity demands that the burden of proving the insufficiency of the current grazing fees should rest with those who would seek to raise them. There has yet to be a thorough and in depth

public discussion of these studies and analyses by the administration. Indeed, as the famous leaked Sweeney/Wyman memo so frequently referred to here today and in recent debate in the other body makes abundantly clear, the Interior Department apparently had its mind made up to raise grazing fees long ago, regardless of the facts of the situation. I hope that the leak of that memo proves sufficiently embarrassing that the Department will now seriously and honestly look at all the facts and engage in good faith in a public debate on this issue.

That is all the moratorium language in the conference report seeks to accomplish. By postponing the implementation of any increased grazing fees for a year, all of us, Congress, the public, livestock producers and others will have the time to fully debate this issue. I am confident that this review will show that what the administration proposes is not only unwise but unjustified.

The economic impact upon thousands of good, hard working people across the West could be devastating if this proposed action by the administration is undertaken precipitously. There is no harm or damage which would result from waiting. The only prudent course is to support the moratorium and provide both the time and the incentive for all parties to gather and debate the facts and make a reasoned decision.

I urge my colleagues to oppose the Regula motion.

The SPEAKER pro tempore (Mr. MONTGOMERY). The question is on the motion to instruct offered by the gentleman from Ohio [Mr. REGULA].

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

Mr. KOLBE. 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 314, nays 109, not voting 10, as follows:

[Roll No. 465]

YEAS—314

Abercrombie
Ackerman
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Applegate
Archer
Bacchus (FL)
Bachus (AL)
Baesler
Barca
Barlow
Barrett (WI)
Bartlett
Becerra
Beilenson
Bereuter
Berman
Bevill
Bilirakis
Bishop
Blackwell
Blute
Boehlert
Bonior
Borski
Boucher
Brooks
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Byrne
Cantwell
Cardin
Carr
Castle
Chapman
Clay
Clayton
Clement
Clinger
Clyburn
Coble
Coleman
Collins (GA)
Collins (IL)
Collins (MI)
Cooper
Coppersmith
Costello
Coyne
Cramer
Danner
Darden
de la Garza
Deal
DeFazio
DeLauro
Dellums
Derrick
Deutsch
Diaz-Balart
Dickey
Dicks
Dixon
Duncan
Durbin
Edwards (CA)
Engel
English (OK)
Eshoo
Evans
Everett
Farr
Fawell
Fields (LA)
Filner
Fingerhut
Fish
Flake
Foglietta
Ford (MI)
Ford (TN)
Fowler
Frank (MA)
Franks (CT)
Franks (NJ)
Furse
Gallo
Gejdenson
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Glickman
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Green
Greenwood
Gunderson
Gutierrez
Hall (OH)
Hamburg
Hamilton
Harman
Hastings
Hefner
Hilliard
Hinchey
Hoagland
Hobson
Hochbrueckner
Hoekstra
Hoke
Holden
Horn
Hoyer
Hughes
Hutto
Hyde
Inglis
Inslee
Istook
Jacobs
Jefferson
Johnson (CT)
Johnson (GA)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kasich
Kennedy
Kennelly
Kildee
Kim
King
Kleczka
Klein
Klug
Knollenberg
Kreidler
LaFalce
Lambert
Lancaster
Lantos
Laughlin
Lazio
Leach
Levin
Levy
Lewis (GA)
Linder
Lipinski
Long
Lowey
Machtley
Maloney
Mann
Manton
Margolies-Mezvinsky
Markey
Martinez
Matsui
Mazzoli
McCloskey
McCurdy
McDermott
McHale
McHugh
McKinney
McMillan
McNulty
Meehan
Meek
Menendez
Meyers
Mfume
Mica
Miller (CA)
Miller (FL)
Mineta
Minge
Mink
Moakley
Molinari
Mollohan
Moran
Morella
Murphy
Murtha
Nadler
Natcher
Neal (MA)
Neal (NC)
Oberstar
Obey
Olver
Ortiz
Owens
Oxley
Pallone
Parker
Pastor
Paxon
Payne (NJ)
Payne (VA)
Pelosi
Penny
Peterson (FL)
Petri
Pickett
Pickle
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Rahall
Ramstad
Rangel
Ravenel
Reed
Regula
Reynolds
Richardson
Ridge
Roemer
Rohrabacher
Ros-Lehtinen
Rose
Rostenkowski
Roukema
Rowland
Roybal-Allard
Royce
Rush
Sabo
Sanders
Sangmeister
Santorum
Sawyer
Saxton
Schenk
Schroeder
Schumer
Scott
Sensenbrenner
Sharp
Shaw
Shays
Shepherd
Shuster
Sisisky
Skaggs
Skelton
Slattery
Slaughter
Smith (IA)
Smith (NJ)
Snowe
Solomon
Spence
Stark
Stearns
Stokes
Strickland
Studds
Stupak
Swett
Swift
Synar
Tanner
Taylor (MS)
Tejeda
Thompson
Thornton
Thurman
Torkildsen
Torres
Torricelli
Towns
Traficant
Tucker
Unsoeld
Upton
Valentine
Velazquez
Vento
Visclosky
Volkmer
Washington
Waters
Watt
Waxman
Weldon
Wheat
Whitten
Wilson
Wise
Woolsey
Wyden
Wynn
Yates
Young (FL)
Zeliff
Zimmer

NAYS—109

Allard
Armey
Baker (CA)
Baker (LA)
Ballenger
Barcia
Barrett (NE)
Barton
Bateman
Bentley
Bilbray
Bliley
Boehner
Bonilla
Brewster
Bunning
Burton
Buyer
Callahan
Calvert
Camp
Canady
Combest
Condit
Cox
Crane
Crapo
Cunningham
DeLay
Dooley
Doolittle
Dornan
Dreier
Dunn
Edwards (TX)
Emerson
English (AZ)
Ewing
Fazio
Fields (TX)
Frost
Gallegly
Gekas
Geren
Gingrich
Grams
Hall (TX)
Hancock
Hansen
Hastert
Hayes
Hefley
Herger
Houghton
Huffington
Hunter
Hutchinson
Inhofe
Johnson (SD)
Johnson, Sam
Kingston
Kolbe
Kopetski
Kyl
LaRocco
Lehman
Lewis (CA)
Lewis (FL)
Lightfoot
Livingston
Manzullo
McCandless
McCollum
McCrery
McInnis
McKeon
Montgomery
Moorhead
Myers
Nussle
Orton
Packard
Peterson (MN)
Pombo
Pomeroy
Quillen
Roberts
Rogers
Roth
Sarpalius
Schaefer
Schiff
Skeen
Smith (OR)
Smith (TX)
Stenholm
Stump
Sundquist
Talent
Tauzin
Taylor (NC)
Thomas (CA)
Thomas (WY)
Vucanovich
Walker
Walsh
Williams
Wolf
Young (AK)

NOT VOTING—10

Conyers
Dingell
Grandy
Klink
Lloyd
McDade
Michel
Serrano
Smith (MI)
Spratt

□ 1305

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

Messrs. LEVY, COBLE, BACHUS of Alabama, and EVERETT changed their vote from "nay" to "yea."

So the motion to instruct was agreed to.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. PENNY). Without objection, the Chair appoints the following conferees on H.R. 2520, Department of the Interior and Related Agencies Appropriations Act, 1994: Messrs. YATES, MURTHA, DICKS, BEVILL, SKAGGS, COLEMAN, NATCHER, REGULA, MCDADE, KOLBE, and PACKARD.

There was no objection.

GENERAL LEAVE

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

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

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1734

Mr. SKAGGS. Mr. Speaker, I ask unanimous consent that my name be withdrawn as a cosponsor of H.R. 1734.

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

There was no objection.

APPOINTMENT OF CONFEREES ON H.R. 2519, DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 1994

Mr. SMITH of Iowa. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 2519) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1994, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

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

There was no objection.

MOTION TO INSTRUCT OFFERED BY MR. ROGERS

Mr. ROGERS. Mr. Speaker, I offer a motion to instruct.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. ROGERS moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the bill, H.R. 2519, be instructed to agree to the first proviso of the Senate amendment numbered 147, with an amendment that reads as follows:

In lieu of the first proviso in Senate amendment numbered 147, insert the following:

"*Provided*, That none of the funds appropriated in this paragraph shall be available for arrearage payments to the United Nations until the Secretary of State certifies to the Congress that the United Nations has established an independent office with responsibilities and powers substantially similar to offices of Inspectors General authorized by the Inspector General Act of 1978, as amended"

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

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

There was no objection.

The SPEAKER pro tempore. The gentleman from Kentucky [Mr. ROGERS] will be recognized for 30 minutes, and the gentleman from Iowa [Mr. SMITH] will be recognized for 30 minutes.

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

Mr. ROGERS. Mr. Speaker, my motion would instruct the House conferees to agree to a Senate provision, authored by Senator DOMENICI, requiring the United Nations to create an inspector general's office before receiving any more U.S. arrearage payments in fiscal 1994.

The United Nations must be reformed. That has been Congress' cry so often in the last 10 years that we are beginning to sound like a broken record. The American people, who pay 25 percent of the United Nations general budget and 31.7 percent, Mr. Speaker, of the international peacekeeping budget of the United Nations, people will be charged almost $1.5 billion in assessed contributions to the United Nations in 1994.

This does not include the hundreds of millions of dollars our constituents will give in voluntary contributions to the United Nations not contained in this bill. That is a huge investment, and we are entitled to know how our money is being spent. And we do not.

Almost 80 percent of the general budget of the United Nations is being used to pay for 14,000 employees of the U.N. Secretariat alone, workers who enjoy some of the most generous employment benefits around, including salaries which are guaranteed at rates 15 to 20 percent higher than the highest comparable private sector, salaries which, I might add, are tax free, Mr. Speaker.

They have additional payments of $1,270 per year per dependent child. They are guaranteed 100 percent cost-of-living increases. These 14,000 employees at the Secretariat alone enjoy vacations of up to 2 months per year.

□ 1310

They have payments to cover three-fourths of all education costs including college, for each of their children, and they have one of the world's best retirement systems.

No wonder U.N. programs are forced to scrounge for other sources of funding—including coming back to Uncle Sam for voluntary contributions.

And, would you believe, the Secretary-General has called for higher pay for U.N. staff members.

With personnel policies like these, no wonder Richard Thornburgh, during his tenure as head of management at the United Nations found:

Too many deadwood staff members doing too little work and too few good staff members doing too much.

Featherbedding to preserve unnecessary U.N. jobs at all costs.

In one instance, management sabotaged attempts to eliminate 500 unneeded jobs, a move costing the United Nations $20 million per year.

Lucrative consulting contracts given to retired and even dismissed employees.

In addition we are treated to all too frequent press accounts of questionable U.N. spending, including:

$110,000 to refurbish the home of the head of the U.N. peacekeeping mission in Cambodia;

Millions spent to generate thousands of U.N. publications on such worthwhile topics as "Imperialism: The Last Stage of Capitalism."

And the list goes on, and on, and on.

Obviously, no one at the United Nations is minding the store.

At a time when the United Nations is reported to face tremendous financial crisis, how can this be?

According to the Richard Thornburgh's review of the United Nations—the United Nations is almost totally lacking in any effective mechanism to deal with waste, fraud, and abuse.

To bring about much needed reform, Thornburgh recommended to the United Nations that it immediately establish an inspector general's office.

He is not alone in his cry:

President Clinton called for an IG in his speech at the United Nations earlier this week.

Vice President GORE recommended the immediate creation of a U.N. IG in his national performance review.

Unbelievable, their calls for an inspector general face stiff opposition at the United Nations—even from some of our traditional allies.

It is beyond me as to how anyone could oppose an inspector general whose function would be to:

Evaluate and recommend policies to promote economy, efficiency, and effectiveness;

Prevent and detect fraud and abuse;

Keep the U.N. Secretary General and the member States fully informed about problems in the United Nations.

Mr. Speaker, an inspector general is our chance to get true reforms at the United Nations.

It is time this Congress put some muscle behind the President's call for reform. The vote on my motion is a vote for U.N. reform. it is a vote for accountability.

The American public, which, let me once again remind my colleagues, will provide over $1 billion to the United Nations this year, demands no less of its government, and we must demand no less of the United Nations.

As the Vice President said in his national performance review, we must "prove to the American people that their tax dollars will be treated with respect for the hard work that earned them."

My colleagues, I do not believe the United Nations has treated the American taxpayer with respect.

Prove to your constituents that you want the U.N. waste to stop.

Support my motion to instruct.

Mr. Speaker, I urge support for my motion to instruct, and I reserve the balance of my time.

Mr. SMITH of Iowa. Mr. Speaker, former Attorney General Thornburgh was appointed in the last administration as the Under Secretary General for Management at the United Nations, and he made the recommendation that they have an inspector general. Our present Ambassador to the United Nations, Albright, has recommended they have an inspector general, and they are moving in that direction. The President has called for them to have an inspector general.

The Senate bill has about two pages of wording in it referring to this subject matter. Then the gentleman from

Kentucky [Mr. ROGERS] has an improved version, I think, but the gist of what we are talking about is, they need an inspector general, and they need to move that way as fast as possible. I do not think there is any disagreement about the objectives.

Mr. Speaker, I am going to vote for the gentleman's motion. There is a difference in the wording, obviously, between what the gentleman has in his motion and what they have in the Senate bill, but I think whatever it is, we can work the wording out. The gist of it is that we want them to have an inspector general.

Mr. Speaker, I was a sponsor of the first inspector general in the Government here in the United States. It was for the Department of Agriculture. The idea is that they should have someone working at all times, looking for things that ought to be corrected and reporting back to the people who can do something about it, and exposing it.

That is the whole idea here. I do not disagree with the idea, and I am going to vote for the gentleman's motion.

The SPEAKER pro tempore. Are there further requests for time?

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

Mr. Speaker, I do not expect we will consume anywhere near the time that has been allotted. I plan to close very briefly here if the gentleman from Iowa [Mr. SMITH] wishes to do the same. We should have a vote very soon, so those who are watching the debate can be thus advised.

Let me take just a few minutes. I will be brief, Mr. Speaker. This is a proposal that, although fresh on the floor today, has been pushed for so many years in a variety of forms. The U.S. Congress and other institutions have been requesting of the United Nations some accountability for years with no avail. It is a part of the bureaucracy of the United Nations to resist this kind of request. I understand that. There are at least two schools of thought within the United Nations about whether or not this is a good idea.

Most of the industrialized nations have been requesting this for a long time, and agree upon it. Many of the Third World countries do not want it. That is understandable. That is part of the history of the United Nations.

Mr. Speaker, in my opinion, we will not see the needed reforms until we take this action of withholding arrearage payment funds until our Secretary of State certifies the United Nations has complied with this request. It is not unreasonable. In fact, it is very sensible, and will make a better United Nations, and of course, better accountability of the funds that our taxpayers and all others around the world give to the United Nations.

Mr. Speaker, the founders in 1945 did not mean for the United Nations to end up as it is now, in this bureaucratic maze. I am quoting from a story in the press recently: "The whole U.N. civil service got hijacked by the Cold War and decolonization," said Donald McHenry, the former U.S. Ambassador to the United Nations

"As many experts point out, the U.N. grew as it did because its members wanted it to. For the Third World countries, the United Nations offered jobs for politicians' brothers-in-law and gave them a world platform for their problems. The major powers went along.

"Hiring for U.N. offices was rather like patronage hiring in the old Chicago Streets and Sanitation Department—except that Streets and Sanitation actually picked up garbage, while the United Nations only complained about it," Charles Lipson, a University of Chicago Professor of International Politics, recently told a U.S. panel studying the United Nations

So it has developed over the years, into the bureaucracy that needs to be reformed. The only way to do it is as we have done in the past. The Kassebaum-Solomon amendment, which began these arrearages 4 years ago, the money was withheld for the purposes of extracting some reforms in the United Nations.

□ 1320

Now we need to take the next step.

So, Mr. Speaker, I hope we can have a very positive vote on this motion to instruct.

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

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

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

The SPEAKER pro tempore (Mr. PENNY). Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

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

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

Mr. ROGERS. 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 420, nays 0, not voting 13, as follows:

[Roll No. 466]

YEAS—420

Abercrombie
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
Bellenson
Bentley
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Bishop
Blackwell
Bliley
Blute
Boehlert
Boehner
Bonilla
Bonior
Borski
Boucher
Brooks
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Bunning
Burton
Buyer
Byrne
Callahan
Calvert
Camp
Canady
Cantwell
Cardin
Carr
Castle
Chapman
Clay
Clayton
Clinger
Clyburn
Coble
Coleman
Collins (GA)
Collins (MI)
Combest
Condit
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
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
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
McDermott
McHale
McHugh
McInnis
McKeon
McKinney
McMillan
McNulty
Meehan
Meek
Menendez
Meyers
Mfume
Mica
Michel
Miller (FL)
Mineta
Minge
Mink
Moakley
Molinari
Mollohan
Montgomery
Moorhead
Moran
Morella
Murphy
Murtha
Myers
Nadler
Natcher
Neal (MA)
Neal (NC)
Nussle

Oberstar	Roybal-Allard	Synar
Obey	Royce	Talent
Olver	Rush	Tanner
Ortiz	Sabo	Tauzin
Orton	Sanders	Taylor (MS)
Owens	Sangmeister	Taylor (NC)
Oxley	Santorum	Tejeda
Packard	Sarpalius	Thomas (CA)
Pallone	Sawyer	Thomas (WY)
Parker	Saxton	Thompson
Pastor	Schaefer	Thornton
Paxon	Schenk	Thurman
Payne (NJ)	Schiff	Torkildsen
Payne (VA)	Schroeder	Torres
Pelosi	Schumer	Torricelli
Penny	Scott	Towns
Peterson (FL)	Sensenbrenner	Traficant
Peterson (MN)	Serrano	Tucker
Petri	Sharp	Unsoeld
Pickle	Shaw	Upton
Pombo	Shays	Valentine
Pomeroy	Shepherd	Velazquez
Porter	Shuster	Vento
Portman	Sisisky	Visclosky
Poshard	Skaggs	Volkmer
Price (NC)	Skeen	Vucanovich
Pryce (OH)	Skelton	Walker
Quillen	Slattery	Walsh
Quinn	Slaughter	Washington
Rahall	Smith (IA)	Waters
Ramstad	Smith (NJ)	Watt
Rangel	Smith (OR)	Waxman
Ravenel	Smith (TX)	Weldon
Reed	Snowe	Wheat
Regula	Solomon	Whitten
Reynolds	Spence	Williams
Richardson	Spratt	Wise
Ridge	Stark	Wolf
Roberts	Stearns	Woolsey
Roemer	Stenholm	Wyden
Rogers	Stokes	Wynn
Rohrabacher	Strickland	Yates
Ros-Lehtinen	Studds	Young (AK)
Rose	Stump	Young (FL)
Rostenkowski	Stupak	Zeliff
Roth	Sundquist	Zimmer
Roukema	Swett	
Rowland	Swift	

NAYS—0

NOT VOTING—13

Becerra	Dingell	Pickett
Brewster	Gephardt	Smith (MI)
Clement	McCurdy	Wilson
Collins (IL)	McDade	
Conyers	Miller (CA)	

□1342

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

So the motion to instruct was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. CLEMENT. Mr. Speaker, during rollcall vote No. 466 on H.R. 2519 I was unavoidably detained. Had I been present, I would have voted "yea."

GENERAL LEAVE

Mr. SMITH of Iowa. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include therein extraneous material on the motion to instruct conferees on H.R. 2519 which was just agreed to.

The SPEAKER pro tempore [Mr. PENNY]. Is there objection to the request of the gentleman from Iowa?

There was no objection.

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees: Messrs. SMITH of Iowa, CARR of Michigan, MOLLOHAN, MORAN, SKAGGS, PRICE of North Carolina, NATCHER, ROGERS, KOLBE, TAYLOR of North Carolina, and MCDADE.

There was no objection.

CONFERENCE REPORT ON H.R. 2295, FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 1994, AND SUPPLEMENTAL APPROPRIATIONS FOR THE NEW INDEPENDENT STATES OF THE FORMER SOVIET UNION ACT, 1993

Mr. DERRICK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 259 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 259

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 2295) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1994, and making supplemental appropriations for such programs for the fiscal year ending September 30, 1993, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

The SPEAKER pro tempore. The gentleman from South Carolina [Mr. DERRICK] is recognized for 1 hour.

Mr. DERRICK. Mr. Speaker, for the purpose 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 259 waives all points of order against the conference report on H.R. 2295, the Foreign Operations Appropriations Act for Fiscal Year 1994 and against its consideration. The rule further provides that the conference report shall be considered as read.

Mr. Speaker, the conference agreement on the Foreign Operations Appropriations Act provides $13 billion in new budget authority for fiscal year 1994. This amount is $1.6 billion below the President's request and is within the 602(b) allocation.

The agreement displays a new policy emphasis on emerging democracies and provides a total of $2.5 billion in technical and humanitarian assistance for the new Independent States of the former Soviet Union and $390 million for Eastern Europe and the Baltics.

The conference agreement provides $5 billion for Israel and Egypt as well as increased funding for the economic support fund to accommodate assistance for the West Bank and Gaza. In addition, the agreement provides $800 million for refugee and disaster assistance to meet the current situation in Somalia, the former Yugoslavia, as well as other areas around the world.

The conference agreement provides $784 million in development assistance for Africa as well as $1 billion to assist United States business to export United States goods abroad.

Mr. Speaker, House Resolution 259 will expedite consideration of this important conference agreement. I urge my colleagues to support the rule and the agreement, and I reserve the balance of my time.

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

Mr. Speaker, I thank the gentleman for yielding this side half the time.

Mr. Speaker, as the gentleman from South Carolina has just indicated, we have before us a rule that provides for the timely consideration of the conference report on the foreign operations appropriations bill for fiscal year 1994.

This rule is typical of those that are usually provided for conference reports in that all points of order are waived.

There is a twofold reason for the waivers.

First, the conference report contains $1.6 billion in fiscal year 1993 assistance for Russia.

In order for these funds to be made available, the President must sign this legislation into law before midnight tomorrow night.

Thus, the 3-day layover has been waived.

The second reason for waivers is simply the fact that Congress has not enacted a foreign aid authorization bill into law since 1985. That was 8 years ago.

Hence, virtually everything in this conference report is unauthorized.

I must say that Members should appreciate the work of the Foreign Operations Subcommittee in stepping into the breach each year and, in effect, writing the annual foreign aid bill. They do a good job, even though I have some problems in supporting foreign aid in general.

Turning now to the substance of the conference report itself, Mr. Speaker, I am compelled to oppose this legislation on final passage. I will do so because of my continuing reservations about aid for Russia, aid that might take the form of direct assistance to the Government or to the central bank of Russia.

I have opposed this kind of assistance in the past, and I will continue to oppose it in the future until a fully democratic government is in place in Moscow and Soviet troops are completely and once and for all out of the Baltic nations.

In Latvia, Lithuania, and Estonia, those Soviet troops are still there.

My further concern is simply the question of where this assistance is going.

The situation in Russia is so chaotic, and we all are watching it on TV by the hour, I remain unconvinced that we can tell with any certainty exactly who is getting this assistance and how effectively they are using it.

Given the track record of so many foreign aid programs in so many countries in which, by hook or by crook, the government itself or government-controlled entities get their hands on it, I am not convinced the situation in Russia will turn out to be any different. It rarely does.

I must also say that the amount of money involved strikes me as being too much for a token, but not enough to really make a difference—even if it were to be used with maximum effectiveness which it will not be. Too many former Communists still are in the government and they still have their fingers in this foreign aid pie.

□ 1350

When one considers just how much it is costing today to stabilize and rebuild the former East Germany, a country only one-tenth the size of Russia, we can get an idea of just how much it will cost eventually to repair Russia after 74 years of communism. All of the money in the world would not be enough to do it, Mr. Speaker. The Russians themselves will have to pull it all together by a sincere, all-out effort to completely democratize their country, including a free market system. They are vacillating back and forth, not really doing it. The only way they can establish a free market system is by attracting private capital and private investment from outside the country itself. They cannot do that without enacting property rights laws, without enacting commercial laws to protect investments from American businesses and industry that might want to do business there. They must absolutely establish a judiciary system that is free of political interference, like we have in this country, to guarantee protection under the law. Otherwise their laws are not worth 2 cents, and nobody in their right mind is going to put money into Russia from our private sector.

Mr. Speaker, we should not be giving the Russian Government, or their central bank, American tax dollars. It ought to be going from the private sector here to the private sector there in the form of loans or investments so that we can get a return on that investment in this country.

Mr. Speaker, there is an old philosophy that says, "Do not give them fish, do not give them money to buy fish. Teach them how to fish, and they will feed themselves." This philosophy is not represented in this foreign aid appropriations legislation. This is the philosophy we ought to be living by because of the failure of foreign aid in the past. I will vote no when this conference report comes up for a vote later on, after this rule has been passed.

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

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

Mr. DERRICK. Mr. Speaker, 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. OBEY. Mr. Speaker, pursuant to the provisions of House Resolution 259, I call up the conference report on the bill (H.R. 2295) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1994, and making supplemental appropriations for such programs for the fiscal year ending September 30, 1993, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. BRYANT). Pursuant to House Resolution 259, the conference report is considered as read. (For conference report and statement, see proceedings of the House of September 28, 1993, at page H7159.)

The SPEAKER pro tempore. The gentleman from Wisconsin [Mr. OBEY] will be recognized for 30 minutes, and the gentleman from Louisiana [Mr. LIVINGSTON] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Wisconsin [Mr. OBEY].

Mr. OBEY. Mr. Speaker, I yield myself 8 minutes.

Mr. Speaker, before I begin to describe what is in this conference report, I would like to pay special tribute to a group of people who are often maligned in the popular press and in the court of public opinion, namely the congressional staffers who helped put together this bill: Terry Peel, Bill Schuerch, Mark Murray, Mike Marek, Laurie Maes, Karen Brown, Dean Sackett, Jim Kulikowski, and the two people who gave us tremendous technical assistance from the agencies themselves, Bob Lester and Carol Schwab and a number of others. I simply want to say that, if we take into account the hundreds of witnesses our committee has before it each year, if we take into account the hundreds of staff who accompany each and every one of those witnesses, if we take into account the hundreds of public groups and the hundreds of interest groups who are constantly inquiring of the committee about one or another of the matters in this package, and if we realize that all of the staff work to respond to all of those problems is done by roughly seven people, I think it is an amazing accomplishment, and I am very grateful to all of them on both sides of the aisle, as I am to the associate staff members who have also assisted the subcommittee membership.

I also want to say that this is, very largely, a new subcommittee this year. We have on the Democratic side myself, and the gentleman from Texas [Mr. WILSON], and the gentleman from Illinois [Mr. YATES] who have served on the subcommittee in the past, but then we have the gentleman from Massachusetts [Mr. OLVER], the gentlewoman from California [Ms. PELOSI], the gentleman from California [Mr. TORRES], the gentleman from New York [Mr. SERRANO], and the gentlewoman from New York [Mrs. LOWEY] who have served on the subcommittee but a short time. On the Republican side we have the gentleman from Illinois [Mr. PORTER], and the gentleman from Iowa [Mr. LIGHTFOOT], the gentleman from Alabama [Mr. CALLAHAN] and the ranking Republican, the gentleman from Louisiana [Mr. LIVINGSTON] who have performed yeoman's service on the bill and who have at all times conducted themselves in an absolutely bipartisan fashion.

I would dare to say, Mr. Speaker, that I cannot recall a single partisan comment made by any Member on either side of the aisle during the hearings, markups or conference, and I really believe that the way members of this subcommittee, and the way the staff on this subcommittee, conduct themselves is really a case study in the way Congress ought to perform. I very much appreciate the help that we have gotten from each and every one of them.

Let me simply say that this bill is $1.1 billion below last year's spending level. It is $1.4 billion below the President's request. It is $373,000 below the bill as it left the House. It is $461 million below our subcommittee allocation under the 602(b) section of the budget. We have seen a lot of writing in the popular press, and elsewhere, lately about the need to reform foreign assistance and the need to reduce military aid now that the cold war has ended. I want to simply point out that in the years since I have become chairman of this committee this bill has dropped from $16.5 billion total to $12.5 billion today, and that would not have happened without the bipartisan cooperation of each and every member of the subcommittee.

I would also point out that the military aid, as a share of this bill, has dropped from 40 percent as a share of the bill in 1985 to 24.6 percent today, which is a very large reduction, and I think it reflects the new realities in the world.

I also want to make the point that this bill, in spite of those overall budget reductions, provides $2½ billion to

meet our highest new priority, assistance to the former republics in the Soviet Union. There is also room in the bill for the beginning of the $500 million aid proposition that the administration has been discussing with respect to the Middle East to assist the Palestinians as we move toward peace in that region. This committee has always made refugees our No. 1 priority, and we did again this year despite the fact that we had very deep cuts in a significant number of programs. We have an increase in this budget for refugees. We also make enhancing the ability of this country to export our commercial products a high priority because we provide $1 billion to the Export-Import Bank to facilitate our exports to the rest of the world, and we institute, or we begin the process of instituting, virtually each and every reform mentioned by the Gore Commission including requiring that AID begin to downsize the number of missions that it has around the world by eliminating 12 of those missions this year.

□ 1400

So I think this subcommittee can truthfully say that if you take a look at what we have done and what we have required the administration to do before they can get the second half of the money in this bill, we have virtually put into place all of the reform actions suggested by the Gore Commission.

With respect to the earmarks in the bill, when the bill left the House we had no earmarks. The Senate had 27. We come back from conference with only four. I think that is a very good record.

We have a number of legislative limitations in the bill as well, limitations on assistance, such as, for example, the limitation on Soviet aid if they provide any significant assistance to Cuba. There was a waiver authority that we provided for the President in that instance. In my view, he will not need to use that waiver authority, because I do not define in any way what the Soviet Union has been doing as supplying assistance. I think the relationship that they have with Cuba with respect to purchasing sugar is very similar to a large number of other commercial relationships that countries often have with each other around the world, and does not in any way constitute assistance.

I would also say that it is necessary for this House to pass this bill today, because, as was indicated in discussion on the rule, we have in this bill a significant amount of assistance which is funded through 1993 supplemental appropriations for the Soviet Union. If we do not enact this bill before the end of the fiscal year, that portion of the bill will be inoperative.

So I simply want to say I think this bill meets the desires of the taxpayers to be fiscally frugal. I think it certainly responds to the new realities around the world.

Mr. Speaker, I want to pay special tribute to the gentleman from Louisiana [Mr. LIVINGSTON], the ranking Republican. This is his first year as ranking Republican. I think the gentleman has done a very good job in acquainting himself with all of the many programs that this bill has. He has conducted himself in an absolutely bipartisan fashion. You will never doubt for a moment when you deal with the gentleman from Louisiana [Mr. LIVINGSTON] that you are dealing with a conservative Republican, and there is nothing wrong with that. But I very much appreciate the professional way he has gone about our business.

FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS, FY 1994 (H.R. 2295)

	FY 1993 Enacted	FY 1994 Estimate	House	Senate	Conference	Conference compared with enacted
TITLE III - MILITARY ASSISTANCE						
FUNDS APPROPRIATED TO THE PRESIDENT						
International Military Education and Training	42,500,000	42,500,000	21,250,000	21,250,000	21,250,000	-21,250,000
Foreign Military Financing Program:						
Grants	3,300,000,000	3,231,657,000	3,175,000,000	3,123,558,000	3,149,279,000	-150,721,000
(Limitation on administrative expenses)	(26,000,000)	(25,558,000)	(23,558,000)	(23,558,000)	(23,558,000)	(-2,442,000)
Direct concessional loans:						
Subsidy appropriations	149,000,000	120,263,000	46,530,000	46,530,000	46,530,000	-102,470,000
Administrative expenses	200,000	194,000	.....	.....	.....	-200,000
(Estimated loan program)	(855,000,000)	(855,000,000)	(769,500,000)	(769,500,000)	(769,500,000)	(-85,500,000)
FMF program level	(4,155,000,000)	(4,086,657,000)	(3,944,500,000)	(3,893,058,000)	(3,918,779,000)	(-236,221,000)
Subtotal, Foreign military financing program	3,449,200,000	3,352,114,000	3,221,530,000	3,170,088,000	3,195,809,000	-253,391,000
Reappropriation (deobligation/reobligation) authority (sec. 515):						
Foreign military financing	.....	500,000	500,000	500,000	500,000	+500,000
Total, Foreign military assistance	3,449,200,000	3,352,614,000	3,222,030,000	3,170,588,000	3,196,309,000	-252,891,000
Special Defense Acquisition Fund:						
(Limitation on obligations)	(225,000,000)	.....	.....	.....	.....	(-225,000,000)
Fund elimination	.....	-266,000,000	-266,000,000	-266,000,000	-266,000,000	-266,000,000
Peacekeeping operations	27,166,000	77,166,000	75,623,000	62,500,000	75,623,000	+48,457,000
Nonproliferation and Disarmament Fund	.....	50,000,000	10,000,000	10,000,000	10,000,000	+10,000,000
Total, title III, Military assistance programs	3,518,866,000	3,256,280,000	3,062,903,000	2,998,338,000	3,037,182,000	-481,684,000
(Limitation on obligations)	(251,000,000)	(25,558,000)	(23,558,000)	(23,558,000)	(23,558,000)	(-227,442,000)
(Estimated loan program)	(855,000,000)	(855,000,000)	(769,500,000)	(769,500,000)	(769,500,000)	(-85,500,000)
TITLE IV - EXPORT ASSISTANCE						
EXPORT-IMPORT BANK OF THE UNITED STATES						
Limitation of Program Activity:						
Subsidy appropriations	757,000,000	757,000,000	700,000,000	1,000,000,000	1,000,000,000	+243,000,000
(Estimated loan program)	(15,500,000,000)	(16,500,000,000)	.....	.....	.....	(-15,500,000,000)
Administrative expenses	45,683,000	46,295,000	45,369,000	45,369,000	45,369,000	-314,000
Negative subsidy	-16,533,000	-51,783,000	-51,783,000	-51,783,000	-51,783,000	-35,250,000
Total, Export-Import Bank of the United States	786,150,000	751,512,000	693,586,000	993,586,000	993,586,000	+207,436,000
FUNDS APPROPRIATED TO THE PRESIDENT						
Trade and Development Assistance						
Trade and development	40,000,000	60,000,000	40,000,000	40,000,000	40,000,000	.....
Total, title IV, Export assistance	826,150,000	811,512,000	733,586,000	1,033,586,000	1,033,586,000	+207,436,000
(Estimated loan program)	(15,500,000,000)	(16,500,000,000)	.....	.....	.....	(-15,500,000,000)
Grand total, all titles:						
New budget (obligational) authority	26,257,377,903	14,425,993,066	12,983,038,866	12,526,854,047	12,982,665,866	-13,274,712,037
Appropriations	(26,257,377,903)	(14,425,993,066)	(13,168,038,866)	(12,781,954,047)	(13,190,765,866)	(-13,066,612,037)
Rescissions	.....	.....	(-185,000,000)	(-255,100,000)	(-208,100,000)	(-208,100,000)
(Limitation on obligations)	(251,000,000)	(25,558,000)	(23,558,000)	(23,558,000)	(23,558,000)	(-227,442,000)
(Limitation on guaranteed loans)	(650,000,000)	(375,027,000)	.....	(346,885,000)	.....	(-650,000,000)
(Limitation on direct loans)	.....	(20,712,000)	.....	(19,161,000)	.....	.....
(Limitation on callable capital)	(4,631,070,700)	(4,665,876,024)	(4,090,600,894)	(3,188,161,394)	(4,090,600,894)	(-540,469,806)
(Estimated level of direct/guaranteed loans)	(231,319,000)	(110,000,000)	(110,000,000)	(160,000,000)	(135,000,000)	(-96,319,000)
(Estimated loan program)	(16,355,000,000)	(17,355,000,000)	(769,500,000)	(769,500,000)	(769,500,000)	(-15,585,500,000)
RECAP						
TITLE I - MULTILATERAL ECONOMIC ASSISTANCE						
Contributions to International Financial Institutions	1,583,418,903	1,957,852,066	1,505,070,866	1,358,764,107	1,507,770,866	-75,648,037
International organizations and programs	310,000,000	390,000,000	339,500,000	360,628,000	360,628,000	+50,628,000
Total, contribution for Multilateral Economic Assistance	1,893,418,903	2,347,852,066	1,844,570,866	1,719,392,107	1,868,398,866	-25,020,037
TITLE II - BILATERAL ECONOMIC ASSISTANCE						
Bilateral Development Assistance	4,158,382,000	4,075,578,000	3,838,997,000	3,761,217,940	3,868,517,000	-289,865,000
Economic Support Fund/Special Assistance Initiatives	3,546,704,000	3,934,771,000	3,502,982,000	3,014,320,000	3,174,982,000	-371,722,000
Total, Bilateral Economic Assistance	7,705,086,000	8,010,349,000	7,341,979,000	6,775,537,940	7,043,499,000	-661,587,000

FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS, FY 1994 (H.R. 2295), continued

	FY 1993 Enacted	FY 1994 Estimate	House	Senate	Conference	Conference compared with enacted
Housing and other credit guaranty programs:						
Subsidy appropriations	16,407,000	16,407,000	16,078,000	16,078,000	16,078,000	-329,000
Operating expenses	8,407,000	8,407,000	8,239,000	8,239,000	8,239,000	-168,000
(Estimated level of guaranteed loans)	(150,000,000)	(110,000,000)	(110,000,000)	(110,000,000)	(110,000,000)	(-40,000,000)
Subtotal, development assistance	2,397,163,000	2,295,259,000	2,158,202,000	2,058,082,000	2,154,102,000	-243,061,000
Payment to the Foreign Service Retirement and Disability Fund	42,677,000	44,151,000	44,151,000	44,151,000	44,151,000	+1,474,000
Operating expenses of the Agency for International Development	512,000,000	512,000,000	501,760,000	494,080,000	501,760,000	-10,240,000
(By transfer)	(4,300,000)					(-4,300,000)
Reform and downsizing					3,000,000	+3,000,000
Operating expenses of the Agency for International Development Office of Inspector General	39,316,000	39,916,000	39,118,000	38,518,940	39,118,000	-198,000
Debt restructuring	50,000,000	45,427,000	7,000,000	7,000,000	7,000,000	-43,000,000
Subtotal, Agency for International Development	3,041,156,000	2,936,753,000	2,750,231,000	2,641,831,940	2,749,131,000	-292,025,000
Economic Initiatives						
Economic support fund	2,670,000,000	2,582,000,000	2,364,562,000	2,280,500,000	2,364,562,000	-305,438,000
Rescission (sec. 545 (a))			-185,000,000	-250,000,000	-203,000,000	-203,000,000
International fund for Ireland	19,704,000	20,000,000	19,600,000		19,600,000	-104,000
Assistance for the Philippines:						
Multilateral assistance initiative for the Philippines	40,000,000	40,000,000	20,000,000	20,000,000	20,000,000	-40,000,000
Assistance for Eastern Europe	400,000,000	408,951,000	400,000,000	380,000,000	390,000,000	-10,000,000
Assistance for former republics of the Soviet Union	417,000,000	903,820,000	903,820,000	603,820,000	603,820,000	+186,820,000
(1993 Supplemental - Foreign Operations)		(630,000,000)	(630,000,000)	(630,000,000)	(630,000,000)	(+630,000,000)
(1993 Supplemental - Defense)		(979,000,000)	(979,000,000)	(979,000,000)	(979,000,000)	(+979,000,000)
Demobilization and transition fund (by transfer)	(29,000,000)					(-29,000,000)
Subtotal, Economic Initiatives	3,546,704,000	3,934,771,000	3,502,982,000	3,014,320,000	3,174,982,000	-371,722,000
Total, Agency for International Development	6,587,860,000	6,871,524,000	6,253,213,000	5,656,151,940	5,924,113,000	-663,747,000
Independent Agencies						
African Development Foundation						
Appropriations	16,905,000	16,905,000	16,905,000	16,905,000	16,905,000	
Inter-American Foundation						
Appropriations	30,960,000	30,960,000	30,340,000	30,960,000	30,960,000	
Overseas Private Investment Corporation						
Loan subsidies:						
Direct		2,937,000	2,717,000	2,717,000	2,717,000	+2,717,000
Guaranteed	9,800,000	6,863,000	6,348,000	6,348,000	6,348,000	-3,452,000
Total	9,800,000	9,800,000	9,065,000	9,065,000	9,065,000	-735,000
Operating expenses	8,128,000	8,128,000	7,518,000	7,518,000	7,518,000	-610,000
(Limitation on direct loans)		(20,712,000)		(19,161,000)		
(Limitation on guaranteed loans)	(650,000,000)	(375,027,000)		(346,885,000)		(-650,000,000)
Total, Overseas Private Investment Corporation	17,928,000	17,928,000	16,583,000	16,583,000	16,583,000	-1,345,000
Total, Funds Appropriated to the President	6,653,653,000	6,937,317,000	6,317,041,000	5,720,599,940	5,988,561,000	-665,092,000
Peace Corps						
Appropriations	218,146,000	219,745,000	219,745,000	219,745,000	219,745,000	+1,599,000
Department of State						
International narcotics control	147,783,000	147,783,000	100,000,000	100,000,000	100,000,000	-47,783,000
Montreal Protocol Facilitation Fund (by transfer)	(15,000,000)					(-15,000,000)
Migration and refugee assistance	620,688,000	640,688,000	670,688,000	670,688,000	670,688,000	+50,000,000
United States Emergency Refugee and Migration Assistance Fund	49,261,000	49,261,000	19,261,000	49,261,000	49,261,000	
Anti-terrorism assistance	15,555,000	15,555,000	15,244,000	15,244,000	15,244,000	-311,000
Total, Department of State	833,287,000	853,287,000	805,193,000	835,193,000	835,193,000	+1,906,000
Total, title II, Bilateral economic assistance	7,705,086,000	8,010,349,000	7,341,979,000	6,775,537,940	7,043,499,000	-661,587,000
Appropriations	(7,705,086,000)	(8,010,349,000)	(7,526,979,000)	(7,030,637,940)	(7,251,599,000)	(-453,487,000)
Rescissions			(-185,000,000)	(-255,100,000)	(-208,100,000)	(-208,100,000)
(By transfer)	(48,300,000)					(-48,300,000)
(Limitation on direct loans)		(20,712,000)		(19,161,000)		
(Limitation on guaranteed loans)	(650,000,000)	(375,027,000)		(346,885,000)		(-650,000,000)
(Estimated level of direct/guaranteed loans)	(231,319,000)	(110,000,000)	(110,000,000)	(160,000,000)	(135,000,000)	(-96,319,000)

FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS, FY 1994 (H.R. 2295), continued

	FY 1993 Enacted	FY 1994 Estimate	House	Senate	Conference	Conference compared with enacted
TITLE III - MILITARY ASSISTANCE						
Foreign Military Financing Program:						
Grants	3,300,000,000	3,231,657,000	3,175,000,000	3,123,558,000	3,149,279,000	-150,721,000
Direct concessional loans, subsidy costs	149,200,000	120,457,000	46,530,000	46,530,000	46,530,000	-102,670,000
(Limitation on concessional loans)	(855,000,000)	(855,000,000)	(769,500,000)	(769,500,000)	(769,500,000)	(-85,500,000)
Subtotal, Foreign Military Financing Program:						
Budget authority	3,449,200,000	3,352,114,000	3,221,530,000	3,170,088,000	3,195,809,000	-253,391,000
(Program level)	(4,155,000,000)	(4,086,657,000)	(3,944,500,000)	(3,893,058,000)	(3,918,779,000)	(-236,221,000)
Other, Military	69,666,000	-95,834,000	-158,627,000	-171,750,000	-158,627,000	-228,293,000
Total, Military Assistance Programs	3,518,866,000	3,256,280,000	3,062,903,000	2,998,338,000	3,037,182,000	-481,684,000
TITLE IV - EXPORT ASSISTANCE						
Export Assistance	826,150,000	811,512,000	733,586,000	1,033,586,000	1,033,586,000	+207,436,000
Total, all titles, excluding IMF	13,943,520,903	14,425,993,066	12,983,038,866	12,526,854,047	12,982,665,866	-960,855,037
International Monetary Fund (IMF)	12,313,857,000					-12,313,857,000
Grand total, all titles	26,257,377,903	14,425,993,066	12,983,038,866	12,526,854,047	12,982,665,866	-13,274,712,037

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

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

Mr. Speaker, I rise today in support of the foreign operations conference report. As my friend and chairman of the subcommittee has pointed out, this is my first year as ranking Republican of the subcommittee. I have to tell you that because of the leadership of Chairman OBEY, with whom I have a great working relationship, the great cooperation from his staff, and the hardwork and cooperation of the members of the subcommittee, the job of passing this bill, while not easy, has certainly been pleasant.

We have done, I think, an extraordinary job with limited resources. We are meeting the immediate needs of the Nation with respect to foreign assistance. Again, I want to congratulate the chairman for being so kind and generous with his time.

I also want to thank all the members of the subcommittee and their staff for their assistance to me while we went through this whole procedure.

Mr. Speaker, under normal circumstances, I might have been tempted to treat the House to a lengthy explanation of my support for H.R. 2295, which I am sure would have captivated everyone's attention. However, Monday night's conference, which lasted well into Tuesday morning, has given me a new appreciation for the need of great brevity. So I am going to keep my remarks confined, if I may.

Mr. Speaker, as I stated earlier, H.R. 2295 is indeed a bipartisan piece of legislation. It overwhelmingly passed the House last June, by 309 to 111 votes, with a majority of both parties supporting the bill. I expect and hope, that it will pass today. But I must stress my belief that it is very important that it does pass. In fact, if H.R. 2295 is not signed by the President by midnight tomorrow, Thursday, the last day of September, U.S. foreign assistance programs will be thrown into an uproar, as the continuing resolution passed earlier today contained no provisions to temporarily fund any of the accounts provided for in H.R. 2295.

Furthermore, the Russian aid package, which is so vital to our national interests, will be irreparably gutted if this conference report is not passed today. Approximately $1.6 billion of the $2.5 billion contained in H.R. 2295 for Russia and other new Independent States of the former Soviet Union is in the form of fiscal year 1993 supplemental money, which will be lost forever if this conference report fails to become law before the end of this fiscal year.

Mr. Speaker, I could elaborate on the many reasons I support 2295, and I could list provisions in H.R. 2295 that most, if not all of us, would agree are important to U.S. interests. But I will resist that temptation and discuss just a couple more reasons why I support the conference report.

Mr. Speaker, the fact is this is a good bill. It is a bipartisan bill. It is not a perfect bill and there are provisions which I personally would change. Coming at it from my perspective, I will say that the chairman and some of the members of the committee and I disagreed on perhaps the approach of some of the provisions, but it was an amicable disagreement. In fact, when it came down to it, not only the members of our subcommittee, but the Members of the other body, finally reached a compromise.

Mr. Speaker, this is a compromise bill. This is a compromise which we all can and should support.

The conference report is fiscally responsible. It continues a recent downward trend in foreign aid spending by cutting $1.1 billion from last year's foreign aid levels and over $1.6 billion from President Clinton's 1994 budget request.

The bill also contains funding for the West Bank and for Gaza, to facilitate the Middle East peace process which began a couple of weeks ago in earnest. One could support the bill for this reason alone.

Another vitally important aspect of H.R. 2295 is the $2.5 billion in aid for Russia and the Independent States. The recent events in Georgia and Russia, as well as other parts of the former Soviet Union, underscore the volatility of the region, but they also underscore our need for assistance, which will only bolster the democratic forces and lessen the economic tension contributing to the unrest.

We have had news, for example, that there are more missiles in Russia than we initially knew were there. It is very much in our interest to see to it that those missiles do not threaten the United States again, and are, in fact, dismantled and cease to exist altogether. Certainly it is in our interest to see to it that they become neutralized and are not part of a massive force bent on the destruction of the United States and the rest of the world.

So by fostering democracy and free enterprise in Russia, and by helping them dismantle their nuclear arsenal

and resettle their troops, we are ultimately helping ourselves. A democratic, free market, Russia will be a boom to the United States business interests and exports. If we are successful, and I caution "if," there are no guarantees in this bill, but if we are successful in bringing Russia into the fold of Western industrialized peaceful nations, the savings in United States defense expenditures alone will more than pay for the small amount of Russian aid in H.R. 2295.

Most importantly, the peace and tranquillity of the world, the future of our children and grandchildren, can be greatly improved by the passage of this bill. So I would urge the adoption of the bill.

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

Mr. OBEY. Mr. Speaker, I yield 1 minute to the gentleman from Missouri [Mr. WHEAT].

□ 1410

Mr. WHEAT. Mr. Speaker, I rise in support of this bill and the fine work that has been done by my colleagues, those who brought this Foreign Operations Conference Committee report to the floor. Let me just add my voice in strong support of this legislation. I commend all my colleagues, especially subcommittee chairman, the gentleman from Wisconsin [Mr. OBEY], for the fine work that they have done.

Mr. Speaker, I am proud to add my voice in strong support for the fiscal year 1994 foreign operations conference report. I commend the members of the committee and all of my colleagues who played a role in bringing this bill to the floor today.

This measure takes important steps toward recognizing the changing realities and priorities that our Nation and the world face in the post-cold-war era. The bill, for example, seeks to help stabilize the situation in the former Soviet Union, and it provides refugee and disaster relief for the tragedy that continues to unfold in Bosnia and Somalia.

At the same time, this measure also maintains our strong national commitment to Israel and peace in the Middle East. In its region of vital strategic importance and violent instability, today's bill recognizes that it is in America's best interests to continue to play a prominent role in the Middle East. By providing full funding to Israel and Egypt. The fiscal year 1994 foreign operations bill will help ensure that we maintain that important commitment at this critical period.

Mr. Speaker, earlier this month the world watched in hope and wonder as a historic step towards Israel-Palestinian peace was taken. President Clinton called it a brave gamble for peace.

Now more than ever, it is important for our Nation to provide resources and assistance to help ensure that the Israeli people feel confident and secure in taking bold steps towards peace. This legislation will help send a signal to all that the United States-Israel alliance is unshakable and the commitment to Israel's security is enduring.

This is a time of great challenge and great opportunity in the Middle East and elsewhere around the world. In this regard, the administration and Congress are working together to develop a new approach to U.S. foreign policy and our international aid program.

Each of the challenges singled out by President Clinton during his recent address at the United Nations—weapons proliferation, sustainable development, conflict resolution, population growth, economic growth, democracy building, and humanitarian assistance—are of immediate concern and priority to Israel and the entire Middle East region.

I am confident that as we work together to reform our Nation's foreign assistance program, Congress and the administration will stand united in support of efforts to meet these and other challenges in the Middle East while building upon our strong commitment to the people and the security of Israel.

Mr. LIVINGSTON. Mr. Speaker, I yield 5 minutes to the gentleman from Illinois [Mr. PORTER].

Mr. PORTER. Mr. Speaker, the direction that we take on foreign assistance this year and in the coming years is a strong signal about our attitudes toward America's role in the post-cold-war era. We are at a crossroads. Will we turn inwards or will we look outwards?

Perhaps it is an American trait that we are wont to forget history. We forgot history after World War I, stuck our heads in the sand and ended up unprepared for another world war only two decades later.

After World War II, we never really stopped fighting, as the hot war led directly into the cold war. Now that cold war is over, and the debate is raging in our country, not always explicitly but often as an undercurrent, about our Nation's proper role in the world.

I believe this is a watershed time in the history of our Nation and that the direction we choose will affect the lives of our children and grandchildren, just as the American victory in World War II led to tremendous economic growth in our Nation and an increase in American stature after World War II.

This will provides $2.5 billion in assistance for Russia and the newly independent States to help them transition to freedom, democracy, and a market system. Can we guarantee that by providing these funds the former Soviet Union will transition peacefully? No. No, we cannot. In fact, almost assuredly, no matter what we do the transition will be rocky. But you can be sure that if we do nothing and the tenuous political situation erupts into violence and the forces of democracy are defeated, we will regret not having done what we could.

Foreign assistance is a small but important part of our Nation's foreign policy. With it we can project our Nation's values—human rights, rule of law, democratic institutions, a market-oriented economic system—to the people in nations that desperately desire positive change. Without foreign assistance, which accounts for less than 1 percent of our budget, we could only project our interests through pure diplomacy or the force of arms. Foreign assistance is an essential alternative.

For all the positive elements in this bill, I believe it contains a flaw. We have given up earmarks, Mr. Speaker.

The proponents of this non-earmarking policy support giving the President broad latitude in allocating foreign assistance. That is a positive trait. But in this, it is curious that this is the very year when the Clinton administration, everyone in Congress, including the chairman of the Committee on Foreign Affairs, concedes that the Agency for International Development, receiving nearly $1 billion under this bill, is broken and must be fixed.

We await a Wharton report that we have not yet seen, and it seems very curious and an illogical time for Congress to step away from the earmarks, one of our best ways to ensure that AID focuses on our Nation's priorities.

I do not think this is a fatal flaw, and I continue to support the bill. But I believe that appropriate committees and subcommittees must carefully monitor AID in the coming year. Mr. Speaker, I call on the President and Brian Atwood, our AID Administrator, to produce their recommendations so that we can reform AID and not need earmarks nearly so much as we have in the past.

I thank my chairman and ranking member, I thank our fine staff for bringing this conference report to the floor, and I urge the Members to look outward and to vote yes.

Mr. OBEY. Mr. Speaker, I yield 2 minutes to the gentlewoman from New York [Mrs. LOWEY].

Mrs. LOWEY. Mr. Speaker, I rise in strong support of H.R. 2295, the conference report on the foreign operations, export financing, and related programs appropriations bill of 1994.

First, I want to commend our chairman for the distinguished work he has done in moving this bill, with its crucial aid for the states of the former Soviet Union and our Middle East allies. This bill should be on its way to the President's desk tomorrow and that is a tribute to you, Mr. Chairman, to Mr. LIVINGSTON, and to your wonderful staffs.

As a new member of the subcommittee, I have appreciated the seriousness with which you approach all the work of the subcommittee. You stand out as a public servant with both heart and intellect. People in this country, and throughout the world—people who don't necessarily know your name—benefit every day from the work you do. And I have benefited from working with you.

In my limited time, I wish to address one area in this bill: The United States relationship with Israel.

Just 3 weeks ago we all watched in amazement as Israelis and Palestinians signed their historic agreement on the White House lawn. That agreement did not instantly create peace in the Middle East. But it did establish a foundation on which secure and permanent peace will be built.

That agreement would never have been reached without the strong backing the United States has provided Israel in recent years. That support has provided Israel with the confidence it needs to pursue a peace initiative that entails serious risk, along with great opportunity.

That backing is manifested in the bill we are voting on today. The conference report includes $3 billion in military and economic assistance—assistance that is essential if Israel is to maintain its qualitative military edge. It also contains $80 million to help Israel absorb the tens of thousands of Jewish refugees who continue to pour into the Jewish homeland. The bill has a strong new provision opposing the Arab boycott of Israel, that economic assault on Israel which must be eliminated so that Israel can achieve its full potential as a center for commerce, trade, and research.

The bill also includes an important provision that would halt any U.S. dealings with the PLO if that organization backs away from its pledge to live in peace with Israel.

In short, this bill will help provide Israel with the confidence it needs to build a secure peace with all its neighbors. A vote for this bill is nothing less than a vote to endorse an end to the long and tragic Arab-Israeli conflict.

Mr. LIVINGSTON. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Iowa [Mr. LIGHTFOOT], a member of the subcommittee.

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

First, Mr. Speaker, I would like to commend the gentleman from Wisconsin [Mr. OBEY] and the gentleman from Louisiana [Mr. LIVINGSTON] for an excellent job in guiding this bill through the House and negotiating a conference report with the Senate. They heard from a number of committee members and there is, obviously, a diverse amount of opinion amongst those of us on the committee. And I think bringing that all together into something we all can support deserves a great of credit.

On Monday, President Clinton addressed the United Nations General Assembly. In that speech to the world body, the President stated that putting our economic house in order cannot mean that we shut our windows to the world. I agree with the President, but I think it is tough to do when we have so many priorities here at home.

Frankly, I have rather mixed feelings toward this bill. I do accept our international responsibilities, but I cannot help but think we can do it better. As a new member of this subcommittee, I was disappointed by the enormous waste of money, largely because of some dubious congressional earmarks.

For example, earlier this year I listened to the Defense Department explain to us how they were going to spend the equivalent cost of five new, American made aircraft to refit 20-year-old aircraft and donate them to Botswana as part of a program to give African countries excess military equipment. This program was forced upon the Defense Department by an earmark in the other body.

I do want to commend the gentleman from Wisconsin [Mr. OBEY] and the gentleman from Louisiana [Mr. LIVINGSTON] for removing all of the earmarks but those most important out of the bill this year.

I am also disappointed by an administration that has still failed to produce a foreign aid reform plan. The fall of the Soviet Empire does mean that we must reorder our aid priorities. But the issue has been studied to death, and it is time for the administration to pick one and present it to the Congress.

This is the last foreign aid bill I will support without a comprehensive plan from this administration. They are talking a good game about empowering AID workers, but now I think it is time to let them do it.

Finally, I want to briefly discuss the Russian aid package. The stakes are high in Russia and throughout that entire region. Not only is democracy at stake but, with thousands of nuclear weapons, our safety as well as other countries of the world. Helping people to make the peaceful transition by understanding the market economy through contracts and through marketing, I think, is one of the things that we should be working on.

□ 1420

Beyond that, however, I am not sure if the situation is beyond our ability to help. I do support the bill, but I believe we can do better. I believe we must watch carefully in Russia to make sure our enthusiasm for helping them make the democratic transition does not overrule common sense.

In closing, I again commend both the gentleman from Wisconsin [Mr. OBEY] and the gentleman from Louisiana [Mr. LIVINGSTON] for a job well done, not just in getting the bill through this House, but for what it represents in a changing world.

Mr. OBEY. Mr. Speaker, I have no further requests for time, except for a few closing remarks of my own.

Mr. LIVINGSTON. Mr. Speaker, I am delighted to yield 4 minutes to the gentleman from Arizona [Mr. KYL].

Mr. KYL. Mr. Speaker, I thank the gentleman for yielding time to me, and commend him, as others have, for his work on the subcommittee as the first year's ranking member, and from our side, we certainly appreciate his efforts in keeping us informed.

Mr. Speaker, I support the conference report as a whole, but I do want to register an objection to one part of the report. That is the $2.5 billion in aid to Russia. We all want to help Russia. I have supported particularly the dismantlement of nuclear facilities funds, so-called Nunn-Lugar funds, and have spent some time in Russia in an effort to try to assist in development of that program, because in the end it will assist the United States.

It is also the case that we have helped Russia. As a matter of fact, right now there is so much money in the pipeline that we cannot spend it all. That is one of the reasons why $1.6 billion would be transferred in this bill from the fiscal 1993 year to the fiscal 1994 year. There is a total of about $138 billion that has been pledged or given to Russia or the other Republics by the United States and other Western nations and Japan. Approximately $16.5 billion of the U.S. contribution remains in the pipeline right now, and the President's promises consist of an additional $4.1 billion.

As I said, this money is in the pipeline, and we do not need to put any more money in the pipeline, in my view, but leave that argument aside for a moment. There is also a necessity to help other republics. I do not think sufficient attention has been given to this part of the problem, and it is not specifically addressed in this conference report.

A third point that I think needs to be addressed is the fact that the Russian Government itself obviously is in a state of crisis at this time, and has done some things which are not contributing to a successful conversion of the economy to a system that well receives the kind of aid that we provide, Mr. Speaker. One has to have a system that can use the money we provide in the way we give it. Right now, that is not happening.

Last Thursday, I believe it was the Wall Street Journal that ran a long article on the new central bank chief. I have with me here the Journal of Commerce article reporting the same story. The headline is: "U.S. Investors Troubled by Reports Yeltsin Will Keep Central Bank Chief."

To just quote a couple of paragraphs:

U.S. optimism over Russian economic prospects dimmed following reports that President Boris N. Yeltsin has decided to retain Viktor Gerashchenko as head of the nation's Central Bank.

Jeffrey D. Sachs, a Harvard University economist and Yeltsin advisor, said in a phone interview from Bolivia that he was informed by a Yeltsin cabinet member Wednesday of Mr. Gerashchenko's reappointment, adding that the move "throws cold water" on hopes for economic reform.

He further "blamed Mr. Gerashchenko for runaway inflation in the Russian ruble and charged him with responsibility for 'destruction of confidence in the currency.'"

This is not a way to inspire confidence that the kind of assistance that we are providing is going to have any significant effect.

In addition to that, any assistance that the United States or anyone else offers probably ought to await the election of a new parliament. Again, Jeffrey Sachs, speaking on this point, said:

> The West can do little at this point, except to spell out the stakes clearly to Yeltsin and hold back on financial aid to the Russian Government until the reformers are more strongly in place. . . . What's needed for decisive progress is a breakthrough to new elections that can retire most of the old guard.

Mr. Speaker, it is the old guard that has been contributing to most of these problems. It is certainly not Yeltsin or his advisors.

Mr. Speaker, the last point I would make this: Andrey Kozyrev, the foreign minister, yesterday spoke at the United Nations saying that Russia should have the right to use force to intervene in the former Soviet Republics, several of which are engaged in or engulfed in ethnic conflicts. One of them is Georgia, Mr. Speaker, where Mr. Shevardnadze has blamed the Russians for interference in the offensive there, which is aimed at throwing him out of the Georgian Government.

It seems to me that under these circumstances, Mr. Speaker, for the United States to be providing this assistance to Russia when the Foreign Minister is asking for the right from the United Nations to intervene militarily in former Republics, where people like Mr. Shevardnadze are blaming the Russians for their action in the State of Georgia, it is not the time, in effect, to give a blank check of $2.5 billion to the Russians. We ought to be sitting down with them and insisting on some conditions, both economic and foreign policy, before we do this.

This is the portion of the conference report which I oppose, although in balance, I would support the report in its entirety, and I thank the gentleman for yielding time to me.

Mr. LIVINGSTON. Mr. Speaker, with the understanding that we are about to close, I yield myself such time as I may consume.

Mr. Speaker, I would tell my good friend, the gentleman from Arizona [Mr. KYL], that this bill has no blank check for Russia and the former Soviet Republics. There is at least $300 million which is designated at the discretion of the State Department and the administration to go to the Independent States, other than Russia. The administration has the flexibility to distribute aid to the new Independent States other than Russia as is needed.

The fact is, the money for Russia is not unchecked. It is going for goods and services in Russia, it is not going in cash from government to government. Moreover, no money can go to Russia unless the Government, the existing Government under Yeltsin or anybody else, is making progress in implementing comprehensive economic reforms based on market principles, is moving toward private ownership, is negotiating repayment of commercial debt, has respect for commercial contracts, and provides equitable treatment for foreign private investment.

I would stress, our aid is conditional. Moreover, there is another condition, that if the Russians, for example, somehow seize assets of American nationals or disrupt the free enterprise system by additional expropriation, our assistance can be cut off right away by this administration. This is a day-to-day process. I would suggest to the gentleman that if he were to talk to Mr. Chubias in Russia, who is, as young as he may be, the godfather of the free enterprise system in Russia, he would find that a vast majority of Russian industries, large and small, are in the process of being privatized. As a matter of fact, almost all of the small businesses have been privatized, and in a very short space of time most of the medium-sized and large businesses wills be privatized.

We really do not have a schedule. The train is leaving the station. This is the last bill for another year. If we decide to wait around before we give aid to Russia and to the new Independent States of the former Soviet Union until the next bill comes through here, we do not know what kind of governments will exist there.

This is an expression of the goodwill of the American people in hopes that they will develop democracy, because God help us, God help this Nation, God help this world, if they revert to another form of communism, fascism, totalitarianism, or some other form of dictatorship.

This is an expression of hope, not a guarantee, but hope that Russia and the other new Independent States will become free. If we do not make this installment of hope today, we may be too late by the next time we have an opportunity.

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

Mr. OBEY. Mr. Speaker, I yield 3 minutes to the gentlewoman from California [Ms. PELOSI], who has been of immense help on this bill.

Ms. PELOSI. Mr. Speaker, I rise today in support of the fiscal year 1994 foreign appropriations conference report. As a member of the subcommittee, I would like to commend the chairman, the gentleman from Wisconsin [Mr. OBEY] and the ranking minority member, the gentleman from Louisiana [Mr. LIVINGSTON] for their leadership and cooperation on this bill. I think it was a fine example of bipartisanship and cooperation that enabled us to come to the floor with this.

Although I did not agree with everything, some of my differences were on the Democratic side, so I did want to make that point.

I also commend the subcommittee staff, particularly Terri Peel, Bill Schuerch, and Mark Murray, for their many hours of hard work in bringing this conference report to the floor.

Mr. Speaker, foreign aid is not necessarily a popular expenditure, but it certainly is a necessary one, and I think a good investment. This conference report addresses pressing global funding needs while reducing overall spending. It appropriates just under $13 billion, over $1.4 billion less than the President's request.

Mr. Speaker, the conference report provides the administration with maximum flexibility in carrying out this Nation's foreign aid programs.

□ 1430

It also respects the integrity of the authorization process. For the first time in recent history, the House passed a foreign operations bill containing no earmarks. The Senate, on the other hand, had earmarked over 60 percent of the funds in their version of this bill. As our colleagues can imagine, the conference was lively.

I am pleased that the conference agreement before us today contains an equitable resolution of the earmark discrepancy. This conference report earmarks only earmarks which I support, resolution of the funds critical to the Middle East peace process, foreign assistance for Israel and Egypt, and needed refugee assistance in Israel, and a small pool of funds designed to promote the reunification of Cyprus.

The conference report also contains funding critical to our global future. The aid to the former Soviet Republics is a sound investment in global security. If the former Republics do not successfully make a peaceful transition to market economies and democratic states, and we see daily how difficult this transition is, we face the real possibility of an explosion of regional conflicts which will dwarf the tragic situation in the former Yugoslavia. Assistance provided now can save us increased defense and military expenses in the future.

Among the many programs of note to be funded through this conference report are family planning, including the U.N. Population Fund [UNFPA], receiving U.S. assistance for the first time in 9 years. UNFPA's 1993 State of the World Population report contains some alarming statistics with serious implications for the global environment. At the current rate of growth, the world population will more than double by the year 2050, further straining global resources which are already

unable to sustain the world's population. The conference report contains language to address my concerns and the concerns of a number of my colleagues about UNFPA's participation in China, which has some Draconian family planning practices. United States funds will not be available for use in China; and if the UNFPA spends more than $10 million on its program in China, the excess will be deducted from the United States contribution to UNFPA. I will be following this issue closely, as I know my colleague from Louisiana [Mr. LIVINGSTON] will also.

Recent reports have noted the administration's interest in reinventing our foreign aid programs. This process will entail significant consultation with Congress on goals, priorities, and funding levels. The conference report before us today is an important step. It provides maximum flexibility and congressional guidance and will allow the administration and Congress to work together on promoting a foreign aid agenda which promotes democracy, sustainable development, and new priorities.

I only wish we could resolve the situation without degrading language regarding Cuba. However, I would urge my colleagues to support the conference report.

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

Mr. Speaker, I just want to close debate by making a few points about assistance to the former Soviet Union. I have said many times that if you total up the total amount of money spent by the United States since Harry Truman first decided it was necessary to contain Russia until it changed, if you total up all of the money spent on defense since that time and divide it by the number of American families paying income taxes today, you come up with a per-family cost to win the cold war of over $80,000 per family. That is a lot of money. It could buy an awful lot of people in this country a pretty nice retirement home.

Since 1985 when the Communist system started to crumble in Russia, we have spent $565 billion less than President Reagan thought would be necessary to spend in defense between then and now, because no one realized the Soviet Union was about to collapse. That is saving an awful lot of taxpayers' money.

And I would suggest that the $2.5 billion in this bill aimed at trying to stabilize the situation in the former Soviet Union now, today, was correctly described by none other than Ross Perot as being "a good buy and pennies on the dollar." That is exactly what it is.

When I talk to people, they think foreign aid means we write out checks to Russia, send them over, and put them in a pot somewhere. That is not the way it works. The way it works is we set up standards for receiving that aid, and we do not send cash. We send technical assistance, we send food, we send pharmaceuticals.

I was in parts of Russia—along with the gentleman from Louisiana—in April, where they were denying insulin to children and all of those who had retired because they did not have enough to go around. So they were giving it only to the working-age population.

I think American values dictate that we do something to try to help people in that situation, and I think it is in our own national interest.

As the gentleman from Louisiana has correctly pointed out, we are not sending cash to the central bank. We are providing technical assistance to build the private sector. We are providing humanitarian aid. We are helping them to create a commercial code. We are helping them to develop private-property law. We are helping to develop a private sector and develop small businesses so that they can convert from a Marxist system to a market system.

I do not know if we are going to see success in Russia or not. I think history probably dictates that we probably will not. But I would ask what is the alternative? Should we just sit by on the sidelines, such our thumbs and worry? I don't think so. I think we need to do a little more than that. I think we need to be engaged. It is the biggest crisis facing the world at this time.

After World War I we were not engaged. When post-World War I Germany collapsed, and when the forces of turmoil were chewing up that country, just as they are in Russia today, the West did not engage. The West abandoned the Weimar Republic to its own fate. A fellow by the name of Hitler rose out of those ashes. The result was 40 million people dead and almost half a million Americans dead. American families were shattered because of the loss of loved ones.

I think that America and the West can do better this time. We do not know if Mr. Yeltsin's reform forces are going to survive or not, but I ask you this: How many American politicians have run the kind of risk, either political or personal, that Mr. Yeltsin and his allies are running every day? If you have talked to Mr. Kozyrev, the Foreign Minister of Russia, and I talked to him directly a week after the coup, after the right-wing Communist coup failed, he told us what it was like to be bottled up in the Russian White House with Russian troops all around, and with the right-wingers trying to gather them up and destroy the reformist movement. And he said he was very frightened when he stepped from the safety of the White House behind that small band of military leaders supporting the reformers, stepped through the military lines and went to his home to try to get what he needed in order to try to leave Russia so that he could talk to President Bush and talk to the West and let them know that the coup was not succeeding, and that the reformist forces were still alive and well. He said he expected at any moment to be arrested.

Do you know how he got out of Moscow with the KGB looking for him? It was because the KGB was stupid enough to only be watching the VIP exits, and so he took the regular tourist exit, and by a lucky accident of history got out, and kept trumpeting the fact that the reformers were still alive and well.

It just seems to me that we owe that incipient democratic movement in that country our support, our emotional support, our financial support, something more than our rhetorical support.

Jeffrey Sachs has been referred to today, and I would simply point out that despite all of his misgivings, which we share, he supports the aid in this bill. He supports the aid in this bill. He does not want to see cash assistance go to the central bank in Russia, because the central bank has been essentially irresponsible. And that is why the IMF and the World Bank are withholding funding, because they think so too.

So I would suggest that the right thing to do is to support this bill for this and many other reasons. Again, I appreciate the broad degree of support we have had for it on both sides of the House.

Mr. GEJDENSON. Mr. Speaker, I rise in support of the conference report on Foreign Operations and I would like to direct my colleagues' attention to one provision in particular within this conference report.

Under the title providing assistance to the new Independent States of the former Soviet Union, language was inserted that states that the conferees strongly encourage the participation of qualified U.S. business in the United States with expertise in nuclear engineering and nuclear safety to participate in assisting any of the newly Independent States in the establishment of designs to increase the safety of nuclear powerplants.

The language further encourages the awarding of grants to small businesses for these purposes—especially those companies which are located in areas affected by the decline in defense-related industries.

This is an excellent use of foreign aid dollars. We are promoting U.S. business and jobs in districts such as my own in Connecticut which have felt the pinch of defense cutbacks, while providing an urgent need to our friends overseas. I only wish the provision had extended the use of these grants to our friends in Poland and other countries within Eastern Europe who also desperately need these services.

Let's avoid another Chernobyl. Let's support this conference report.

NEW TIED AID POLICY

The administration has developed a new tied aid policy of $150 million for the war

chest—in subsidy. That translates into $1.5 billion in project finance.

They propose to get the money by using the $50 million already set aside at Eximbank for this purpose—no change for Eximbank's budget, in other words. The balance of $100 million is to come from other export promotion accounts, meaning F.C.S., T.D.A., O.P.I.C., and so forth.

We should ask Chairman Brody to explain the new tied aid policy. The following questions should also be asked:

It would appear that the Bank is not contributing new money for this purpose but, rather, receiving a net increase through budget reallocations of $100 million; is that correct?

How will you cut the other agencies' and departments' budgets?

Will the bulk of the $100 million come from the USDA, which holds the lion's share of export promotion dollars—$3.2 billion?

Are you concerned that this policy may have negative effects on our export promotion programs? For example, T.D.A. will have less money for feasibility studies and F.C.S. may have to cut their overseas representation.

Could you comment on these concerns?

Mr. HOUGHTON. Mr. Speaker, I stand today to support reluctantly the foreign operations conference report. The bill conditions economic aid to Nicaragua on a number of criteria. Let me start by saying I stand second to no one in my support for Violetta Chamorro and the democratic Government of Nicaragua.

Over the last several months, we have heard from the critics waiting in the weeds to tear down the only builders of democracy Nicaragua ever has had. On the one hand, I am torn by my friendship and support for the Chamorro government. On the other, I realize that if this were not agreed to, the alternative would be even worse for the people of Nicaragua. So, the political powers that be have crafted a plan. This is the best we are going to get. I accept it, but not happily.

Mr. OBEY. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER pro tempore (Mr. BRYANT). The question is on the conference report.

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

Mr. 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 321, nays 108, not voting 4, as follows:

[Roll No. 467]

YEAS—321

Abercrombie
Ackerman
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Applegate
Bacchus (FL)
Bachus (AL)
Baesler
Baker (LA)
Ballenger
Barca
Barcia
Barlow
Barrett (WI)
Bartlett
Bateman
Becerra
Bellenson
Bentley
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Bishop
Blackwell
Bliley
Blute
Boehlert
Boehner
Bonior
Borski
Boucher
Brewster
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Burton
Byrne
Calvert
Camp
Cantwell
Cardin
Carr
Castle
Chapman
Clayton
Clement
Clinger
Clyburn
Coble
Coleman
Collins (IL)
Collins (MI)
Cooper
Coppersmith
Coyne
Cramer
Danner
Darden
de la Garza
Deal
DeLauro
Dellums
Derrick
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Dornan
Dunn
Durbin
Edwards (CA)
Edwards (TX)
Emerson
Engel
English (AZ)
Eshoo
Evans
Ewing
Farr
Fawell
Fazio
Filner
Fingerhut
Fish
Foglietta
Ford (TN)
Fowler
Frank (MA)
Franks (CT)
Franks (NJ)
Frost
Furse
Gallo
Gejdenson
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gingrich
Glickman
Goodlatte
Gordon
Grams
Grandy
Green
Greenwood
Gunderson
Gutierrez
Hall (OH)
Hamburg
Hamilton
Harman
Hastert
Hastings
Hilliard
Hinchey
Hoagland
Hobson
Hochbrueckner
Hoekstra
Hoke
Holden
Horn
Houghton
Hoyer
Huffington
Hunter
Hyde
Inhofe
Inslee
Istook
Jefferson
Johnson (CT)
Johnson (GA)
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kasich
Kennedy
Kennelly
Kildee
King
Kingston
Kleczka
Klein
Klug
Knollenberg
Kolbe
Kopetski
Kreidler
Kyl
LaFalce
Lambert
Lancaster
Lantos
LaRocco
Lazio
Leach
Levin
Levy
Lewis (CA)
Lewis (GA)
Lightfoot
Linder
Lipinski
Livingston
Long
Lowey
Machtley
Maloney
Mann
Manton
Manzullo
Margolies-Mezvinsky
Markey
Martinez
Matsui
Mazzoli
McCloskey
McCollum
McCrery
McCurdy
McDermott
McHale
McInnis
McKinney
McMillan
McNulty
Meehan
Meek
Menendez
Meyers
Mfume
Michel
Miller (CA)
Mineta
Mink
Moakley
Molinari
Montgomery
Moran
Morella
Murtha
Nadler
Natcher
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Oxley
Pallone
Parker
Pastor
Paxon
Payne (NJ)
Payne (VA)
Pelosi
Penny
Peterson (FL)
Peterson (MN)
Pickett
Pickle
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Ramstad
Rangel
Ravenel
Reed
Regula
Reynolds
Richardson
Ridge
Ros-Lehtinen
Rose
Rostenkowski
Roukema
Rowland
Roybal-Allard
Royce
Rush
Sabo
Santorum
Sawyer
Saxton
Schenk
Schiff
Schumer
Scott
Serrano
Sharp
Shaw
Shays
Shepherd
Sisisky
Skaggs
Skeen
Skelton
Slattery
Slaughter
Smith (IA)
Smith (TX)
Snowe
Spratt
Stenholm
Stokes
Strickland
Studds
Stupak
Sundquist
Swett
Swift
Synar
Talent
Taylor (NC)
Tejeda
Thomas (CA)
Thompson
Thornton
Torkildsen
Torres
Torricelli
Towns
Tucker
Unsoeld
Upton
Valentine
Vento
Visclosky
Walsh
Washington
Waters
Watt
Waxman
Wheat
Whitten
Wilson
Wise
Wolf
Woolsey
Wyden
Wynn
Yates
Young (AK)
Zeliff
Zimmer

NAYS—108

Allard
Archer
Armey
Baker (CA)
Barrett (NE)
Barton
Bonilla
Brooks
Bunning
Buyer
Callahan
Canady
Collins (GA)
Combest
Condit
Conyers
Costello
Cox
Crane
Crapo
Cunningham
DeFazio
DeLay
Dooley
Doolittle
Dreier
Duncan
English (OK)
Everett
Fields (LA)
Fields (TX)
Flake
Gallegly
Gekas
Geren
Gonzalez
Goodling
Goss
Hall (TX)
Hancock
Hansen
Hayes
Hefley
Hefner
Herger
Hughes
Hutchinson
Hutto
Inglis
Jacobs
Johnson, Sam
Kim
Klink
Laughlin
Lehman
Lewis (FL)
Lloyd
McCandless
McHugh
McKeon
Mica
Miller (FL)
Minge
Mollohan
Moorhead
Murphy
Myers
Neal (NC)
Nussle
Orton
Packard
Petri
Pombo
Poshard
Quillen
Rahall
Roberts
Roemer
Rogers
Rohrabacher
Roth
Sanders
Sangmeister
Sarpalius
Schaefer
Schroeder
Sensenbrenner
Shuster
Smith (NJ)
Smith (OR)
Solomon
Spence
Stark
Stearns
Stump
Tanner
Tauzin
Taylor (MS)
Thomas (WY)
Thurman
Traficant
Velazquez
Volkmer
Vucanovich
Walker
Weldon
Williams
Young (FL)

NOT VOTING—4

Clay
Ford (MI)
McDade
Smith (MI)

□ 1503

Mrs. VUCANOVICH and Mr. MOLLOHAN changed their vote from "yea" to "nay."

Mr. FAWELL and Mr. PAYNE of New Jersey changed their vote from "nay" to "yea."

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. OBEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the conference report just agreed to.

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

There was no objection.

APPOINTMENT OF CONFEREES ON H.R. 2243, FEDERAL TRADE COMMISSION ACT AMENDMENTS OF 1993

Mr. SWIFT. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 2243) to amend

the Federal Trade Commission Act to extend the authorization of appropriations in such act, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and request a conference with the Senate thereon.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington? The Chair hears none, and appoints the following conferees: Messrs. DINGELL, SWIFT, MANTON, MOORHEAD, and OXLEY.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1994

The SPEAKER pro tempore. Pursuant to House Resolution 254 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 2401.

□ 1504

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 2401) to authorize appropriations for fiscal year 1994 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 1994, and for other purposes, with Mr. DURBIN, Chairman pro tempore, in the chair.

The Clerk read the title of the bill.

The CHAIRMAN pro tempore. When the Committee of the Whole rose on Tuesday, September 28, 1993, amendment No. 3, printed in part 3 of House Report 103-252, had been disposed of.

It is now in order to consider amendment No. 1 printed in part 4 of House Report 103-252.

AMENDMENT OFFERED BY MR. KOPETSKI

Mr. KOPETSKI. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. KOPETSKI: At the end of subtitle C of title XXXI, insert the following new section:

SEC. 3139. MORATORIUM ON NUCLEAR WEAPON TESTING.

(a) MORATORIUM.—Except as provided in subsection (b), no underground test of a nuclear weapon may be conducted by the United States before September 30, 1994.

(b) EXCEPTION.—An underground test of a nuclear weapon may be conducted by the United States before September 30, 1994 if a foreign state conducts a test of a nuclear weapon before such date. An underground test of a nuclear weapon may be conducted by the United States under this subsection only in accordance with the procedures established in section 507(c) of Public law 102-377.

The CHAIRMAN pro tempore. Pursuant to the rule, the gentleman from Oregon [Mr. KOPETSKI] will be recognized for 5 minutes, and a Member opposed will be recognized for 5 minutes.

The Chair recognizes the gentleman from Oregon [Mr. KOPETSKI].

Mr. KOPETSKI. Mr. Chairman, I want to take a moment to thank the chairman of the Committee on Armed Services, the gentleman from California [Mr. DELLUMS].

POINT OF ORDER

Mr. KOPETSKI. Mr. Chairman, I raise a point of order first.

The CHAIRMAN pro tempore. The gentleman will state his point of order.

Mr. KOPETSKI. Mr. Chairman, I think the gentleman from Arizona [Mr. KYL] and the gentleman from Nevada [Mr. BILBRAY] want to reserve the right to be opposed to my amendment.

The CHAIRMAN pro tempore. Does the gentleman from Arizona rise in opposition to the amendment offered by the gentleman from Oregon [Mr. KOPETSKI]?

Mr. KYL. Yes, Mr. Chairman, I do; and I appreciate my colleagues making the point.

The CHAIRMAN pro tempore. The gentleman from Arizona [Mr. KYL] will be recognized for 5 minutes in opposition to the amendment.

The Chair recognizes the gentleman from Oregon [Mr. KOPETSKI] in support of the amendment.

Mr. KOPETSKI. Mr. Chairman, I want to take a moment to thank the chairman of the Committee on Armed Services, the gentleman from California [Mr. DELLUMS], as well as to acknowledge to the Nation a fact that the folks in his district know that he has a strong commitment as a leader of peace in this world to try to bring sanity to America's defense program and peace to the entire world.

Mr. Chairman, I prepared this amendment in the event that President Clinton's announced nuclear weapons testing policy might be challenged in either body. This has not happened, and momentarily I will ask that this amendment be withdrawn from consideration. I will also include a statement from the gentleman from Minnesota [Mr. SABO], a decent man and one of the leaders for nuclear weapons disarmament, to be printed in the RECORD:

SEPTEMBER 28, 1992.

Mr. Chairman, I rise to express my support for the Kopetski amendment, and also to commend my colleague from Oregon for the strong leadership he has provided to the Congress on this issue of nuclear weapons testing. I understand the amendment will be withdrawn, but I am glad I have this chance to express my support for limits on nuclear testing.

Over the last dozen years, those of us who support the idea of arms control have often taken the floor to criticize Administration policies. I am glad that this time I am able to applaud a President for making the right decision on nuclear testing.

Earlier this summer, President Clinton decided to extend the U.S. moratorium on nuclear testing at least until September 1994. After consultations with the relevant agencies, the President determined that we would be able to maintain the safety and reliability of our nuclear deterrent without active explosives testing. He further determined that continuing the moratorium would assist U.S. efforts to control the proliferation of nuclear weapons.

As a result of that decision, the French, British, and Russians also have agreed to a temporary, but open-ended, nuclear testing moratorium. The Chinese also came along, although somewhat reluctantly. There have been no nuclear tests, anywhere in the world, for almost a year. The Administration has devised a plan for negotiating a Comprehensive Nuclear Test Ban Treaty and has begun consultations with the other nuclear powers about the specifics of time and location for those talks. We have also begun to plan for renewal of the Nonproliferation Treaty in 1995.

The core of this policy is the continuing nuclear testing moratorium. I strongly support it, and I believe the majority of the Congress supports it, as well.

This is why I am disturbed and concerned about continuing reports in the press that China is preparing to conduct a nuclear test, probably within the month. I have joined several of my colleagues in writing the Chinese Ambassador to the United States to urge that this test not be conducted. I understand the U.S. government, as well as many other governments around the world, have expressed their concern to Chinese government officials.

A Chinese test would undermine our efforts to achieve a Comprehensive Nuclear Test Ban Treaty. Perhaps more importantly for China, which must be concerned about the acquisition of nuclear weapons by North Korea and other Asian states, I believe renewed testing would make extension and strengthening of the Nonproliferation Treaty a much more difficult proposition.

As bad as a Chinese test would be to these efforts, a renewal of testing by the other nuclear powers would greatly compound the problem. Certainly it would not benefit the interests of the United States to respond to a single Chinese test with a U.S. test. As I understand Administration policy, we have determined that a ban on nuclear testing and controlling the spread of nuclear weapons are fundamentally in the interests of U.S. national security. These are the goals toward which we are working. A Chinese test would undermine the achievement of those goals, but a U.S. test—which would almost certainly be followed by Russian, English, and French tests—could destroy any chance of achieving them.

There are elements within the Executive Branch which probably would promote a tit-for-tat response—our test for their test. I also suspect that these will be the same people who argued earlier this year for the United States to discontinue the testing moratorium. This argument, so redolent of the "old thinking" that predominated during the Cold War, must be rejected. There is no fundamental U.S. security interest that would be served by resumed testing.

There are other, much more effective options available to the President—options which support, not undermine, movement toward a Comprehensive Nuclear Test Ban Treaty. The Chinese test should be condemned as dangerous and ill-advised. We should reaffirm our determination that the U.S. arsenal continues to be safe and reliable without additional testing. The other nuclear powers should be encouraged to maintain the moratorium. And we should solidify plans to begin testing negotiations.

In short, Mr. Chairman, the President made the correct decision in continuing the

nuclear test moratorium and moving toward negotiations for a Comprehensive Nuclear Test Ban Treaty. We should maintain that policy.

Representative MARTIN OLAV SABO.

Before withdrawing my amendment, Mr. Chairman, I want to take a few moments to assess the current nuclear weapons testing situation. With great respect I salute President Clinton's decision to extend the moratorium on U.S. nuclear weapons testing. The President reaffirmed this policy this week in his speech before the U.N. General Assembly. The New Testament of the Bible has a passage that reads, "Blessed are the peacemakers for they shall be called the children of God." Bill Clinton has established himself as a peacemaker.

Mr. Chairman, on July 3, 1993, President Clinton stated:

I have therefore decided to extend the current moratorium on United States nuclear testing at least through September of next year, as long as no other nation tests, and I call on the other nuclear powers to do the same. If these nations will join us in observing this moratorium, we will be in the strongest possible position to negotiate a comprehensive test ban and discourage other nations from developing their own nuclear arsenals.

For the RECORD I include a copy of President Clinton's radio address from July 3, 1993:

THE PRESIDENT'S RADIO ADDRESS, JULY 3, 1993

Good morning. Two hundred and seventeen years ago, our Founding Fathers declared our independence to secure the liberty and prosperity we celebrate every July Fourth. Although our times and challenges are very different from those our founders faced, these issues are still the enduring concerns of the American people today.

In a few days, I will represent the United States in Japan at the annual meeting of the major industrialized nations of the world to work for new global policies that create more American jobs, open markets for our products, and strengthen our security as we embrace the challenges of this new world. America commands respect on the world stage because we have taken aggressive steps to put our own economic house in order at a time when all the advanced nations are having real troubles with the economy.

Here in Washington the House and Senate have both passed versions of my economic plan to promote growth and to reduce the deficit by $500 billion. The plan also has incentives for people to invest more in our economy, to create jobs, and provides money for education and training in new technologies and helps the defense workers who have been laid-off by defense cuts.

We've made a good beginning now. As this plan has progressed through the Congress, interest rates have continued to come down, mortgage rates are now below 7.5 percent, and nearly 1 million new jobs have been added to the economy since January, about the same number as came in the previous 3 years.

Change is hard, though. Many people are still skeptical. Many of the opponents of my plan chant "tax-and-spend." But the truth is, it's not an old tax-and-spend plan. And the people who are attacking it are those who taxed the middle class, cut taxes on the wealthy, borrowed and spent our economy into a $4 trillion debt in the last 12 years. Our plan is fair. It has $250 billion in spending cuts and asks the upper 6 percent of Americans to pay 75 percent of the new taxes. It moves the working poor out of poverty. It enables me to attend this meeting of the other advanced nations with a record of real results that will encourage our competitors to take steps to revive their economies as well. And that's important for every American, because we can't grow the United States economy as we ought to until we have cooperation from other nations, and they're growing. Why? Because since 1987, two-thirds of our new jobs have come from exports. We live in a global economy. We have to compete all over the world, and we have to sell our products and services everywhere.

When we stepped up to the plate here at home to get our own house in order, it enabled us to make the global economy work for the people of the United States if others will do their part. And that's what we're working on now. As I said, all the nations I'll be meeting with are facing difficult times. Their economies are even slower than ours. But we know that together we can grow, we can have a stronger economy, and we can have more security.

I'd like to talk to you about that for a few minutes. Because of the vigilance, the democratic values, the military strength of the United States and our allies, we won the cold war. Our inheritance, our victory is a new chance to rebuild our economies and solve our problems in each of our countries while we reduce military spending. But our profound responsibility remains to redefine what it means to preserve security in this post-cold-war era. We must be strong, we must be resolute, and we must be safe. This great task has certainly changed with the passage of the cold war. The technologies of mass destruction in the hands of Russia and the United States are being reduced. But technologies of mass destruction that just a few years ago were possessed only by a handful of nations, and still are possessed only by a few, are becoming more widely available. It is now theoretically possible for many countries to build missiles, to have nuclear weapons and other weapons of mass destruction. This is a new and different challenge that requires new approaches and new thinking.

During my campaign for President, I promised a wholehearted commitment to achieving a comprehensive nuclear test ban treaty. A test ban can strengthen our efforts worldwide to halt the spread of nuclear technology in weapons. Last year, the Congress directed that a test ban be negotiated by 1996, and it established an interim moratorium on nuclear testing while we reviewed our requirements for further tests. That moratorium on testing expires soon. Congress said that after the moratorium expires, but before a test ban was achieved, the United States could carry out up to 15 nuclear tests to ensure the safety and reliability of our weapons. After a thorough review, my administration has determined that the nuclear weapons in the United States arsenal are safe and reliable. Additional nuclear tests could help us prepare for a test ban and provide for some additional improvements in safety and reliability. However, the price we would pay in conducting those tests now, by undercutting our own nonproliferation goals and ensuring that other nations would resume testing, outweighs these benefits.

I have therefore decided to extend the current moratorium on United States nuclear testing at least through September of next year, as long as no other nation tests. And I call on the other nuclear powers to do the same. If these nations will join us in observing this moratorium, we will be in the strongest possible position to negotiate a comprehensive test ban and to discourage other nations from developing their own nuclear arsenals.

If, however, this moratorium is broken by another nation, I will direct the Department of Energy to prepare to conduct additional tests while seeking approval to do so from Congress. I therefore expect the Department to maintain a capability to resume testing.

To assure that our nuclear deterrent remains unquestioned under a test ban, we will explore other means of maintaining our confidence in the safety, the reliability, and the performance of our own weapons. We will also refocus much of the talent and resources of our Nation's nuclear labs on new technologies to curb the spread of nuclear weapons and verify arms control treaties.

Beyond these significant actions, I am also taking steps to revitalize the Arms Control and Disarmament Agency so that it can play an active role in meeting the arms control and nonproliferation challenges of this new era. I am committed to protecting our people, deterring aggression, and combating terrorism. The work of combating proliferation of weapons of mass destruction is difficult and unending, but it is an essential part of this task. It must be done.

Americans have earned the right on this Fourth of July weekend to enjoy life, liberty, and the pursuant to happiness in the new era America did so much to create. This moment of opportunity is the reward for our vigilance and sacrifice during the long years of the cold war.

We now have the freedom to concern ourselves not merely with survival but with prosperity for ourselves and our children. We have the strength and the stature to lead the world into a future of greater security and global growth.

Because of the changes we have made, America can now fulfill the dreams and aspirations of the patriots who made our freedom possible more than 200 years ago. We can do them no greater honor than to make the most of what these times have to offer. Working together, we will.

Have a happy and safe holiday, and thanks for listening.

NOTE: This address was recorded at 6:34 p.m. on July 2, in the Roosevelt Room at the White House for broadcast at 10:06 a.m. on July 3.

Just over 1 year ago, Mr. Chairman, the gentleman from Arizona and I directed a spirited debate during House consideration of a 1-year moratorium on U.S. nuclear weapons testing. Advocates of the moratorium challenged the U.S. Government to assume the mantle of nonproliferation leadership. Advocates of the moratorium challenged the cold war mindset of nuclear bomb testing just for the sake of the status quo. Advocates of the moratorium refuted every reason given for continued nuclear weapons testing. On October 2, 1992, then-President George Bush signed legislation instituting a 9-month moratorium on U.S. nuclear weapons testing.

□ 1510

Today, the Nevada testsite remains silent and will hopefully do so for time

eternal. The Russians have not tested since 1990 and the French nuclear testing program in the South Pacific is silent also. Even the Chinese have acted with restraint since September 25, 1992. I commend all of these nations for the leadership as the world community pursues nonproliferation goals of a comprehensive test ban [CTB] treaty and extension of the Non Proliferation Treaty [NPT] in 1995.

At the same time, the Congress and the Clinton administration must call for continued leadership from all of the nuclear powers to refrain from a resumption of nuclear weapons testing. A resumption of testing or new nuclear weapons testing by any nation must be viewed for what it is: a rogue nation stampeding away from the herd of nation's who have found common purpose in ending the nuclear arms race.

In recent days, the press has reported that China may be on the verge of a nuclear weapons test. I and numerous other Members have urged the Chinese to demonstrate continued leadership, and to join the other nuclear powers in support of the moratorium and nonproliferation objectives. It has also been made clear to the Chinese, by the Clinton administration and Members of Congress, that China will be held accountable in the United States and abroad for her actions. At the same time, let me stress what I believe to be the view of a significant number of Members of this body; one Chinese nuclear weapons test is not justification for resumed nuclear weapons testing by the United States or any nation. Should the proponents of resumed nuclear testing, or the Clinton administration seek to resume testing based on one Chinese test, I am confident this will meet strident opposition in the Congress. The United States should not allow itself to join a stampede led by one irresponsible rogue.

In the coming months, I look forward to working with interested Members on both sides of the aisle as the administration moves forward on a CTB and extension of the NPT. Already President Clinton has dispatched representatives to Beijing, London, Paris, Moscow, and New York City to meet with the nuclear powers and international community. There are many outstanding questions ranging from the necessary safeguards to maintain the U.S. deterrent to the proper forum for international negotiations. Diligent oversight by the Congress and the committees of jurisdiction is appropriate and necessary.

Mr. KYL. Mr. Chairman, I yield 30 seconds to the gentleman from Nevada [Mr. BILBRAY].

Mr. BILBRAY. Mr. Chairman, I rise in opposition to the amendment of the gentleman from Oregon [Mr. KOPETSKI]. We recognize that the Chinese probably are on the verge of resuming nuclear testing, and I do not think that world pressure has been shown in the past to have any effect on the Chinese as exampled by we continue to extend most-favored-nation treaty status to the Chinese. I do think it is going to help put pressure on them. They just do not respond to world pressure. I think we have to have things in place to resume testing, if necessary, to show the world that we mean business in this particular regard.

Mr. Chairman, I urge my colleagues to reject the Kopetski amendment.

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

Mr. Chairman, the Kopetski amendment codifies President Clinton's policy of extending the moratorium on nuclear testing until September 1994, unless another country tests a weapon. Yet, as we have heard, China is preparing a test, and now the President has announced that we will not resume tests in any event, but we will hold China accountable.

Mr. Chairman, how? Obviously, China will test, regardless of what the United States does. That is the first point that I would make.

Mr. Chairman, contrary to the assumption underlying the Clinton administration's policy and this amendment, a comprehensive test ban treaty will not strengthen efforts to halt the spread of nuclear weapons. There is no evidence that a testing moratorium or a CTBT will promote nonproliferation. The most recent affirmation of this point is the planned nuclear test by China and the discussion in China about developing its own nuclear weapons program. The U.S. policy not to test obviously has had no impact on these nations' decisions.

Other nations will make their decisions about the utility of a nuclear option on the basis of their perception of their own security interests, not on the actions of the United States on nuclear testing.

Mr. Chairman, my second point is contrary to another Clinton assumption, nuclear testing is needed to assure the safety and reliability of U.S. nuclear weapons. The administration's apparent view that U.S. nuclear weapons are "safe enough for now," demonstrates a cavalier attitude toward the complexity of nuclear weapons and fails to take into account past safety and reliability problems with the stockpile. No Department of Defense or Department of Energy has ever taken the position that our weapons are reliable enough to forgo testing. We have always ensured continued reliability and safety through testing.

Mr. Chairman, I might add that we test the most mundane of weapons in our inventory, from pistols, rifles, and handgrenades, on up to the most sophisticated jet fighters. It is truly an anomaly that the most sophisticated and dangerous weapons, our nuclear weapons, would not be subjected to continued testing for their reliability and safety.

Mr. Chairman, finally, contrary to an assumption by the Clinton administration, there are no other means sufficient to maintain confidence in the safety and reliability of the U.S. nuclear stockpile. Sophisticated computer modeling and simulation, conventional testing, and other nonnuclear testing regimes can provide useful data, but none of these methods provide a high confidence alternative to ensure the safety, reliability, and effectiveness of U.S. nuclear weapons.

Mr. Chairman, in summary, the bottom line is this: the Kopetski amendment does nothing but codify current policy, which is both wrong and unneeded, and for that reason I applaud the gentleman for withdrawing his amendment and would have urged opposition to it.

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

Mr. KOPETSKI. Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN pro tempore [Mr. DURBIN]. Is there objection to the request of the gentleman from Oregon?

There was no objection.

AMENDMENTS EN BLOC OFFERED BY MR. DELLUMS

Mr. DELLUMS. Mr. Chairman, pursuant to section 3 of House Resolution 254, I offer amendments en bloc consisting of amendment 11, as modified, and amendment 16, as modified, printed in part 4 of House Report 103-252.

The CHAIRMAN pro tempore. The Clerk will designate the amendments en bloc as modified.

The text of the amendments en bloc as modified, is as follows:

Amendments en bloc offered by Mr. DELLUMS:

MODIFICATION TO THE AMENDMENT OFFERED BY MR. GOODLING

The amendment as modified is as follows:

Page 367, after line 9, insert the following new section:

SEC. 1304. DISSEMINATION OF LIST OF CONVERSION, REINVESTMENT, AND TRANSITION PROGRAMS.

Section 4004(c) of the Defense Economic Adjustment, Diversification, Conversion, and Stabilization Act of 1990 (division D of Public Law 101-510; 104 Stat. 1849) is amended—

(1) by striking out "and" at the end of paragraph (2);

(2) by striking out the period at the end of paragraph (3)(C) and inserting in lieu thereof "; and"; and

(3) by adding at the end the following new paragraph:

"(4) ensure that adequate means are available to disseminate to interested communities, businesses, and defense workers and members of the Armed Forces a list of the Federal economic adjustment programs described in the reports required under paragraph (3).".

At the end of title IX (page 325, after line 25), insert the following new section:

SEC. 950. PROHIBITION OF TRANSFER OF NAVAL ACADEMY PREPARATORY SCHOOL.

During fiscal year 1994, the Secretary of the Navy may not transfer the Naval Academy Preparatory School from Newport, Rhode Island, to Annapolis, Maryland, or expend any funds for any work (including preparation of an architectural engineering study, design work, or construction or modification of any structure) in preparation for such a transfer.

MODIFICATION TO THE AMENDMENT OFFERED BY MR. MEEHAN

The amendment as modified is as follows:

At the end of subtitle C of title II (page 70, after line 19), insert the following new section:

SEC. . TACTICAL AND THEATER MISSILE DEFENSES.

(a) FINDINGS.—Congress makes the following findings:

(1) Systems to provide effective defense against theater and tactical ballistic missiles that may be developed and deployed by the United States have the potential to make equal or greater contributions to the national security interests of nations that are allies of the United States as they do to the national security interests of the United States.

(2) The cost of developing and deploying a broad spectrum of such systems will be several tens of billions of dollars.

(3) A truly cooperative approach to the development and deployment of such systems could substantially reduce the financial burden of such an undertaking to any one country and would tap additional sources of technological expertise.

(4) While recent statements of nations that are allies of the United States have expressed a desire for greater involvement in United States tactical missile defense efforts, those nations are unlikely to support programs for theater missile defense development and deployment unless, at a minimum, they can play a meaningful role in the planning and execution of such programs, including active participation in research and development and production of the systems involved.

(5) Given the high cost of developing theater ballistic missile defense systems, allied participation in tactical missile defense efforts would result in substantial savings to the United States.

(b) PLAN AND REPORTS.—(1) The Secretary of Defense shall develop a plan to coordinate development and implementation of Theater Missile Defense programs of the United States with that of its allies, in order to avoid duplication of effort, to increase interoperability, and to reduce costs. The plan shall set forth in detail any financial, in-kind, or other form of participation in cooperative efforts to plan, develop, produce, and deploy theater ballistic missile defenses for the mutual benefit of the countries involved.

(2) The Secretary shall submit to Congress a report on the plan developed under paragraph (1). The report shall be submitted in both classified and unclassified version, as appropriate, and may be submitted as a component of the next annual Ballistic Missile Defense organization report to Congress.

(3) The Secretary shall include in each annual Ballistic Missile Defense Organization report to Congress a report on steps taken to implement the plan developed under paragraph (1). Each such report shall set forth the status of discussions with United States allies for the purposes stated in that paragraph and the status of contributions by those allies to the Theater Missile Defense Cooperation Account, shown separately for each allied country covered by the plan.

(c) RESTRICTION OF FUNDS.—Of the total amount appropriated pursuant to authorizations in this Act for theater ballistic missile defenses programs, not more than 80 percent may be obligated until—

(1) the report under subsection (b)(2) is submitted to Congress; and

(2) the President certifies in writing to Congress that each of the NATO allies, Japan, Israel, South Korea, and any other country that the President considers appropriate have been formally contacted concerning the matters described in the report.

(d) SENSE OF CONGRESS.—It is the sense of Congress that, whenever the United States deploys theater ballistic missile defenses to protect another country, or the military forces of another country, that has not provided financial or in-kind support for development of theater ballistic missile defenses, the United States should consider whether it is appropriate to seek reimbursement from that country to cover at least the incremental cost of such deployment.

(e) REQUIREMENT TO ESTABLISH ANNUAL TMD LEVEL.—The Congress shall establish by law for each fiscal year (beginning with fiscal year 1995) the level of new obligational authority (stated as a single dollar amount) for research, development, test, and evaluation and for procurement for theater missile defense programs of the Department of Defense for that fiscal year.

(f) ALLIED PARTICIPATION IN TMD.—Congress encourages greater participation by United States allies, and particularly by those nations that would benefit most from Theater Missile Defense systems, in cooperative Theater Missile Defense efforts with the United States.

(g) FUND FOR ALLIED CONTRIBUTIONS.—(1) Chapter 155 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 2609. Theater Missile Defense: acceptance of contributions from allies; Theater Missile Defense Cooperation Account

"(a) ACCEPTANCE AUTHORITY.—The Secretary of Defense may accept from any allied foreign government or any international organization any contribution of money made by such foreign government or international organization for use by the Department of Defense for Theater Missile Defense programs.

"(b) ESTABLISHMENT OF THEATER MISSILE DEFENSE COOPERATION ACCOUNT.—(1) There is established in the Treasury a special account to be known as the 'Theater Missile Defense Cooperation Account'.

"(2) Contributions accepted by the Secretary of Defense under subsection (a) shall be credited to the Account.

"(c) USE OF THE ACCOUNT.—(1) Funds in the Account are hereby made available for obligation for research, development, test, and evaluation, and for procurement, for Theater Missile Defense programs of the Department of Defense.

"(d) INVESTMENT OF MONEY.—(1) Upon request by the Secretary of Defense, the Secretary of the Treasury may invest money in the Account in securities of the United States or in securities guaranteed as to principal and interest by the United States.

"(2) Any interest or other income that accrues from investment in securities referred to in paragraph (1) shall be deposited to the credit of the Account.

"(e) NOTIFICATION OF CONDITIONS.—The Secretary of Defense shall notify Congress of any condition imposed by the donor on the use of any contribution accepted by the Secretary under the authority of this section.

"(f) ANNUAL AUDIT BY GAO.—The Comptroller General of the United States shall conduct an annual audit of money accepted by the Secretary of Defense under this section and shall submit a copy of the results of each such audit to Congress.

"(g) REGULATIONS.—The Secretary of Defense shall prescribe regulations to carry out this section.".

(2) The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

"2609. Theater Missile Defense: acceptance of contributions from allies; Theater Missile Defense Cooperation Account.".

Mr. DELLUMS (during the reading). Mr. Chairman, I ask unanimous consent that the amendments en bloc, as modified, be considered as read and printed in the RECORD.

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

There was no objection.

The CHAIRMAN pro tempore. Pursuant to the rule, the amendments en bloc are not subject to a demand for division of the question.

The gentleman from California [Mr. DELLUMS] will be recognized for 10 minutes, and the gentleman from South Carolina [Mr. SPENCE] will be recognized for 10 minutes.

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

Mr. DELLUMS. Mr. Chairman, I am pleased to yield 3 minutes to the distinguished gentleman from Massachusetts [Mr. MEEHAN].

Mr. MEEHAN. Mr. Chairman, I rise in strong support of the en bloc amendment's language on theater missile defense burdensharing. The rationale for this amendment is clear—our allies are the principal beneficiaries of these defensive systems, and we want to ensure that they have the opportunity to contribute to the cost of research and development of the program.

Theater defenses do not offer protection against missiles capable of intercontinental flight. Even at the height of the cold war, they would not have protected the United States against attacks from the Soviet Union, because they're designed to intercept objects fired at low-altitude trajectories.

The Clinton administration's bottom-up review proposes spending $12 billion on theater missile defense systems from 1995 to 1999. Despite the end of the cold war and our crushing budget problems, the United States continues to fund virtually all of the theater missile defense programs. Clearly, we cannot continue to shoulder the entire burden of paying for this program.

This amendment requires the Secretary of Defense to develop a detailed plan to coordinate development and implementation of TMD programs with our allies to avoid duplication and reduce costs.

In an effort to encourage greater participation by our allies in cooperative

theater missile defense efforts, the amendment directs the Secretary of Defense to submit to Congress classified and unclassified reports that detail financial, in-kind, and any other contributions made by our allies toward the theater missile defense program.

I want to emphasize that point again, because it goes to the heart of the issue. This amendment specifies, for the first time, that the Secretary of Defense must take concrete steps to implement the plan. The Secretary must keep Congress informed on the status of discussions with our allies and the amount of allied contributions, broken down by country, to the theater missile defense cooperation account.

Theater missile defense continues to have utility in the post-cold-war world. Make no mistake—this amendment is not about eliminating the TMD program. Rather, this amendment puts the Department of Defense and our allies on notice that it is in their interests to share the costs of building TMD systems that are designed primarily to benefit them.

Let us share the burden.

□ 1520

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

Mr. Chairman, now that the House is about to consider final passage of H.R. 2401, I want to take a brief moment to explain how I view this vote.

When you consider this bill separate from broader, longer term considerations, it is not that bad a bill. Other than cuts to ballistic missile defense and intelligence programs that I, along with the Clinton administration, believe are too deep, the Armed Services Committees and the full House have taken a generally cautious, moderate approach to this bill.

There is one particularly positive element of H.R. 2401 that I would like to bring to the House's attention. I am, of course, referring to the leadership of my chairman, the gentleman from California. While the chairman and I may often disagree over issues of substance and politics, my colleague has allowed all members to be heard, he has provided the forum for ample, sometimes exhaustive, debate, and he has treated the minority as fairly as any chairman I have served with during my 23 years as a Member of this House.

While there are valid substantive reasons for voting against this bill, Chairman DELLUMS' stewardship of the Armed Services Committee and this year's defense debate in the House is not one of them. I look forward to working with my chairman on this bill and on the many important issues our committee will be confronted with in the future.

Unfortunately, this bill brings to the House floor the stark reality of the Clinton administration's long-term vision for the further dismantling of the U.S. military. President Clinton was not elected to address defense issues. Despite the violent realities of national, ethnic, and religious conflicts that have filled the political vacuum created by the end of the cold war, when it comes to issues of the U.S. military it would appear that the White House is far too preoccupied with how much further they can cut defense spending. This focus on cutting defense spending is increasingly inconsistent with the administration's desire to expand the commitments of U.S. military personnel in assorted peacekeeping, peacemaking, and humanitarian missions around the world.

Secretary Aspin's bottom-up review recently recommended a military force structure that I believe is inconsistent with the administration's future strategy of maintaining forces sufficient to prevail in two nearly simultaneous regional conflicts. I do not believe that the Aspin-recommended forces can be paid for within the Clinton 5-year defense numbers. Following on the heels of 8 consecutive years of real decline in defense spending, I believe that the Clinton administration 6-year defense plan threatens the viability of our U.S. military forces.

As I stated when general debate on this bill commenced back in early August, I am more concerned today for the security of this Nation than I was during the height of the cold war. The end of the cold war has unleashed numerous regional and local conflicts, some of which challenge our political, economic, and security interests in various parts of the world. In light of these many challenges, I fear that those who advocate large cuts in the U.S. defense budget pose perhaps the biggest threat to the future of the U.S. military.

For months now, the President and Secretary Aspin have asserted the importance of U.S. economic security as justification for the deep defense cuts they have proposed. Administration officials have assured us that job creation plans, worker retraining, and defense conversion programs will alleviate any dislocation caused by the almost 2 million military and defense-related private sector jobs that the Clinton Bureau of Labor Statistics estimates will be lost under the Clinton defense plan.

Likewise, despite the fact that defense companies, of all sizes, will disappear by the thousands as a result of these cutbacks in the years ahead, the administration assures us that it is committed to preserving a strong industrial base. I do not know how the administration will reconcile these seemingly irreconcilable forces, but I contend that defense spending cuts of the magnitude proposed will do more harm than good to the very economic security the President wants to protect, as several million skilled workers are laid off and the once strong defense industrial base is dramatically reduced.

These are the longer term interests and the broader context of which I spoke a moment ago. H.R. 2401 reflects an initial downpayment on a 6-year defense plan that I simply cannot support. Despite the characterization of fiscal year 1994 as a treading water defense budget, it nonetheless represents the first year of a longer term Clinton vision for U.S. national security that I believe puts at risk the finest military force in history.

As a taxpayer, an individual Member of Congress, and the new ranking Republican on the Armed Services Committee, I have wrestled long and hard with these issues. The last time I voted for House passage of a Defense authorization bill was in 1985, the same year the on-going defense build-down began. Up until this year's debate, this defense build-down has been carried out on the watch of two Republican Presidents—a build-down I opposed then as I do now. Accordingly, my vote today has everything to do with my concerns for national security and nothing to do with partisanship. I am voting my conscience as every Member in this House ought to. As such I cannot support final passage of H.R. 2401 and plan to vote "no."

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

Mr. DELLUMS. Mr. Chairman, I yield 1 minute to my distinguished colleague, the gentleman from Missouri [Mr. SKELTON].

Mr. SKELTON. Mr. Chairman, I take this opportunity, nearing the moment of final passage of this bill, under the leadership of the new chairman of the Committee on Armed Services, the gentleman from California [Mr. DELLUMS], I take this opportunity to compliment him and congratulate him, not only for his even-handedness and his fairness but for his leadership, for his looking after the troops, for his doing his best to see that there is an opportunity for them to be the best-trained in the world and to keep us on the cutting edge militarily, to keep us the best nation on defense in this world.

This is his first bill as chairman. I compliment him on the excellent job that he has done, wish him well in the days ahead.

On a personal note, as subcommittee chairman, he has been a very great help to me in putting the parts of my particular portion of the bill together.

I want to let this body know of the outstanding job that this gentleman has done, his first year as chairman of the Committee on Armed Services.

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

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

Mr. Chairman, the matter before us is an en bloc amendment. I am assuming that that will pass on a voice vote. At the end of that, the committee will have done its job and we will report back to the House. So I would like to take this opportunity not to speak to the en bloc amendment but to speak more generically.

First, let me thank my distinguished colleague, the gentleman from California [Mr. SPENCE] for his very kind and very generous remarks. He is a very easy gentleman to work with, an easy gentleman with which to communicate, and it is a delight and a pleasure to work with my colleague.

Clearly, we have substantive differences on a wide range of matters, but we have learned how to deal with each other with comity and with cordiality and with respect. I thank the gentleman for that.

I would like to also thank the gentleman from Missouri [Mr. SKELTON] for his very kind and generous remarks.

Finally, in this regard, to thank all of the members of the staff. As I have said on more than one occasion, we are only as good as our staffs, because a great portion of the business of governmentis done by staff people, often unsung and not visible human beings but people who do an extraordinary job.

I think that any time and every time we have an opportunity to thank them and to compliment them for their extraordinary work, we should do so.

Finally, Mr. Chairman, this is the first opportunity that I have had to come to the floor in this new capacity as chairman of the House Committee on Armed Services. I am now in my 23d year. I was elected in 1970.

I came to Congress to advocate peace, nuclear disarmament, to radically alter the priorities of this country, to address the human misery of people across the wide panorama of experiences that afflict human beings in this country at the level of race and class and sex and geography, whatever.

In the context of 1971, against the backdrop of the Vietnam war, this gentleman's comments were deemed as radical, far out. But I would suggest, Mr. Chairman, that the issues we raised 23 years ago, perceived as radical in the context of the early 1970's, are issues that are now on the front burner of America and this country.

What are the issues? Peace, nuclear disarmament, downsizing the military budget, economic conversion, reordering the priorities, reinvesting in America, reinvesting in American people, reinvesting in our children, rebuilding our economy, health care, education, all of these issues.

Mr. Chairman, we have become the first generation of American people who are afraid of our own children. That has enormous implications.

I would suggest to Members that a society that is afraid of its own children is a society on its way to dying. We are frightened of our children, because we are now reaping the whirlwind of decades of neglect and lack of attention. But now the Berlin Wall is down. The Soviet Union has dissipated. The Warsaw Pact no longer exists.

It brings us great challenges, but it gives us great hope, because there are great possibilities at this moment.

As I have said before, this moment is pregnant with great potential to do extraordinary good. The world cries out for peace. People cry out for human rights and civil rights, and our people cry out for social and economic justice in this country.

Mr. Chairman, I have ascended to the position of the chair of the House Committee on Armed Services as an advocate of peace, as one who has advocated the military budget in order to address the priorities of our people. We now are there, Mr. Chairman.

As my distinguished colleague from South Carolina indicated how he will vote, it is interesting. I voted on 22 separate occasions against military budgets. Now I am placed in this new role, this new position.

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I will vote for this bill, Mr. Chairman, but not because I am communicating to anyone in this body or to the American people that this military budget cannot be cut further. I believe that a prima facie case can be made to cut this budget even further than President Clinton chooses to do it.

The challenge before us is to take a prima facie case and make it a reality. We have to move our colleagues down a different road. Old labels no longer apply. Old paradigms no longer apply. Old ideas no longer apply. This is a new moment with great possibilities and great opportunities.

This new administration is trying to get off the ground. They were not off the ground fast enough to be able to allow a bottom-up review to shape this budget for fiscal year 1994, but we as a committee did our best. We did some good things in this bill. We have lifted the issue of economic conversion to a level that was never seen before. We placed $13 billion at the disposal of the American people to clean up toxic waste and restore our environment. We have moved away from nuclear armament. We have done many good things in this bill, but we have miles to go, Mr. Chairman.

The Members have placed me in this role of leadership to try to help guide my colleagues to a new vision, a new set of ideas, to a new paradigm. I accept that challenge, but let the challenge be that we cannot continue to spend at this level. The world does not require it. Our people need us to move in a different direction.

I think we have turned a magnificent corner, but we have a ways to go. Next year, the year after, and the year after that will be the great challenges of this committee. Let this administration place their 5-year plan on the table.

To my distinguished colleague, the gentleman from South Carolina [Mr. SPENCE], let us have an honest debate. I will guarantee that the framework will be open, will be frank, will be vigorous. My objective will be to try to move this body to a new place, to go even below the cuts, to start restoring this country, because as long as our children are dying in the streets and we are spending money preparing to wage war, there is something wrong in our society. We have to go in a different way, in a different direction.

Mr. Chairman, for those of my colleagues who have voted against the military budget over the years, because of their concerns of the priority of this Nation, feel free to do that. I think every human being in this body ought to vote their conscience, ought to vote what they honestly believe is correct.

I think we have turned a major corner. It is my hope and my dream and my aspiration, for whatever time remains in this body, and I am allowed to serve with honor in this position, to take us far below where we are, because I think that is the priority, that is the mandate, that is the necessity.

For those who feel that we have cut too much, I do not think that case can be made. When we were spending $300 billion a year on the military budget, 70 percent of it was directed at fighting a war with the Soviet Union and the Warsaw Pact, $210 billion annually directed at two enemies that no longer exist. One does not have to be a brilliant rocket scientist to understand that if those major threats to which we directed 70 percent of our resources are no longer on the radar screen, that we can certainly make significant reductions in our military budget.

If the threats to the United States out there are regional threats, we certainly do not need to continue to spend as if the threat is the Soviet Union. The bipolar world has evaporated, disappeared. Let us now develop a new notion, a new definition of what national security is, Mr. Chairman. Let us develop a new set of ideas about what the threat is, based on the reality of the world, not some misconstrued, cartoon-like notion about what the real world is.

Let us develop a military budget that makes sense, and let us take the savings from that, whether we call it a peace dividend or whatever, and begin to rebuild our society. Our children demand it, their parents need it, and their grandparents hope for it.

Mr. Chairman, with those remarks we conclude a very significant and important debate. I am honored that my colleagues have chosen me to chair the Committee on Armed Services at this extraordinary moment in American history.

My hope is that, on sober reflection of this moment, that history will record that we did a decent job, as good as we could for this moment, but not nearly as good as we can.

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

The CHAIRMAN pro tempore (Mr. DURBIN). The question is on the amendments en bloc offered by the gentleman from California [Mr. DELLUMS].

The amendments en bloc were agreed to.

The CHAIRMAN pro tempore. The Chair will put the question on the committee amendment in the nature of a substitute, as amended.

Mr. DELLUMS. Mr. Chairman, I would ask the Chair, do I have time remaining?

The CHAIRMAN pro tempore. The gentleman from California [Mr. DELLUMS] can still move to strike the last word, under the terms of the rule.

Mr. DELLUMS. Mr. Chairman, I move to strike the last word.

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

Mr. DELLUMS. I am privileged to yield to my distinguished colleague, the gentleman from Vermont.

Mr. SANDERS. Mr. Chairman, let me begin by applauding the chairman, the gentleman from California, for the extraordinary work he has done as chairman of the Committee on Armed Services, and for the many years of enormous effort that he has put into fighting for a world of peace and social justice.

Mr. Chairman, I just want to say one word, or more than one word, on my views on this budget. That is to say that while I think it is probably the best Defense budget we have seen for many years, as the chairman himself has indicated, it probably has not gone far enough. I intend to vote against it. Let me say very briefly why I intend to.

To put it simply, Mr. Chairman, despite the end of the cold war, we simply have not gone far enough in recognizing that the Soviet Union does not exist, that the Warsaw Pact does not exist, and that in fact our major security problem now is not foreign policy, it is domestic needs. When we talk about spending $263 billion on the military at the same time as our children continue to go hungry, 5 million kids in America are hungry at the same time as 2 million people continue to sleep out on the streets, at the same time as millions of young people are unable to afford to go to college, then I think we are wrong about our definition of the American security problems. Our security problems are home now, and not abroad.

I want to congratulate the chairman and other people for their efforts to make sensible cuts in the budget. Sadly enough, amendment after amendment that was brought forth was voted down. I find it ironic that some of those people who fought against these amendments are exactly the same people who are telling us how serious our deficit problem is. When we ask them to vote to save taxpayers money, they do not do it.

Let me give a few examples. The so-called Dellums-DeFazio amendment regarding star wars would have cut this wasteful and inefficient system in half. We do not need star wars. We had a good amendment to significantly cut star wars. Unfortunately, despite all the rhetoric about our $4 trillion debt and our needs at home, that amendment was defeated.

The D-5 missile program. The Dellums-Penny amendment would have terminated procurement, saving $1.2 billion. Unfortunately, once again, that amendment was defeated.

Burden-sharing. We are spending over $100 billion a year defending Europe, Western Europe, and Asia against a nonexistent enemy. We are defending countries that inmany ways are wealthier than we are.

There was a good amendment brought forth, the so-called Bryant amendment, which would have required Europe, Korea, and Japan to pay the cost of defending themselves by September 1996, a very sensible amendment. Unfortunately, a majority of the Members voted no; again, the same people who tell us every day about how terrible our deficit problem is.

The intelligence budget, the gentleman from New York [Mr. OWENS] and I offered an amendment which could have cut intelligence spending by 10 percent. We are now funding the intelligence budget at the same level as at the height of the cold war; once again, voted down.

Altogether, these amendments, if passed, would have saved the American taxpayers over $100 billion over the next several years, $100 billion. Some could go to deficit reduction, some to rebuild America and give hope and faith to the people that the chairman was just talking about, the young people who are never going to have a job in their lives, the children who are hungry. That is where the money could have gone, but we did not do it.

Let me simply conclude, Mr. Chairman, by congratulating once again the chairman for putting together what is probably the best Defense budget we have seen here in many, many years. However, I believe that now is the time to demand radical changes in national priorities. Let us look home at our enormous needs.

□ 1540

And let us tell the military-industrial establishment that their day has come and gone, and we are going to pay attention to the working people, to the children, to the veterans, to the elderly people who have been ignored for so many years.

And it is in that spirit, while congratulating my good friend on the excellent work that he has done, that I urge a "no" vote on the Defense budget.

PARLIAMENTARY INQUIRY

Mr. DELLUMS. Mr. Chairman, might I inquire, under the rule, do the Chair and the ranking member continue to have the opportunity to strike the last word?

The CHAIRMAN pro tempore [Mr. DURBIN]. At this point the ranking minority member has the right under the rule to strike the last word and to be recognized for 5 minutes and to yield as he desires. Of course, the gentleman from California can ask for unanimous consent from the committee to extend his pro forma debate time.

Mr. DELLUMS. Mr. Chairman, might I further inquire, so that I understand it, the Chair is saying that this gentleman has exhausted the opportunity to strike the last word?

The CHAIRMAN pro tempore. The fact is the gentleman has just debated a pro forma amendment and he may not do so over and over again, unless the committee were at some other stage in the bill. The gentleman can make a unanimous-consent request.

Mr. DELLUMS. I thank the Chair.

Mr. SPENCE. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I did not intend to take any further time, but in view of what has transpired lately I feel I must.

Mr. Chairman, we will always have in this country and we have always had in this country people who have said that we do not need a defense, or that we need to cut out most of our defenses.

I would like to remind those people that we would not be here today as a free country if we had listened to those kinds of people over the history of this country. We will have more wars, Mr. Chairman. As long as we have human beings on this Earth, acting like human beings act, we will have more wars. The Bible admonishes us in that respect. There will be wars and rumors of wars. The only question is when, not if we will have other wars. We have to be prepared.

At the same time we will always have people in this country who will fight for our freedom, and that is what makes us what we are today. I thank God for them, and have thanked God for them in the past. That is our only hope.

Please do not listen to those who say we do not need a strong defense. The best way to prevent a war is to be so strong that no one is going to take you on.

Mr. Chairman, I yield to the gentleman from Indiana [Mr. MYERS].

Mr. MYERS of Indiana. Mr. Chairman, I thank my colleague for yielding. I have always supported this authorization bill, because I remember

the early days of World War II when this country was not prepared. I am concerned about this bill. Are we heading in that same direction once again where we are not prepared, and I hope and pray we are never tested to find out whether we are doing an adequate job in defending or preparing for the inevitable some time in the future.

I am also concerned about what this committee did not do this time, and that is to take care of our retired military. I think we have an obligation to those retirees who did serve faithfully and to their families.

We have a responsibility, not necessarily for providing commissaries or exchange privileges, but for medical facilities. I will use my own State of Indiana as an example. When the work of the Base Closing Commission is completed, we will have no active base in the State of Indiana to provide medical care and pharmacies for our retirees and their families, and the retirees will have to travel several hundred miles just to fill a prescription.

I did not testify before the committee. I did write and talk to several Members and asked that they investigate this and to find some way where retirees are taken care of. But I do not find where we have it in this legislation.

So I think we are failing the retirees who have served our Nation in an obligation that we have made to those people and their families. So I am disappointed that this committee did not take care of these retirees adequately.

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

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

Mr. WALKER. Mr. Chairman, I thank the gentleman for yielding because I did want to clarify that there are going to be a number of no votes on this floor that are not going to reflect the opinions expressed earlier by the gentleman from Vermont. The gentleman from Vermont is voting no because he does not believe this bill goes far enough toward creating a hollow army for our country. There are many of us who believe that this bill goes too far toward creating a hollow army, and we are going to be voting no as well.

We are going to be voting no because we believe when you have a President who continues to want to commit or commits troops all over the world, that it becomes passing strange that we then suggest on this House floor that we can continue to decimate the military, and yet complete those commitments.

Mr. SPENCE. Mr. Chairman, I yield to the gentleman from Florida [Mr. GIBBONS].

Mr. GIBBONS. Mr. Chairman, I thank the gentleman for yielding.

First I want to commend the committee and its distinguished chairman for what they have done. I shall vote for this legislation.

I am concerned though that the job of the Armed Services Committee is going to become more difficult as we go along. I rejoice as much as anyone does at the ability to cut back. There are some items in here that I feel should have been cut back even further.

But I think we need to remind ourselves that there are Hitlers born every day, there are Mussolinis born every day, there are Tojos born every day, there are Saddam Husseins that are born every day, and the history of my lifetime has been that there has got to be somebody with the determination and the ability to say no, you cannot go that far; you have got to stop.

That is, unfortunately, the role that we Americans have to play. It is an extra burden that we have to carry.

I think this is a good bill. But I want to wish good luck to the chairman and to the ranking minority member on this committee, thank them for their fine work, and wish them good luck in piloting us to a sound future.

The CHAIRMAN pro tempore. The time of the gentleman from South Carolina [Mr. SPENCE] has expired.

(On request of Mr. WALKER and by unanimous consent, Mr. SPENCE was allowed to proceed for 2 additional minutes.)

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

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

Mr. WALKER. Mr. Chairman, as I was pointing out, the problem that we have is that we see a lot of these commitments arising around the world. The President evidently wants to commit us at some point to Bosnia.

The Somalia resolution that was adopted on the floor yesterday essentially tells the President that he has to come back to us with a plan, but has no hope whatsoever in it that we are actually going to withdraw troops from Somalia. There evidently are a contingent of troops being planned to go to Haiti, and we have a series of actions where we are going to commit American troops.

Yet, this committee has come up with a bill that strips us of the resources to be able to do all of these missions that this administration is committing us to.

I would suggest that if in fact we have a desire to concentrate on domestic affairs and withdraw the resources from the military, then maybe, maybe it is time that you also have the nerve to suggest to your own administration that they ought not to commit us to any more military missions, and actually vote for real actions to pull troops out of where they are now serving.

The fact is that we could have had a real vote on this House floor to withdraw the troops from Somalia now, and we refused to allow in the Rules Committee that kind of an amendment to come to the floor, so that we are going to continue to expend money in Somalia at the same time that we are withdrawing the resources from those troops.

I would suggest that that is not an appropriate way to proceed, that we then have a hollow army that is always at risk. And it is not the appropriate kind of measure for us to be approving on this floor.

□ 1550

So my vote will be "no," not because I do not believe that the gentleman from California [Mr. DELLUMS] and the gentleman from South Carolina [Mr. SPENCE] have not worked hard on this bill—I think they have—but I think in the end the bill does undermine our ability to maintain the sort of military force that this administration seems anxious to commit all over the world.

I thank the gentleman for yielding.

The CHAIRMAN pro tempore (Mr. DURBIN). The question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN pro tempore. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore [Mr. MCNULTY] having assumed the chair, Mr. DURBIN, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2401) to authorize appropriations for fiscal year 1994 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 1994, and for other purposes, pursuant to House Resolution 254, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the committee amendment in the nature of a substitute, as amended, adopted by the Committee of the Whole?

Mr. WALKER. Mr. Speaker, I demand separate votes on the following amendments:

The Schroeder amendment that requires the 1995 Base Realignment and Closure Commission to include foreign bases along with domestic facilities in its closure recommendations;

The Lloyd amendment which requires the overseas operations and maintenance funding to be reduced by $725 million in fiscal year 1994 to reflect anticipated overseas force reductions of 50 percent;

The Andrews of Maine amendment that bans the use of defense conversion funds for financing foreign arms sales;

The Skelton amendment that codifies a modified version of the "don't ask, don't tell" policy on gays in the military; and

The Gephardt-Gilman amendment which requires the President to report to Congress by October 15 the goals, objectives, and anticipated duration of United States forces deployed in Somalia.

The SPEAKER pro tempore. Is a separate vote demanded on any other amendment?

REQUEST TO ADDRESS THE HOUSE

Mr. CUNNINGHAM. Mr. Speaker, I ask unanimous consent to address the House for 1 minute. This concerns what we talked about this morning.

The SPEAKER pro tempore. The Chair would not normally entertain that request at this particular point in the order of events.

The votes will be taken in the order in which the amendments were considered in the Committee of the Whole, since the bill was considered as read and the order of amendments was prescribed by three secial orders.

If a separate vote is not demanded on any other amendment, the Clerk will report the first amendment on which a separate vote has been demanded.

The Clerk read as follows:

Amendment: At the end of subtitle B of title XXVIII of the bill, add the following new section:

SEC. 2819. EXPANSION OF BASE CLOSURE LAW TO INCLUDE CONSIDERATION OF MILITARY INSTALLATIONS OUTSIDE THE UNITED STATES FOR CLOSURE AND REALIGNMENT.

(a) EXPANSION OF SCOPE OF BASE CLOSURE LAW.—The Defense Base Closure and Realignment Act of 1990 (Part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note) is amended—

(1) by redesignating sections 2910 and 2911 as sections 2911 and 2912, respectively; and

(2) by inserting after section 2909 the following new section:

"SEC. 2910. CONSIDERATION OF MILITARY INSTALLATIONS OUTSIDE THE UNITED STATES.

"(a) RECOMMENDATIONS FOR TERMINATION AND REDUCTIONS OF MILITARY OPERATIONS OUTSIDE THE UNITED STATES.—With respect to recommendations made in 1995 for the closure and realignment of military installations under this part, the Secretary and the Commission shall include recommendations for the termination and reduction of military operations carried out by the United States at military installations outside the United States.

"(b) SELECTION CRITERIA.—(1) Not later than December 31, 1993, the Secretary shall publish in the Federal Register and transmit to the congressional defense committees the criteria proposed to be used by the Department of Defense in making recommendations for terminating and reducing military operations carried out by the United States at military installations outside the United States. The Secretary shall provide an opportunity for public comment on the proposed criteria for a period of at least 30 days and shall include notice of that opportunity in the publication required under the preceding sentence.

"(2) Not later than February 15, 1994, the Secretary shall publish in the Federal Register and transmit to the congressional defense committees the final criteria to be used in making recommendations for terminating and reducing military operations carried out by the United States at military installations outside the United States.

"(3) The criteria developed under this subsection, along with the force-structure plan referred to in section 2903(a), shall be the final criteria to be used in making recommendations for terminating and reducing military operations carried out by the United States at military installations outside the United States, unless the criteria are—

"(A) disapproved by a joint resolution of Congress enacted on or before March 15, 1994; or

"(B) amended by the Secretary in the manner described in section 2903(b)(2)(B).

"(c) RECOMMENDATIONS OF THE SECRETARY.—The Secretary shall transmit recommendations to the Commission for the termination and reduction of military operations of the United States at specified military installations outside the United States. The recommendations shall be included in the recommendations transmitted to the Commission with respect to the closure and realignment of military installations inside the United States under section 2903(c).

"(d) REVIEW AND RECOMMENDATIONS BY COMMISSION.—The Commission shall review the recommendations transmitted by the Secretary under subsection (c). The Commission may make changes in the recommendations made by the Secretary only in the manner provided in subparagraphs (B), (C), and (D) of section 2903(d)(2). The Commission shall include, in its recommendations to the President under section 2903(d), its recommendations for the termination and reduction of military operations of the United States at specified military installations outside the United States.

"(e) REVIEW AND TRANSMITTAL BY THE PRESIDENT.—The recommendations transmitted by the President under section 2903(e) shall contain the recommendations of the Commission for the termination and reduction of military operations of the United States at specified military installations outside the United States.".

(b) EFFECT OF FAILURE TO INCLUDE SUFFICIENT OVERSEAS INSTALLATIONS.—Section 2903 of such Act is amended by adding at the end the following new subsection:

"(f) FAILURE TO INCLUDE SUFFICIENT OVERSEAS INSTALLATIONS.—(1) In the case of the recommendations of the Commission required to be transmitted to the Congress in 1995 pursuant to subsection (e), if the closure or realignment of military installations outside the United States does not account for at least 25 percent of the closure and realignment recommendations of the Commission, as certified by the Commission under paragraph (2), then the process by which military installations may be selected for closure or realignment under this part with respect to that year shall be terminated.

"(2) In determining whether the percentage specified in paragraph (1) is satisfied, the Commission shall calculate such percentage both in terms of—

"(A) the number of military installations outside the United States recommended for closure or realignment as a percentage of the total number of military installations recommended for closure or realignment that year; and

"(B) the number of military personnel and civilian employees of the Department of Defense stationed or employed outside the United States directly affected by the recommendations as a percentage of the total number of military personnel and civilian employees of the Department of Defense directly affected by the recommendations.".

(c) CONFORMING AMENDMENTS.—(1) Subsection (b) of section 2901 of such Act is amended to read as follows:

"(b) Purpose.—The purpose of this part is to provide a fair process that will result in the timely closure and realignment of military installations inside and outside the United States.".

(2) Section 2911 of such Act, as redesignated by subsection (a)(1), is amended—

(A) in paragraph (4), by inserting after the first sentence the following new sentence: "With respect to military operations carried out by the United States outside the United States, such term includes the sites and facilities at which such operations are carried out without regard to whether the sites and facilities are owned by the United States."; and

(B) by adding at the end the following new paragraph:

"(8) The terms 'closure' and 'realignment' include, with respect to military operations carried out by the United States outside the United States, the termination or reduction of such operations.".

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

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

Mr. WALKER. 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.

Pursuant to rule XV, the four votes, if ordered, will be 5-minute votes and Members will be requested to remain in the Chamber in order to avoid missing votes.

The vote was taken by electronic device, and there were—yeas 292, nays 138, not voting 3, as follows:

[Roll No. 468]

YEAS—292

Abercrombie	Brown (OH)	de la Garza
Ackerman	Bryant	Deal
Allard	Burton	DeFazio
Andrews (ME)	Byrne	DeLauro
Andrews (NJ)	Callahan	Dellums
Andrews (TX)	Calvert	Derrick
Applegate	Camp	Deutsch
Baesler	Canady	Dicks
Barca	Cantwell	Dingell
Barcia	Cardin	Dixon
Barlow	Carr	Dooley
Barrett (WI)	Chapman	Dreier
Becerra	Clay	Duncan
Beilenson	Clayton	Durbin
Bentley	Clement	Edwards (CA)
Bevill	Clinger	Engel
Bilbray	Clyburn	English (AZ)
Bilirakis	Coleman	English (OK)
Bishop	Collins (IL)	Eshoo
Blackwell	Collins (MI)	Evans
Boehlert	Condit	Farr
Bonior	Conyers	Fazio
Borski	Cooper	Fields (LA)
Boucher	Costello	Filner
Brewster	Coyne	Fingerhut
Brooks	Cramer	Flake
Browder	Crane	Foglietta
Brown (CA)	Danner	Ford (MI)
Brown (FL)	Darden	Ford (TN)

Frank (MA)
Franks (NJ)
Frost
Furse
Gejdenson
Gephardt
Gillmor
Glickman
Gonzalez
Gordon
Grandy
Green
Greenwood
Gunderson
Gutierrez
Hall (OH)
Hall (TX)
Hamburg
Hansen
Harman
Hastert
Hastings
Hayes
Hefley
Hefner
Hilliard
Hinchey
Hoagland
Hobson
Hochbrueckner
Hoke
Holden
Horn
Hoyer
Hughes
Inslee
Istook
Jacobs
Jefferson
Johnson (CT)
Johnson (GA)
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kasich
Kennedy
Kennelly
Kildee
Kleczka
Klein
Klink
Klug
Kopetski
Kreidler
LaFalce
Lambert
Lantos
LaRocco
Lazio
Leach
Lehman
Levin
Lewis (CA)
Lewis (GA)
Lightfoot
Lipinski
Long
Lowey
Maloney
Manton
Margolies-Mezvinsky
Markey
Martinez
Matsui
Mazzoli
McCloskey
McDermott
McHugh
McInnis
McKinney
McNulty
Meehan
Meek
Meyers
Mfume
Miller (CA)
Miller (FL)
Mineta
Minge
Mink
Moakley
Montgomery
Moran
Morella
Murphy
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
Pickle
Pomeroy
Portman
Poshard
Price (NC)
Quillen
Quinn
Rahall
Rangel
Ravenel
Reed
Regula
Reynolds
Richardson
Ridge
Roberts
Roemer
Rogers
Rose
Rostenkowski
Roth
Roukema
Rowland
Roybal-Allard
Royce
Rush
Sabo
Sanders
Sangmeister
Sarpalius
Sawyer
Schaefer
Schenk
Schroeder
Schumer
Scott
Sensenbrenner
Serrano
Sharp
Shepherd
Skaggs
Skelton
Slattery
Slaughter
Snowe
Spratt
Stark
Stenholm
Stokes
Strickland
Studds
Stupak
Sundquist
Swett
Swift
Synar
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thompson
Thornton
Thurman
Torres
Towns
Traficant
Tucker
Unsoeld
Upton
Valentine
Velazquez
Vento
Volkmer
Walsh
Washington
Waters
Watt
Waxman
Wheat
Williams
Wise
Wolf
Woolsey
Wyden
Yates
Zimmer

NAYS—138

Archer
Armey
Bacchus (FL)
Bachus (AL)
Baker (CA)
Baker (LA)
Ballenger
Barrett (NE)
Bartlett
Barton
Bateman
Bereuter
Berman
Bliley
Blute
Boehner
Bonilla
Bunning
Buyer
Castle
Coble
Collins (GA)
Combest
Coppersmith
Cox
Crapo
Cunningham
DeLay
Diaz-Balart
Dickey
Doolittle
Dornan
Dunn
Edwards (TX)
Emerson
Everett
Ewing
Fawell
Fields (TX)
Fish
Fowler
Franks (CT)
Gallegly
Gallo
Gekas
Geren
Gibbons
Gilchrest
Gilman
Gingrich
Goodlatte
Goodling
Goss
Grams
Hamilton
Hancock
Herger
Hoekstra
Houghton
Huffington
Hunter
Hutchinson
Hutto
Hyde
Inglis
Inhofe
Johnson, Sam
Kim
King
Kingston
Knollenberg
Kolbe
Kyl
Lancaster
Laughlin
Levy
Lewis (FL)
Linder
Livingston
Lloyd
Machtley
Mann
Manzullo
McCandless
McCollum
McCrery
McCurdy
McHale
McKeon
McMillan
Menendez
Mica
Michel
Molinari
Mollohan
Moorhead
Murtha
Nussle
Oxley
Packard
Paxon
Pickett
Pombo
Porter
Pryce (OH)
Ramstad
Rohrabacher
Ros-Lehtinen
Santorum
Saxton
Schiff
Shaw
Shays
Shuster
Sisisky
Skeen
Smith (IA)
Smith (NJ)
Smith (OR)
Smith (TX)
Solomon
Spence
Stearns
Stump
Talent
Thomas (CA)
Thomas (WY)
Torkildsen
Torricelli
Visclosky
Vucanovich
Walker
Weldon
Wilson
Wynn
Young (AK)
Young (FL)
Zeliff

NOT VOTING—3

McDade
Smith (MI)
Whitten

□ 1616

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. MCNULTY). Before the Chair announces the results of this vote, he would like to make an announcement:

Due to a momentary power outage the computers were down for approximately 1 minute during the course of this vote. One or more Members may think they have voted when they actually have not. So, the Chair is going to wait for another minute to allow Members to look at the board and verify whether or not they have actually been recorded.

Mr. PAXON and Mr. WILSON changed their vote from "yea" to "nay."

Messrs. HASTERT, HANSEN, and BURTON of Indiana changed their vote from "nay" to "yea."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The Clerk will report the next amendment on which a separate vote has been demanded.

The Clerk read as follows:

Amendment: At the end of title X (page 346, after line 23), insert the following new sections:

SEC. 1043. SHARING DEFENSE BURDENS AND RESPONSIBILITIES.

(a) FINDINGS.—Congress makes the following findings:

(1) Since fiscal year 1985, the budget of the Department of Defense has declined by 34 percent in real terms.

(2) During the past few years, the United States military presence overseas has declined significantly in the following ways:

(A) Since fiscal year 1986, the number of United States military personnel permanently stationed overseas has declined by almost 200,000 personnel.

(B) From fiscal year 1989 to fiscal year 1994, spending by the United States to support the stationing of United States military forces overseas will have declined by 36 percent.

(C) Since January 1990, the Department of Defense has announced the closure, reduction, or transfer to standby status of 840 United States military facilities overseas, which is approximately a 50 percent reduction in the number of such facilities.

(3) The United States military presence overseas will continue to decline as a result of actions by the executive branch and the following initiatives of the Congress:

(A) Section 1302 of the National Defense Authorization Act for Fiscal Year 1993, which required a 40 percent reduction by September 30, 1996, in the number of United States military personnel permanently stationed ashore in overseas locations.

(B) Section 1303 of the National Defense Authorization Act for Fiscal Year 1993, which specified that no more than 100,000 United States military personnel may be permanently stationed ashore in NATO member countries after September 30, 1996.

(C) Section 1301 of the National Defense Authorization Act for Fiscal Year 1993, which reduced the spending proposed by the Department of Defense for overseas basing activities during fiscal year 1993 by $500,000,000.

(D) Sections 913 and 915 of the National Defense Authorization Act for Fiscal Years 1990 and 1991, which directed the President to develop a plan to gradually reduce the United States military force structure in East Asia.

(4) The East Asia Strategy Initiative, which was developed in response to sections 913 and 915 of the National Defense Authorization Act for Fiscal Years 1990 and 1991, has resulted in the withdrawal of 12,000 United States military personnel from Japan and the Republic of Korea since fiscal year 1990.

(5) In response to actions by the executive branch and the Congress, allied countries in which United States military personnel are stationed and alliances in which the United States participates have agreed in the following ways to reduce the costs incurred by the United States in basing military forces overseas:

(A) Under the 1991 Special Measures Agreement between Japan and the united States, Japan will pay by 1995 almost all yen-denominated costs of stationing United States military personnel in Japan.

(B) The Republic of Korea has agreed to pay by 1995, one-third of the won-based costs incurred by the United States in stationing United States military personnel in the Republic of Korea.

(C) The North Atlantic Treaty Organization (NATO) has agreed that the NATO Infrastructure Program will adapt to support post-Cold War strategy and could pay the annual operation and maintenance costs of facilities in Europe and the United States that would support the reinforcement of Europe by United States military forces and the participation of United States military forces in peacekeeping and conflict prevention operations.

(D) Such allied countries and alliances have agreed to more fully share the responsibilities and burdens of providing for mutual security and stability through steps such as the following:

(i) The Republic of Korea has assumed the leadership role regardingground combat forces for the defense of the Republic of Korea.

(ii) NATO had adopted the new mission of conducting peacekeeping operations and is, for example, providing land, sea, and air forces for United Nations efforts in the former Yugoslavia.

(iii) The countries of western Europe are contributing substantially to the development of democracy, stability, and open market societies in eastern Europe and the former Soviet Union.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the forward presence of United States military personnel stationed overseas continues to be important to United States security interests;

(2) that forward presence facilitates efforts to pursue United States security interests on a collective basis rather than pursuing them on a far more costly unilateral basis or receding into isolationism;

(3) the bilateral and multilateral arrangements and alliances in which that forward presence plays a part must be further adapted to the security environment of the post-Cold War period;

(4) the cost-sharing percentages for the NATO Infrastructure Program should be reviewed with the aim of reflecting current economic, political, and military realities and thus reducing the United States cost-sharing percentage; and

(5) the amounts obligated to conduct United States overseas basing activities should decline significantly in fiscal year 1994 and in future fiscal years as—

(A) the number of United States military personnel stationed overseas continues to decline; and

(B) the countries in which United States military personnel are stationed and the alliances in which the United States participates assume an increased share of United States overseas basing costs.

(c) REDUCING UNITED STATES OVERSEAS BASING COSTS.—(1) In order to achieve additional savings in overseas basing costs, the President should—

(A) continue with the reductions in United States military presence overseas as required by sections 1302 and 1303 of the National Defense Authorization Act for Fiscal Year 1993; and

(B) intensify his efforts to negotiate a more favorable host-nation agreement with each foreign country to which this paragraph applies under paragraph (3)(A).

(2) For purposes of paragraph (1)(B), a more favorable host-nation agreement is an agreement under which such foreign country—

(A) assumes an increased share of the costs of United States military installations in that country, including the costs of—

(i) labor, utilities, and services;

(ii) military construction projects and real property maintenance;

(iii) leasing requirements associated with the United States military presence; and

(iv) actions necessary to meet local environmental standards;

(B) relieves the Armed Forces of the United States of all tax liability that, with respect to forces located in such country, is incurred by the Armed Forces under the laws of that country and the laws of the community where those forces are located; and

(C) ensures that goods and services furnished in that country to the Armed Forces of the United States are provided at minimum cost and without imposition of user fees.

(3)(A) Except as provided in subparagraph (B), paragraph (1)(B) applies with respect to—

(i) each country of the North Atlantic Treaty Organization (other than the United States); and

(ii) each other foreign country with which the United States has a bilateral or multilateral defense agreement that provides for the assignment of combat units of the Armed Forces of the United States to permanent duty in that country or the placement of combat equipment of the United States in that country.

(B) Paragraph (1) does not apply with respect to—

(i) a foreign country that receives assistance under section 23 of the Arms Export Control Act (22 U.S.C. 2673) (relating to the foreign military financing program) or under the provisions of chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346 et seq.); or

(ii) a foreign country that has agreed to assume, not later than September 30, 1996, at least 75 percent of the nonpersonnel costs of United States military installations in the country.

(d) OBLIGATIONAL LIMITATION.—(1) The total amount appropriated to the Department of Defense for Military Personnel, for Operation and Maintenance, and for military construction (including NATO Infrastructure) that is obligated to conduct overseas basing activities during fiscal year 1994 may not exceed $16,915,400,000 (such amount being the amount appropriated for such purposes for fiscal year 1993 reduced by $3,300,000,000).

(2) For purposes of this subsection, the term "overseas basing activities" means the activities of the Department of Defense for which funds are provided through appropriations for Military Personnel, for Operation and Maintenance (including appropriations for family housing operations), and for military construction (including family housing construction and NATO Infrastructure) for the payment of costs for Department of Defense overseas military units and the costs for all dependents who accompany Department of Defense personnel outside the United States.

(e) ALLOCATIONS OF SAVINGS.—Any amounts appropriated to the Department of Defense for fiscal year 1994 for the purposes covered by subsection (d)(1) that are not available to be used for those purposes by reason of the limitation in that subsection shall be allocated by the Secretary of Defense for operation and maintenance and for military construction activities of the Department of Defense at military installations and facilities located inside the United States.

SEC. 1044. BURDENSHARING CONTRIBUTIONS FROM DESIGNATED COUNTRIES AND REGIONAL ORGANIZATIONS.

(a) IN GENERAL.—Section 1045 of the National Defense Authorization Act for Fiscal Year 1992 and 1993 (Public Law 102-190; 105 Stat. 1465) is amended—

(1) in subsection (a)—

(A) by striking out "During fiscal years 1992 and 1993, the Secretary" and inserting in lieu thereof "The Secretary"; and

(B) by striking out "Japan, Kuwait, and the Republic of Korea" and inserting in lieu thereof "any country or regional organization designated for purposes of this section by the Secretary of Defense"; and

(2) in subsection (f)—

(A) by striking out "each quarter of fiscal years 1992 and 1993" and inserting in lieu thereof "each fiscal-year quarter";

(B) by striking out "congressional defense committees" and inserting in lieu thereof "Congress"; and

(C) by striking out "Japan, Kuwait, and the Republic of Korea" and inserting in lieu thereof "each country and regional organization from which contributions have been accepted by the Secretary under subsection (a)".

(b) CLERICAL AMENDMENT.—The heading of such section is amended to read as follows:

"SEC. 1045. BURDENSHARING CONTRIBUTIONS FROM DESIGNATED COUNTRIES AND REGIONAL ORGANIZATIONS.".

SEC. 1045. MODIFICATION OF CERTAIN REPORT REQUIREMENTS.

(a) BIENNIAL NATO REPORT.—Section 1002(d) of the Department of Defense Authorization Act, 1985 (Public Law 98-525; 22 U.S.C. 1928 note), is amended—

(1) by striking "(1) Not later than April 1, 1990, and biennially each year thereafter" and inserting in lieu thereof "Not later than April 1 of each even-numbered year";

(2) by redesignating subparagraphs (A) and (B) as paragraphs (1) and (2); and

(3) by striking out paragraph (2) (following the paragraph (2) designated by paragraph (2) of this subsection).

(b) REPORT ON ALLIED CONTRIBUTIONS.—Section 1046(e) of the National Defense Authorization Act for Fiscal Years 1992 and 1993 (Public Law 102-190; 105 Stat. 1467; 22 U.S.C. 1928 note) is amended—

(1) by striking out "and" at the end of paragraph (2);

(2) by striking out the period at the end of paragraph (3) and inserting in lieu thereof "; and"; and

(3) by adding at the end the following new paragraph:

"(4) specifying the incremental costs to the United States associated with the permanent stationing ashore of United States forces in foreign nations.".

(c) SENSE OF CONGRESS.—(1) The Congress finds that the Secretary of Defense did not submit to Congress in a timely manner the report on allied contributions to the common defense required under section 1003 of the National Defense Authorization Act, 1985 (Public Law 98-525; 98 Stat. 2577), to be submitted not later than April 1, 1993.

(2) It is the sense of Congress that the timely submission of such report to Congress each year is essential to the deliberation by Congress concerning the annual defense program.

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

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

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

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 427, nays 1, not voting 5, as follows:

[Roll No. 469]

YEAS—427

Abercrombie	Blackwell	Clinger
Ackerman	Bliley	Clyburn
Allard	Blute	Coble
Andrews (ME)	Boehlert	Coleman
Andrews (NJ)	Boehner	Collins (GA)
Andrews (TX)	Bonilla	Collins (IL)
Applegate	Bonior	Collins (MI)
Archer	Borski	Combest
Armey	Boucher	Condit
Bacchus (FL)	Brewster	Conyers
Bachus (AL)	Brooks	Cooper
Baesler	Browder	Coppersmith
Baker (CA)	Brown (CA)	Costello
Baker (LA)	Brown (FL)	Cox
Ballenger	Brown (OH)	Coyne
Barca	Bryant	Cramer
Barcia	Bunning	Crane
Barlow	Burton	Crapo
Barrett (NE)	Buyer	Cunningham
Barrett (WI)	Byrne	Danner
Bartlett	Callahan	Darden
Barton	Calvert	de la Garza
Bateman	Camp	Deal
Becerra	Canady	DeFazio
Beilenson	Cantwell	DeLauro
Bentley	Cardin	DeLay
Bereuter	Carr	Dellums
Berman	Castle	Derrick
Bevill	Chapman	Deutsch
Bilbray	Clay	Diaz-Balart
Bilirakis	Clayton	Dickey
Bishop	Clement	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 (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
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
Rose
Rostenkowski
Roth
Roukema
Rowland
Roybal-Allard
Royce
Rush
Sabo
Sanders
Sangmeister
Santorum
Sarpalius
Sawyer
Saxton
Schaefer
Schenk
Schiff
Schroeder
Schumer
Scott
Sensenbrenner
Serrano
Sharp
Shaw
Shays
Shepherd
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slattery
Slaughter
Smith (IA)
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solomon
Spence
Spratt
Stark
Stearns
Stenholm
Stokes
Strickland
Studds
Stupak
Sundquist
Swett
Swift
Synar
Talent
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas (CA)
Thomas (WY)
Thompson
Thornton
Thurman
Torkildsen
Torres
Torricelli
Towns
Traficant
Tucker
Upton
Valentine
Velázquez
Vento
Visclosky
Volkmer
Vucanovich
Walker
Walsh
Washington
Waters
Watt
Waxman
Weldon
Wheat
Whitten
Wilson
Wise
Wolf
Woolsey
Wyden
Wynn
Yates
Young (AK)
Young (FL)
Zeliff
Zimmer

NAYS—1

Stump

NOT VOTING—5

Ford (MI)
McDade
Smith (MI)
Unsoeld
Williams

□ 1626

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. MCNULTY). The Clerk will report the next amendment on which a separate vote was demanded.

The Clerk read as follows:

Amendment: At the end of title XIII (page 447, after line 6), insert the following section:

SEC. 1360. RESTRICTION ON USE OF DEFENSE CONVERSION FUNDS FOR THE SALE OR TRANSFER OF DEFENSE ARTICLES OR DEFENSE SERVICES.

(a) RESTRICTION.—Except as provided in subsection (b), none of the funds appropriated pursuant to an authorization of appropriations in this Act and made available for defense conversion programs may be used to finance (whether directly or through the use of loan guarantees) the sale or transfer to foreign countries of foreign entities of any defense article or defense service, including defense articles and defense services subject to section 38 of the Arms Export Control Act (22 U.S.C. 2778).

(b) CIVILIAN END-USE.—The Secretary of Defense may grant exemptions from the restriction of subsection (a) with respect to sales or transfers of defense articles or defense services for civilian end-use.

(c) DEFINITIONS.—For purposes of this section:

(1) The term "defense article" has the meaning given that term in paragraph (3) of section 47 of the Arms Export Control Act (22 U.S.C. 2794).

(2) The term "defense service" has the meaning given that term in paragraph (4) of such section.

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

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

RECORDED VOTE

Mr. GINGRICH. 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 additional votes.

The vote was taken by electronic device, and there were—ayes 266, noes 162, not voting 5, as follows:

[Roll No. 470]

AYES—266

Abercrombie
Ackerman
Allard
Andrews (ME)
Andrews (NJ)
Applegate
Baesler
Ballenger
Barca
Barcia
Barlow
Barrett (NE)
Barrett (WI)
Becerra
Beilenson
Bentley
Bereuter
Berman
Bevill
Bilirakis
Bishop
Blackwell
Boehlert
Bonior
Borski
Brewster
Brooks
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Byrne
Cantwell
Cardin
Carr
Chapman
Clay
Clayton
Clement
Clyburn
Coleman
Collins (GA)
Collins (IL)
Collins (MI)
Condit
Conyers
Cooper
Coppersmith
Costello
Coyne
Crane
Danner
Deal
DeFazio
DeLauro
Dellums
Derrick
Deutsch
Dixon
Dooley
Duncan
Dunn
Durbin
Edwards (CA)
Engel
English (AZ)
English (OK)
Eshoo
Evans
Farr
Fawell
Fazio
Fields (LA)
Filner
Fingerhut
Fish
Flake
Foglietta
Ford (TN)
Frank (MA)
Franks (NJ)
Furse
Gallo
Gejdenson
Gephardt
Gibbons
Gilchrest
Gilman
Glickman
Gonzalez
Gordon
Grams
Grandy
Green
Greenwood
Gunderson
Gutierrez
Hall (OH)
Hamburg
Hamilton
Harman
Hastings
Hefner
Hilliard
Hinchey
Hoagland
Hochbrueckner
Hoekstra
Hoke
Holden
Horn
Hoyer
Huffington
Hughes
Inslee
Istook
Jacobs
Jefferson
Johnson (SD)
Johnston
Kanjorski
Kaptur
Kasich
Kennedy
Kennelly
Kildee
Kim
Kleczka
Klein
Klink
Klug
Knollenberg
Kopetski
Kreidler
LaFalce
Lambert
Lantos
LaRocco
Lazio
Leach
Lehman
Levin
Lewis (GA)
Lipinski
Lloyd
Long
Lowey
Maloney
Manton
Margolies-Mezvinsky
Markey
Martinez
Matsui
Mazzoli
McCloskey
McCurdy
McDermott
McHale
McKinney
McMillan
Meehan
Menendez
Mfume
Miller (CA)
Miller (FL)
Mineta
Minge
Mink
Moakley
Mollohan
Montgomery
Moran
Morella
Murphy
Nadler
Neal (MA)
Neal (NC)
Nussle
Oberstar
Obey
Olver
Orton
Owens
Pallone
Parker
Pastor
Paxon
Payne (NJ)
Pelosi
Penny
Peterson (MN)
Petri
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Rahall
Ramstad
Rangel
Ravenel
Reed
Regula
Reynolds
Richardson
Roemer
Rose
Rostenkowski
Roth
Roukema
Roybal-Allard
Royce
Rush
Sabo
Sanders
Sangmeister
Sawyer
Saxton
Schenk
Schiff
Schroeder
Schumer
Scott
Sensenbrenner
Serrano
Sharp
Shepherd
Skaggs
Slaughter
Smith (NJ)
Spratt
Stark
Stokes
Strickland
Studds
Swett
Swift
Synar
Tanner
Thompson
Thornton
Thurman
Torres
Towns
Traficant
Tucker
Upton
Valentine
Velazquez
Vento
Visclosky
Volkmer
Washington
Waters
Watt
Waxman
Wheat
Whitten
Wise
Wolf
Woolsey
Wyden
Wynn
Zimmer

NOES—162

Andrews (TX)	Gingrich	Ortiz
Archer	Goodlatte	Oxley
Armey	Goodling	Packard
Bacchus (FL)	Goss	Payne (VA)
Bachus (AL)	Hall (TX)	Peterson (FL)
Baker (CA)	Hancock	Pickett
Baker (LA)	Hansen	Pickle
Bartlett	Hastert	Pombo
Barton	Hayes	Quillen
Bateman	Hefley	Ridge
Bilbray	Herger	Roberts
Bliley	Hobson	Rogers
Blute	Houghton	Rohrabacher
Boehner	Hunter	Ros-Lehtinen
Bonilla	Hutchinson	Rowland
Boucher	Hutto	Santorum
Browder	Hyde	Sarpalius
Bunning	Inglis	Schaefer
Burton	Inhofe	Shaw
Buyer	Johnson (CT)	Shays
Callahan	Johnson (GA)	Shuster
Calvert	Johnson, E.B.	Sisisky
Camp	Johnson, Sam	Skeen
Canady	King	Skelton
Castle	Kingston	Slattery
Clinger	Kolbe	Smith (IA)
Coble	Kyl	Smith (OR)
Combest	Lancaster	Smith (TX)
Cox	Laughlin	Snowe
Cramer	Levy	Solomon
Crapo	Lewis (CA)	Spence
Cunningham	Lewis (FL)	Stearns
Darden	Lightfoot	Stenholm
de la Garza	Linder	Stump
DeLay	Livingston	Stupak
Diaz-Balart	Machtley	Sundquist
Dickey	Mann	Talent
Dicks	Manzullo	Tauzin
Dingell	McCandless	Taylor (MS)
Doolittle	McCollum	Taylor (NC)
Dornan	McCrery	Tejeda
Dreier	McHugh	Thomas (CA)
Edwards (TX)	McInnis	Thomas (WY)
Emerson	McKeon	Torkildsen
Everett	McNulty	Torricelli
Ewing	Meek	Vucanovich
Fields (TX)	Meyers	Walker
Fowler	Mica	Walsh
Franks (CT)	Michel	Weldon
Frost	Molinari	Wilson
Gallegly	Moorhead	Yates
Gekas	Murtha	Young (AK)
Geren	Myers	Young (FL)
Gillmor	Natcher	Zeliff

NOT VOTING—5

Ford (MI)	Smith (MI)	Williams
McDade	Unsoeld	

□ 1636

Mr. MURTHA changed his vote from "aye" to "no."

Mr. ISTOOK changed his vote from "no" to "aye."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

□ 1640

The SPEAKER pro tempore (Mr. McNULTY). The Clerk will report the next amendment on which a separate vote has been demanded.

The Clerk read as follows:

Amendment: Strike out section 575 (page 198, line 7, through page 206, line 11) and insert in lieu thereof the following:

SEC. 575. POLICY CONCERNING HOMOSEXUALITY IN THE ARMED FORCES.

(a) CODIFICATION.—(1) Chapter 37 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 654. Policy concerning homosexuality in the armed forces

"(a) FINDINGS.—Congress makes the following findings:

"(1) Section 8 of article I of the Constitution of the United States commits exclusively to the Congress the powers to raise and support armies, provide and maintain a Navy, and make rules for the government and regulation of the land and naval forces.

"(2) There is no constitutional right to serve in the armed forces.

"(3) Pursuant to the powers conferred by section 8 of article I of the Constitution of the United States, it lies within the discretion of the Congress to establish qualifications for and conditions of service in the armed forces.

"(4) The primary purpose of the armed forces is to prepare for and to prevail in combat should the need arise.

"(5) The conduct of military operations requires members of the armed forces to make extraordinary sacrifices, including the ultimate sacrifice, in order to provide for the common defense.

"(6) Success in combat requires military units that are characterized by high morale, good order and discipline, and unit cohesion.

"(7) One of the most critical elements in combat capability is unit cohesion, that is, the bonds of trust among individual service members that make the combat effectiveness of a military unit greater than the sum of the combat effectiveness of the individual unit members.

"(8) Military life is fundamentally different from civilian life in that—

"(A) the extraordinary responsibilities of the armed forces, the unique conditions of military service, and the critical role of unit cohesion, require that the military community, while subject to civilian control, exist as a specialized society; and

"(B) the military society is characterized by its own laws, rules, customs, and traditions, including numerous restrictions on personal behavior, that would not be acceptable in civilian society.

"(9) The standards of conduct for members of the armed forces regulate a member's life for 24 hours each day beginning at the moment the member enters military status and not ending until that person is discharged or otherwise separated from the armed forces.

"(10) Those standards of conduct, including the Uniform Code of Military Justice, apply to a member of the armed forces at all times that the member has a military status, whether the member is on base or off base, and whether the member is on duty or off duty.

"(11) The pervasive application of the standards of conduct is necessary because members of the armed forces must be ready at all times for worldwide deployment to a combat environment.

"(12) The worldwide deployment of United States military forces, the international responsibilities of the United States, and the potential for involvement of the armed forces in actual combat routinely make it necessary for members of the armed forces involuntarily to accept living conditions and working conditions that are often spartan, primitive, and characterized by forced intimacy with little or no privacy.

"(13) The prohibition against homosexual conduct is a longstanding element of military law that continues to be necessary in the unique circumstances of military service.

"(14) The armed forces must maintain personnel policies that exclude persons whose presence in the armed forces would create an unacceptable risk to the armed forces' high standards of morale, good order and discipline, and unit cohesion that are the essence of military capability.

"(15) The presence in the armed forces of persons who demonstrate a propensity or intent to engage in homosexual acts would create an unacceptable risk to the high standards of morale, good order and discipline, and unit cohesion that are the essence of military capability.

"(b) POLICY.—A member of the armed forces shall be separated from the armed forces under regulations prescribed by the Secretary of Defense if one or more of the following findings is made and approved in accordance with procedures set forth in such regulations:

"(1) That the member has engaged in, attempted to engage in, or solicited another to engage in a homosexual act or acts unless there are further findings, made and approved in accordance with procedures set forth in such regulations, that the member has demonstrated that—

"(A) such conduct is a departure from the member's usual and customary behavior;

"(B) such conduct, under all the circumstances, is unlikely to recur;

"(C) such conduct was not accomplished by use of force, coercion, or intimidation;

"(D) under the particular circumstances of the case, the member's continued presence in the armed forces is consistent with the interests of the armed forces in proper discipline, good order, and morale; and

"(E) the member does not have a propensity or intent to engage in homosexual acts.

"(2) That the member has stated that he or she is a homosexual or bisexual, or words to that effect, unless there is a further finding, made and approved in accordance with procedures set forth in the regulations, that the member has demonstrated that he or she is not a person who engages in, attempts to engage in, has a propensity to engage in, or intends to engage in homosexual acts.

"(3) That the member has married or attempted to marry a person known to be of the same biological sex.

"(c) ENTRY STANDARDS AND DOCUMENTS.—(1) The Secretary of Defense shall ensure that the standards for enlistment and appointment of members of the armed forces reflect the policies set forth in subsection (b).

"(2) The documents used to effectuate the enlistment or appointment of a person as a member of the armed forces shall set forth the provisions of subsection (b).

"(d) REQUIRED BRIEFINGS.—The briefings that members of the armed forces receive upon entry into the armed forces and periodically thereafter under section 937 of this title (article 137 of the Uniform Code of Military Justice) shall include a detailed explanation of the applicable laws and regulations governing sexual conduct by members of the armed forces, including the policies prescribed under subsection (b).

"(e) RULE OF CONSTRUCTION.—Nothing in subsection (b) shall be construed to require that a member of the armed forces be processed for separation from the armed forces when a determination is made in accordance with regulations prescribed by the Secretary of Defense that—

"(1) the member engaged in conduct or made statements for the purpose of avoiding or terminating military service; and

"(2) separation of the member would not be in the best interest of the armed forces.

"(f) DEFINITIONS.—In this section:

"(1) The term 'homosexual' means a person, regardless of sex, who engages in, attempts to engage in, has a propensity to engage in, or intends to engage in homosexual acts, and includes the terms 'gay' and 'lesbian'.

"(2) The term 'bisexual' means a person who engages in, attempts to engage in, has a

propensity to engage in, or intends to engage in homosexual and heterosexual acts.

"(3) The term 'homosexual act' means—

"(A) any bodily contact, actively undertaken or passively permitted, between members of the same sex for the purpose of satisfying sexual desires; and

"(B) any bodily contact which a reasonable person would understand to demonstrate a propensity or intent to engage in an act described in subparagraph (A).".

(2) The table of sections at the beginning of such chapter is amended by adding at the end the following:

"654. Policy concerning homosexuality in the armed forces.".

(b) REGULATIONS.—Not later than 90 days after the date of enactment of this Act, the Secretary of Defense shall revise Department of Defense regulations, and issue such new regulations as may be necessary, to implement section 654 of title 10, United States Code, as added by subsection (a).

(c) SAVINGS PROVISION.—Nothing in this section or section 654 of title 10, United States Code, as added by subsection (a) may be construed to invalidate any inquiry, investigation, administrative action or proceeding, court-martial, or judicial proceeding conducted before the effective date of regulations issued by the Secretary of Defense to implement such section 654.

(d) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the suspension of questioning concerning homosexuality as part of the processing of individuals for accession into the Armed Forces under the interim policy of January 29, 1993, should be continued, but the Secretary of Defense may reinstate that questioning with such questions or such revised questions as he considers appropriate if the Secretary determines that it is necessary to do so in order to effectuate the policy set forth in section 654 of title 10, United States Code, as added by subsection (a); and

(2) the Secretary of Defense should consider issuing guidance governing the circumstances under which members of the Armed Forces questioned about homosexuality for administrative purposes should be afforded warnings similar to the warnings under section 831(b) of title 10, United States Code (article 31(b) of the Uniform Code of Military Justice).

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

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

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, to be followed by additional votes.

The vote was taken by electronic device, and there were—ayes 295, noes 133, not voting 5, as follows:

[Roll No. 471]

AYES—295

Allard
Andrews (NJ)
Andrews (TX)
Applegate
Archer
Armey
Bachus (AL)
Baesler
Baker (CA)
Baker (LA)
Ballenger
Barca
Barcia
Barrett (NE)
Bartlett
Barton
Bateman
Bentley
Bereuter
Bevill
Bilbray
Bilirakis
Bishop
Bliley
Blute
Boehner
Bonilla
Bonior
Borski
Boucher
Brooks
Browder
Brown (FL)
Bunning
Burton
Buyer
Callahan
Calvert
Camp
Canady
Carr
Castle
Chapman
Clement
Clinger
Clyburn
Coble
Coleman
Collins (GA)
Combest
Condit
Cooper
Costello
Cox
Cramer
Crane
Crapo
Cunningham
Danner
Darden
de la Garza
Deal
DeLay
Derrick
Diaz-Balart
Dickey
Dicks
Dingell
Dooley
Doolittle
Dornan
Dreier
Duncan
Dunn
Durbin
Edwards (TX)
Emerson
English (OK)
Everett
Ewing
Fawell
Fields (TX)
Fingerhut
Fish
Ford (MI)
Fowler
Franks (CT)
Franks (NJ)
Frost
Gallegly
Gallo
Gekas
Gephardt
Geren
Gibbons
Gilchrest
Gillmor
Gingrich
Glickman
Goodlatte
Goodling
Gordon
Goss
Grams
Grandy
Green
Greenwood
Hall (OH)
Hall (TX)
Hamilton
Hancock
Hansen
Hastert
Hayes
Hefley
Hefner
Herger
Hoagland
Hobson
Hochbrueckner
Hoekstra
Hoke
Holden
Houghton
Hoyer
Hughes
Hunter
Hutchinson
Hutto
Hyde
Inglis
Inhofe
Inslee
Istook
Jacobs
Johnson (GA)
Johnson (SD)
Johnson, Sam
Kanjorski
Kaptur
Kasich
Kildee
Kim
King
Kingston
Kleczka
Klein
Klink
Klug
Knollenberg
Kopetski
Kyl
LaFalce
Lambert
Lancaster
LaRocco
Laughlin
Lazio
Lehman
Levin
Levy
Lewis (CA)
Lewis (FL)
Lightfoot
Linder
Lipinski
Livingston
Lloyd
Long
Lowey
Machtley
Mann
Manton
Manzullo
Martinez
Mazzoli
McCandless
McCollum
McCrery
McCurdy
McHale
McHugh
McInnis
McKeon
McMillan
McNulty
Menendez
Meyers
Mica
Michel
Miller (FL)
Minge
Molinari
Mollohan
Montgomery
Moorhead
Murphy
Murtha
Myers
Natcher
Neal (NC)
Nussle
Obey
Ortiz
Oxley
Packard
Parker
Paxon
Payne (VA)
Penny
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quillen
Quinn
Rahall
Ramstad
Ravenel
Regula
Richardson
Ridge
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Roth
Roukema
Rowland
Royce
Sangmeister
Santorum
Sarpalius
Sawyer
Saxton
Schaefer
Schiff
Sensenbrenner
Sharp
Shaw
Shuster
Sisisky
Skeen
Skelton
Slattery
Smith (NJ)
Smith (TX)
Snowe
Solomon
Spence
Spratt
Stearns
Stenholm
Strickland
Stump
Stupak
Sundquist
Swett
Talent
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas (CA)
Thomas (WY)
Thornton
Thurman
Torricelli
Traficant
Upton
Valentine
Volkmer
Vucanovich
Walker
Walsh
Weldon
Whitten
Wilson
Wise
Wolf
Wynn
Young (AK)
Young (FL)
Zeliff
Zimmer

NOES—133

Abercrombie
Ackerman
Andrews (ME)
Bacchus (FL)
Barlow
Barrett (WI)
Becerra
Beilenson
Berman
Blackwell
Boehlert
Brown (CA)
Brown (OH)
Bryant
Byrne
Cantwell
Cardin
Clay
Clayton
Collins (IL)
Collins (MI)
Conyers
Coppersmith
Coyne
DeFazio
DeLauro
Dellums
Deutsch
Dixon
Edwards (CA)
Engel
English (AZ)
Eshoo
Evans
Farr
Fazio
Fields (LA)
Filner
Flake
Foglietta
Ford (TN)
Frank (MA)
Furse
Gejdenson
Gilman
Gonzalez
Gunderson
Gutierrez
Hamburg
Harman
Hastings
Hilliard
Hinchey
Horn
Huffington
Jefferson
Johnson (CT)
Johnson, E. B.
Johnston
Kennedy
Kennelly
Kolbe
Kreidler
Lantos
Leach
Lewis (GA)
Maloney
Margolies-Mezvinsky
Markey
Matsui
McCloskey
McDermott
McKinney
Meehan
Meek
Mfume
Miller (CA)
Mineta
Mink
Moakley
Moran
Morella
Nadler
Neal (MA)
Oberstar
Olver
Owens
Pallone
Pastor
Payne (NJ)
Pelosi
Pickle
Rangel
Reed
Reynolds
Rostenkowski
Roybal-Allard
Rush
Sabo
Sanders
Schenk
Schroeder
Schumer
Scott
Serrano
Shays
Shepherd
Skaggs
Slaughter
Smith (IA)
Smith (OR)
Stark
Stokes
Studds
Swift
Synar
Thompson
Torkildsen
Torres
Towns
Tucker
Unsoeld
Velazquez
Vento
Visclosky
Waters
Watt
Waxman
Wheat
Williams
Woolsey
Wyden
Yates

NOT VOTING—5

Brewster
McDade
Orton
Smith (MI)
Washington

□ 1645

Messrs. HASTINGS, JEFFERSON, and MARKEY changed their vote from "aye" to "no."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. WASHINGTON. Mr. Speaker, during rollcall vote No. 471, the Skelton amendment, I was unavoidably detained. Had I been present I would have voted "no."

The SPEAKER pro tempore. The Clerk will report the last amendment on which a separate vote has been demanded.

The Clerk read as follows:

Amendment: At the end of title X (page 346, after line 23), insert the following new section:

SEC. 1043. INVOLVEMENT OF ARMED FORCES IN SOMALIA.

(a) SENSE OF CONGRESS REGARDING UNITED STATES POLICY TOWARDS SOMALIA.—

(1) Since United States Armed Forces made significant contributions under Operation Restore Hope towards the establishment of a secure environment for humanitarian relief operations and restoration of peace in the region to end the humanitarian disaster that had claimed more than 300,000 lives.

(2) Since the mission of United States forces in support of the United Nations appears to be evolving from the establishment of "a secure environment for humanitarian relief operations," as set out in United Nations Security Council Resolution 794 of December 3, 1992, to one of internal security and nation building.

(b) STATEMENT OF CONGRESSIONAL POLICY—

(1) CONSULTATION WITH THE CONGRESS.—The President should consult closely with the Congress regarding United States policy with respect to Somalia, including in particular the deployment of United States Armed Forces in that country, whether under United Nations or United States command.

(2) PLANNING.—The United States shall facilitate the assumption of the functions of United States forces by the United Nations.

(3) REPORTING REQUIREMENT.—

(A) The President shall ensure that the goals and objectives supporting deployment of United States forces to Somalia and a description of the mission, command arrangements, size, functions, location, and anticipated duration in Somalia of those forces are clearly articulated and provided in a detailed report to the Congress by October 15, 1993.

(B) Such report shall include the status of planning to transfer the function contained in paragraph (2).

(4) CONGRESSIONAL APPROVAL.—Upon reporting under the requirements of paragraph (3) Congress believes the President should by November 15, 1993, seek and receive congressional authorization in order for the deployment of United States forces to Somalia to continue.

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

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

RECORDED VOTE

Mr. LINDER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote, and will be followed by additional votes on this bill.

The vote was taken by electronic device, and there were—ayes 405, noes 23, not voting 5, as follows:

[Roll No. 472]

AYES—405

Abercrombie
Ackerman
Allard
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Applegate
Archer
Armey
Bacchus (FL)
Baesler
Baker (CA)
Baker (LA)
Ballenger
Barca
Barcia
Barlow
Barrett (NE)
Barrett (WI)
Bartlett
Bateman
Becerra
Beilenson
Bentley
Bereuter
Berman
Bevill
Bilbray
Billirakis
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
Coleman
Collins (IL)
Collins (MI)
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
Dreier
Duncan
Dunn
Durbin
Edwards (CA)
Edwards (TX)
Emerson
Engel
English (AZ)
English (OK)
Eshoo
Evans
Everett
Ewing
Farr
Fawell
Fazio
Fields (LA)
Filner
Fingerhut
Fish
Flake
Foglietta
Ford (MI)
Ford (TN)
Fowler
Frank (MA)
Franks (CT)
Franks (NJ)
Frost
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
Hansen
Harman
Hastert
Hastings
Hayes
Hefley
Hefner
Herger
Hilliard
Hinchey
Hoagland
Hobson
Hochbrueckner
Hoekstra
Hoke
Holden
Horn
Houghton
Hoyer
Huffington
Hughes
Hutchinson
Hutto
Hyde
Inglis
Inslee
Istook
Jacobs
Jefferson
Johnson (CT)
Johnson (GA)
Johnson (SD)
Johnson, E.B.
Johnson, Sam
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
McDermott
McHale
McHugh
McInnis
McKeon
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
Olver
Ortiz
Orton
Owens
Oxley
Packard
Pallone
Pastor
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
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Rostenkowski
Roth
Roukema
Rowland
Roybal-Allard
Royce
Rush
Sabo
Sanders
Sangmeister
Santorum
Sarpalius
Sawyer
Saxton
Schaefer
Schenk
Schiff
Schroeder
Schumer
Scott
Serrano
Sharp
Shaw
Shays
Shepherd
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slattery
Slaughter
Smith (IA)
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solomon
Spence
Spratt
Stark
Stearns
Stenholm
Stokes
Strickland
Studds
Stupak
Sundquist
Swett
Swift
Synar
Talent
Tanner
Tauzin
Taylor (NC)
Tejeda
Thomas (CA)
Thomas (WY)
Thompson
Thornton
Thurman
Torkildsen
Torres
Towns
Traficant
Tucker
Unsoeld
Upton
Valentine
Velazquez
Vento
Visclosky
Volkmer
Vucanovich
Walsh
Washington
Waters
Watt
Waxman
Wheat
Whitten
Williams
Wilson
Wise
Wolf
Woolsey
Wyden
Wynn
Yates
Young (AK)
Young (FL)
Zeliff
Zimmer

NOES—23

Bachus (AL)
Barton
Coble
Combest
Dornan
Fields (TX)
Geren
Hancock
Hunter
Inhofe
Johnston
McKinney
Obey
Parker
Paxon
Payne (NJ)
Ridge
Roberts
Sensenbrenner
Stump
Taylor (MS)
Walker
Weldon

NOT VOTING—5

Collins (GA)
Furse
McDade
Smith (MI)
Torricelli

□ 1657

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. MCNULTY). The question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

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

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

PERSONAL EXPLANATION

Mr. COLLINS of Georgia. Mr. Speaker, on September 28, the gentleman from Missouri [Mr. GEPHARDT] offered an amendment which I strongly supported. I ask unanimous consent that the following remarks be placed in the RECORD immediately following rollcall vote No. 472 on the Gephardt amendment:

Mr. Speaker, I strongly support the amendment offered by the gentleman from Missouri, and have a frustrating disagreement regarding the electronic recording of my vote. Therefore to make my position perfectly clear, I would have voted, and, indeed, believe I did vote, in favor of the Gephardt amendment.

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

There was no objection.

MOTION TO RECOMMIT OFFERED BY MR. SPENCE

Mr. SPENCE. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. SPENCE. I am in its present form, Mr. Speaker.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. SPENCE moves to recommit the bill H.R. 2401 to the Committee on Armed Services with instructions to report the same back to the House forthwith with the following amendment:

Strike out section 1041 (page 344, line 9, through page 346, line 13) and insert in lieu thereof the following:

SEC. 1041. LIMITATION ON PLACING UNITED STATES FORCES UNDER OPERATIONAL CONTROL OF A FOREIGN NATIONAL ACTING ON BEHALF OF THE UNITED NATIONS.

(a) LIMITATION.—Except as provided in subsection (b), funds appropriated or otherwise made available for the Department of Defense may not be obligated or expended for activities of any element of the Armed Forces that after the date of the enactment of this Act is placed under the operational control of a foreign national acting on behalf of the United Nations.

(b) CERTIFICATION.—Subsection (a) shall not apply in the case of any proposed placement of United States Armed Forces under such operational control if the President, not less than 30 days before the date on which such operational control is to become effective, certifies to Congress that such operational control is necessary to protect vital national security interests of the United States.

(c) REPORT TO ACCOMPANY CERTIFICATION.—In the case of any certification under subsection (b), the President shall submit with the certification a report setting forth the following:

(1) A description of the vital national security interest that requires the placement of United States forces under the operational control of a foreign national acting on behalf of the United Nations.

(2) The mission of the United States forces involved.

(3) The expected size and composition of the United States forces involved.

(4) The incremental cost to the United States associated with the proposed operation.

(5) The precise command and control relationship between the United States forces involved and the international organization.

(6) The precise command and control relationship between the United States forces involved and the commander of the United States unified command for the region in which the operation is proposed.

(7) The extent to which the United States forces involved will rely on non-United States forces for security and self-defense and an assessment on the ability of those non-United States forces to provide adequate security to the United States forces involved.

(8) The conditions under which the United States forces involved can and would be withdrawn.

(9) The timetable for complete withdrawal of the United States forces involved.

(d) CLASSIFICATION OF REPORT.—A report under subsection (c) shall be submitted in unclassified form and, if necessary, in classified form.

(e) EXCEPTION FOR SMALL FORCES.—This section does not apply in the case of elements of the Armed Forces involving fewer than 100 members of the Armed Forces in any one country.

(f) EXCEPTION FOR ONGOING OPERATIONS.—(1) This section does not apply in the case of activities of the Armed Forces in Somalia pursuant to United Nations Security Council Resolution 814, adopted March 26, 1993 (or any Security Council resolution that is adopted as a successor to that resolution), as part of the United Nations operation designated as the United Nations Peacekeeping Operation in Somalia II (UNOSOM II).

(2) This section does not apply in the case of activities of the Armed Forces in Macedonia pursuant to United Nations Security Council Resolutions 795, adopted December 11, 1992, and 842, adopted June 18, 1993, as part of the United Nations force designated as the United Nations Protection Force (UNPROFOR).

(g) INTERPRETATION.—Nothing in this section may be construed as authority for the President to use United States Armed Forces in any operation.

Mr. SPENCE (during the reading). Mr. Speaker, I ask unanimous consent that the motion to recommit be considered as read and printed in the RECORD.

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

There was no objection.

Mr. SPENCE. Mr. Speaker, I offer this motion to address a serious policy issue that has surfaced over the past few months. This is not a partisan motion. It is not a motion in gest. It is a serious motion which deserves the attention of this body.

I am referring to the proposal by this administration to change long-standing U.S. military and foreign policy by allowing American military forces to be placed under the command of foreign officers on a regular basis.

The first step in this direction was taken in Somalia earlier this year when we placed several thousand U.S. troops under the command of a Turkish general acting on behalf of the United Nations.

The next step was taken in Macedonia, where another 300 Americans were placed under the command of a Danish general acting on behalf of the United Nations.

At the same time, the administration has been working on a Presidential Policy Directive or PDD intended to formalize this policy of subordinating U.S. forces to the control of foreign officials.

Mr. Speaker, the substance of this motion is straightforward.

It simply requires that before the President can place American people under the command of a foreign officer acting on behalf of the U.N., he must first certify to the Congress that taking such a step is necessary to protect vital U.S. national security interests.

It is not a prohibition—it is not an infringement on the President's ability to carry out his Commander-in-Chief responsibilities—and it does not affect our current operations in Somalia or Macedonia.

What it does is set a standard on any future deployment of U.S. forces requiring that our young men and women will not have their fate entrusted to foreign control of some foreign officer unless the President determines that it is in our national interest to do so.

□ 1700

It is just that simple, Mr. Speaker.

Mr. Speaker, I yield to the gentleman from New York [Mr. GILMAN].

Mr. GILMAN. I thank the gentleman for yielding.

Mr. Speaker, I rise to join my good friend, the ranking Republican member of the Committee on Armed Services, the gentleman from South Carolina [Mr. SPENCE], in urging adoption of the motion to recommit H.R. 2401 with instructions.

I want to stress to my colleagues that this motion will make a very simple and long-overdue change in the law. It will require that the President not place our U.S. forces under foreign command in U.N. operations unless he can certify that doing so is necessary to protect vital national security interests of the United States.

This motion is not intended to tie the hands of the President. Rather it is intended to ensure that any decision to place our U.S. forces under foreign command in U.N. operations be well-thought-out.

It will ensure that no American mother will ever be told that her son or daughter died in a foreign-commanded U.N. operation that was not vital to our national interests.

There is nothing unprecedented about this kind of requirement. The law already requires, for instance, that the President not initiate covert actions without first finding that they are important to the national security of the United States, and he is required to report all such findings to Congress in a timely fashion.

I say to my colleagues, if you think our U.S. forces should routinely be placed under foreign command in U.N. operations, you should oppose this motion.

But, if you agree with me that foreign command of our U.S. forces should be the exception rather than the rule, you should support this motion.

Accordingly, I urge a "yes" vote on this motion.

The SPEAKER pro tempore (Mr. MCNULTY). The gentleman from South Carolina [Mr. SPENCE] has 30 seconds remaining.

Mr. SPENCE. Mr. Speaker, I yield such time as he may consume to the gentleman from California [Mr. DOOLITTLE].

Mr. DOOLITTLE. Mr. Speaker, I strongly support the motion.

Mr. Speaker, the U.N. operation in Somalia is evidence that expanding U.N. command of U.S. forces, which the President is considering, would be a serious mistake.

The United States is the world's sole superpower, and it must act and lead as a superpower, without surrendering to the United Nations its sovereignty or the responsibilities of its own people.

President Clinton is our Nation's Commander in Chief. When U.S. troops are committed, the responsibility is his. It is a constitutional burden that all who sit in the Oval Office must bear. It cannot be transferred to the United Nations or any other foreign entity.

Multinational U.N. operations may sometimes be feasible and desirable. But the command of our forces should never, as a matter of standard policy, be relinquished to the United Nations and accountability for the conduct

of military operations must always rest with the President.

I urge my colleagues to support this motion to recommit.

Mr. SPENCE. Mr. Speaker, I yield such time as he may consume to the gentleman from California [Mr. DORNAN].

Mr. DORNAN. Mr. Speaker, I rise in support of the motion to recommit.

Mr. Speaker, any and all attempts by this administration to give the United Nations a "blank check" for the use of U.S. combat troops overseas must be stopped.

Are we sending U.S. troops into combat for U.S. national security interests and U.S. military objectives, or are we sending them into combat for U.N. interests and objectives?

Who will be accountable to the American people—the mothers and fathers, wives and husbands, sons and daughters—for sending and keeping these troops in a combat situation? Will it be Bill Clinton or will it be Boutros-Ghali?

How are we going to pay for expanded U.S. military operations under the United Nations while we continue to gut the defense budget? Can we really afford to be the policeman of the world?

If we have learned anything about the use of military force in the last quarter century, it is that once we decide to use force, we must act quickly and decisively with clear objectives. Putting U.S. forces under U.N. command would leave U.S. forces in open ended commitments without decisive action and without clear objectives. The cost would be much more than dollars, it could be American lives.

Mr. Speaker, I include a copy of my letter to Clinton and a very thoughtful editorial by Senator BYRD.

[From the New York Times, Aug. 19, 1993]

THE PERILS OF PEACEKEEPING

(By Robert C. Byrd)

WASHINGTON—The news that the Clinton Administration is considering an expanded role in United Nations peacekeeping operations is cause for concern. The plan would allow American soldiers to serve under foreign commanders on a regular basis. Before adopting any directive embracing this policy, the Administration should allow Congress to debate it thoroughly.

If the plan is carried out, we would face more than the dubious prospect of sending U.S. troops into battle under foreign command. We might also become militarily involved in operations that the American people don't properly understand or support.

Unless there is a national consensus in favor of U.S. involvement, any such military endeavors could be disastrous.

U.N. intervention in Somalia is a case in point. The operation was initially commendable. It's goal was to see that humanitarian aid was delivered to needy Somalis, and U.S. troops performed admirably. But now, with the humanitarian mission successfully completed, the U.N. is trying to rebuild the nation's political structure. This risky experiment could include thousands of U.S. troops.

The deaths of four American soldiers in Mogadishu this month and the overt hostility of Somalis toward U.N. troops show that the operation is quickly crumbling. It is not worth American lives lost and injuries sustained.

Congress has never approved, or even considered, U.S. participation in forcing a political reconciliation in Somalia. And there is certainly not a consensus among Americans that such an effort is worth any price in our soldiers' blood. Without a consensus, the likely result of such an operation could be a cut-and-run failure similar to the Beirut disaster of 1982 to 1984.

Lacking Congressional and popular support, U.S. combat forces in Somalia should be removed as soon as possible.

Dedication to U.N. Security Council resolutions and peacekeeping missions should not be used by any Administration to escape the hard job of consensus-building in Washington. Despite a Security Council resolution authorizing member nations to do battle against the marauding Iraqi Army in Kuwait in 1990, the Bush Administration sensibly sought Congressional approval before committing American forces.

The humanitarian mission in Somalia has now been totally eclipsed by a gang war in which the U.S. is taking sides under the U.N. umbrella. In October, the U.N.'s initial six-month mandate there expires. If the mission is extended, additional money will be required.

The U.S. is expected to pay about 30 percent of the U.N.'s peacekeeping bill. The U.N. intervention in Somalia and Bosnia is far more expensive than more traditional peacekeeping and humanitarian relief operations. Congress is already being asked to provide billions of dollars to support the mushrooming ambitions of the U.N. in peacekeeping operations around the world.

On Capitol Hill there is a growing reluctance to write such large checks. Congress has even been reluctant to pay our currently overdue peacekeeping bill. This shows that the Administration will have a tough sell in gaining support for more money. Where will these funds come from? We certainly should not cut spending on domestic needs to pay for foreign adventures.

Yet the White House has requested almost $1 billion for U.N. obligations in fiscal 1994. By setting aside this huge sum, the Administration could avoid having to come to Congress to get approval for every peacekeeping endeavor it wants to get involved in.

Congress's ability to support or deny financing is critical to insuring its voice in policy making. Until a clear consensus is reached regarding the U.S. role in all peacekeeping matters, Congress should not hand off its constitutional responsibility.

Mr. SPENCE. Mr. Speaker, I yield my remaining time to the gentleman from Illinois [Mr. HYDE].

Mr. HYDE. I thank the gentleman for yielding this time to me.

Mr. Speaker, I just want to say those whirring sounds you hear are American military dead turning over in their graves at the prospect of command of their forces being turned over to the United Nations, in whose Security Council now sits the Cape Verde Islands, for example. It seems to me the President has an obligation to certify that the particular operation in which our troops are to be under the command of the United Nations is in our national interest. That is not asking a lot; it does not deprive him of his power as commander-in-chief, but it safeguards the command and control of our troops.

Mr. DELLUMS. Mr. Speaker, I rise in opposition to the motion to recommit.

Mr. Speaker and Members of the House, let me say to all of you this may very well be the most important foreign policy/national security issue that you will debate in this decade, the question of command and control with respect to the use of troops.

I would submit to you, Mr. Speaker and Members of this House, that with all due respect to my colleagues, this motion to recommit is no way to embrace major policy. I take great pride in what I do as a Member who serves on the Committee on Armed Services, and I am sure that members of the Committee on Foreign Affairs feel the same sense of pride. We should discuss these matters in the normal course of events. We should have a significant discussion, we should have witnesses, we should have a debate, we should come to some determination about these matters, not in a motion to recommit.

We should not be propelled into action without careful considerations. I would say to my colleagues on this side of the aisle, if there is anyone in this body who has not been a puppet of any President irrespective of party, it is this person.

So I am prepared, with the help of my colleagues on this side of the aisle, in the House Armed Services Committee, and I am sure that I speak to a moral certainty as to my colleagues on the Committee on Foreign Affairs, that we should hold hearings and address this issue seriously and substantively within the framework of the process.

I would first urge my colleagues to withdraw this condition on the motion to recommit. This policy is too important for us to do it in this process. That is now not talking to the merits, simply speaking, to how we ought to do our business with dignity and, as I said, on the most important foreign policy/national security issue we will deal with in this decade.

I hope my colleagues will withdraw it. But in the event they do not, and notwithstanding that discussion, let me make a final few points:

First, with respect to the administration, I will say to my colleagues, the President and the Secretary of Defense oppose this motion to recommit. For those of you who wish to, there is a letter signed by the Secretary of Defense dated today for your perusal that lays out the administration's opposition to this motion to recommit and their reasons.

Let me give you a few of mine: First, this committee dealt with this issue, but without prejudicing the debate or the outcome with respect to whether or not to deploy forces under U.S. command in the U.N. action. The committee bill expands upon the Congress' precious right to authorize the use of troops. We do require at least 30 days' notice before the President undertakes such action.

Second, the administration has committed itself to maintaining national

command and control. You heard those statements from the President of the United States in his most recent statement to the United Nations.

Third, in the post-cold-war world, Mr. Speaker, we must move forward and understand the need to work in these coalition efforts. If we proclaim as national policy that we would not do so, it seems to me we send an extraordinarily negative message to the world at a time when we ought to be moving in coalition efforts to bring sanity and peace to the world.

Finally, during both World War I and World War II, the U.S. combat units did indeed serve under foreign commands. Since the founding of the United Nations. Mr. Speaker, our forces have served under foreign command in U.N. operations in Korea, in the Sinai, in West New Guinea, in Somalia and former Yugoslavia, and others. We have the capacity to make these judgments, and we should do so.

I urge my colleagues, in the event my colleagues on the other side of the aisle persist in offering this amendment, I ask you to reject it. Let us do our job. I guarantee you that the House Armed Services Committee and the Committee on Foreign Affairs will address these matters in due course. It is too important for us to do it frivolously at this moment on a motion to recommit, and I ask my colleagues to do so but I also ask my colleagues to withdraw this amendment. It does harm at a very important point.

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

RECORDED VOTE

Mr. SPENCE. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. The Chair wishes to announce that a recorded vote on final passage, if ordered, will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 192, noes 238, not voting 3, as follows:

[Roll No. 473]

AYES—192

Allard
Andrews (NJ)
Applegate
Archer
Armey
Bachus (AL)
Baker (CA)
Baker (LA)
Ballenger
Barcia
Barrett (NE)
Bartlett
Barton
Bentley
Bereuter
Bilirakis
Bliley
Blute
Boehlert
Boehner
Bonilla
Bunning
Burton
Buyer
Callahan
Calvert
Camp
Canady
Castle
Clinger
Coble
Collins (GA)
Combest
Condit
Cox
Crane
Crapo
Cunningham
DeLay
Diaz-Balart
Dickey
Doolittle
Dornan
Dreier
Duncan
Dunn
Emerson
Everett
Ewing
Fawell
Fields (TX)
Fingerhut
Fish
Fowler
Franks (CT)
Franks (NJ)
Gallegly
Gallo
Gekas
Gilchrest
Gillmor
Gilman
Gingrich
Goodlatte
Goodling
Goss
Grams
Grandy
Greenwood
Gunderson
Hall (TX)
Hancock
Hansen
Hastert
Hefley
Herger
Hobson
Hoekstra
Hoke
Horn
Houghton
Huffington
Hunter
Hutchinson
Hyde
Inglis
Inhofe
Istook
Jacobs
Johnson (CT)
Johnson, Sam
Kaptur
Kasich
Kildee
Kim
King
Kingston
Klug
Knollenberg
Kolbe
Kyl
Lazio
Levy
Lewis (CA)
Lewis (FL)
Lightfoot
Linder
Lipinski
Livingston
Machtley
Manzullo
Mazzoli
McCandless
McCollum
McCrery
McHugh
McInnis
McKeon
McMillan
McNulty
Meyers
Mica
Michel
Miller (FL)
Molinari
Moorhead
Morella
Myers
Neal (NC)
Nussle
Oxley
Packard
Parker
Paxon
Petri
Pombo
Porter
Portman
Poshard
Pryce (OH)
Quillen
Quinn
Ramstad
Ravenel
Regula
Ridge
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Royce
Santorum
Saxton
Schaefer
Schiff
Sensenbrenner
Shaw
Shays
Shuster
Skeen
Slattery
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solomon
Spence
Stearns
Stump
Sundquist
Talent
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Thomas (CA)
Thomas (WY)
Torkildsen
Traficant
Upton
Vucanovich
Walker
Walsh
Weldon
Wolf
Young (AK)
Young (FL)
Zeliff
Zimmer

NOES—238

Abercrombie
Ackerman
Andrews (ME)
Andrews (TX)
Bacchus (FL)
Baesler
Barca
Barlow
Barrett (WI)
Becerra
Beilenson
Berman
Bevill
Bilbray
Bishop
Blackwell
Bonior
Borski
Boucher
Brewster
Brooks
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Byrne
Cantwell
Cardin
Carr
Chapman
Clay
Clayton
Clement
Clyburn
Coleman
Collins (IL)
Collins (MI)
Conyers
Cooper
Coppersmith
Costello
Coyne
Cramer
Danner
Darden
de la Garza
Deal
DeFazio
DeLauro
Dellums
Derrick
Deutsch
Dicks
Dingell
Dixon
Dooley
Durbin
Edwards (CA)
Edwards (TX)
Engel
English (AZ)
English (OK)
Eshoo
Evans
Farr
Fazio
Fields (LA)
Filner
Flake
Foglietta
Ford (MI)
Ford (TN)
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Geren
Gibbons
Glickman
Gonzalez
Gordon
Green
Gutierrez
Hall (OH)
Hamburg
Hamilton
Harman
Hastings
Hayes
Hefner
Hilliard
Hinchey
Hoagland
Hochbrueckner
Holden
Hoyer
Hughes
Hutto
Inslee
Jefferson
Johnson (GA)
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kennedy
Kennelly
Kleczka
Klein
Klink
Kopetski
Kreidler
LaFalce
Lambert
Lancaster
Lantos
LaRocco
Laughlin
Leach
Lehman
Levin
Lewis (GA)
Lloyd
Long
Lowey
Maloney
Mann
Manton
Margolies-Mezvinsky
Markey
Martinez
Matsui
McCloskey
McCurdy
McDermott
McHale
McKinney
Meehan
Meek
Menendez
Mfume
Miller (CA)
Mineta
Minge
Mink
Moakley
Mollohan
Montgomery
Moran
Murphy
Murtha
Nadler
Natcher
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Pallone
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Penny
Peterson (FL)
Peterson (MN)
Pickett
Pickle
Pomeroy
Price (NC)
Rahall
Rangel
Reed
Reynolds
Richardson
Roemer
Rose
Rostenkowski
Rowland
Roybal-Allard
Rush
Sabo
Sanders
Sangmeister
Sarpalius
Sawyer
Schenk
Schroeder
Schumer
Scott
Serrano
Sharp
Shepherd
Sisisky
Skaggs
Skelton
Slaughter
Smith (IA)
Spratt
Stark
Stenholm
Stokes
Strickland
Studds
Stupak
Swett
Swift
Synar
Tejeda
Thompson
Thornton
Thurman
Torres
Towns
Tucker
Unsoeld
Valentine
Velazquez
Vento
Visclosky
Volkmer
Washington
Waters
Watt
Waxman
Wheat
Whitten
Williams
Wilson
Wise
Woolsey
Wyden
Wynn
Yates

NOT VOTING—3

Bateman
McDade
Torricelli

□ 1725

So the motion to recommit was rejected. The result of the vote was announced as above recorded.

Mrs. COLLINS of Illinois. Mr. Speaker, even though the chairman of the Armed Services Committee did a fine job of shepherding through the legislative process this massive Defense authorization bill, I find myself ambivalent about it. On the one hand it contains many good programs for converting some of our defense economy into useful nondefense purposes; on the other, it still contains money which is sorely needed to ease the critical needs of our society which is struggling under the weight of homelessness, poverty, a less than vigorous national economy, a poorly educated citizenry, and many other ills being funded for star wars, ballistic missile systems, and stealth bombers.

The question then is: Are our priorities properly placed? I think not. Sure we Americans must have a strong national defense, but we must also have safe neighborhoods, and a well educated populous who enjoy a quality of life at the very least commensurate with those of their parents.

Now this is not some idyllic dream I am spinning. It is a brief recitation of what has up to now been historically the case with each new generation of Americans.

While I feel certain those who voted against amendments to delete star wars, et cetera from this bill surely believe they were furthering our Nations's quest for peace and/or self-defense, it is my opinion that we as a Nation are missing the mark in our insistence on seeing threats where they do not exist and failing to address the threats that stare us in the face. We do have an ongoing crisis within our shores. As I watch the war that goes on every night in some parts of my district of Chicago and in urban, suburban, and rural communities

across America I wonder if we in this Congress are paying attention. The young men in some of our communities and neighborhoods have a greater chance of being killed in gunfire than soldiers engaged in formal warfare. Yes, today we face threats of ignorance, violence, and poor education systems within the borders of our country that pose just as much of a danger as any foreign power and we must address hem.

To reiterate, Mr. Speaker, the chairman of the Armed Services Committee has done a significant job on this bill but even though its dollar amounts have been reduced, its total cost is too high. Until we pay attention to the tragic conditions that beset our domestic tranquility, quality of life and overall well-being, I will continue to find it difficult to support more funding for the Department of Defense.

Mr. KOLBE. Mr. Speaker, the Defense authorization bill for fiscal year 1994, H.R. 2401, reminds me of the fairy tale of the emperor with no clothes on. I only wish this legislation was a fairy tale.

The massive cuts to our military, reflected both in this bill and in the Clinton administration's "Bottom-up Review," will leave our proud fighting forces naked, without adequate resources or manpower. I oppose this legislation because of the size and timing of the cuts to the military—cuts leading to hollow forces reminiscent of the Carter administration. And while proponents of these draconian cuts applaud and cheer as this Defense budget is paraded through the House, this Member wishes to point out that, indeed, it has no clothes on.

President Clinton intends to cut a minimum of $127 billion out of the Defense budget over 5 years. While proponents of these cuts argue that the tearing down of the Berlin Wall, the demise of the Warsaw Pact, and the dissolution of the former Soviet Union permits us to make dramatic cuts in the United States Defense budget, the irony is, the world is less safe today than at the height of the cold war. The former Soviet Union still has a huge arsenal and the risk of an accidental or unauthorized launch has increased. Certainly, the recent turmoil in Russia should remind us of this threat. Long range missile technology is proliferating, and within 10 years, the United States will face a number of countries armed with long range nuclear missiles. For example, China is buying ICBM's from Russia and selling arms to Iran, and nuclear proliferation is also rearing its head in North Korea.

The Clinton administration's foreign policy decisions can not be reconciled with their proposed cuts to our military. For the first time, significant numbers of U.S. military men and women are under the command of the United Nations in peacekeeping operations—with the U.S. taxpayer footing much of the bill. Troops are also serving in Somalia and Macedonia and many more may go to missions in Bosnia, Haiti and the Golan Heights. The limitless task of global peacemaking and peacekeeping consumes more and more of a declining U.S. Defense budget.

This Defense bill includes $16 billion in authorization for environmental expenditures and economic conversion—draining further funds from Defense needs into nonmilitary programs. So in reality, this bill cuts even deeper and puts a greater strain on military resources than is apparent from the raw numbers.

Despite the substantial military build-down since 1986, U.S. military forces have performed spectacularly while serving around the world in a growing variety of missions. In recent years, our troops have been deployed to Libya, Bolivia, the Philippines, Panama, and most notably to the Persian Gulf to participate in Operation Desert Shield/Storm. Our troops have also participated in counternarcotics operations, peacekeeping and peacemaking operations, and humanitarian efforts. But if the cuts proposed in this legislation are enacted, Congress will be asking our men and women in uniform to perform these tasks in socks and a helmet.

I urge my colleagues to vote against H.R. 2401 so that the House Armed Services Committee can bring before the House a new bill that places national security issues above arbitrary budget cuts. Jeane Kirkpatrick, former U.S. Ambassador to the United Nations, said, "Clinton's budget cuts too deeply, too quickly to be prudent, and it has been given too little thought." Let's be sure to properly clothe our military.

Ms. WOOLSEY. Mr. Chairman, I rise today to express my opposition to H.R. 2401, the Defense authorization bill for fiscal year 1994. This bill does not make enough cuts in wasteful defense programs, and it codifies a shameful, discriminatory policy toward gays in the military. For these reasons, I am voting against the Defense bill.

The cold war is over. The recent signing of the Middle East peace accord shows us that peace is breaking out. But while Members of Congress keep saying that the cold war is over, they are failing to translate the message into sound peacetime spending policies.

In terms of current dollars, America has spent $231 billion on defense in 1975. This year's bill calls for $263 billion in defense spending. In 1993—a year when America has no superpower enemy—Congress is considering a bill which spends $32 billion more than the defense budget that was passed at the height of the cold war. Thanks to the hard work of Armed Services Committee Chairman RON DELLUMS, this bill does make cuts in some of the wasteful Reagan/Bush programs, but we are still far above the spending levels of the cold war. As the threat has gone down, spending has gone up.

During the August district work period, Members of Congress went home and heard their constituents tell them to make more spending cuts. However, when we came back in September to debate this bill, the House of Representatives failed to take the opportunity to cut spending in the most wasteful programs of all—weapons systems which are relics of the cold war and should no longer be a priority for the future of this Nation.

My colleagues had an opportunity to cut funding for star wars by 50 percent and they declined. They had an opportunity to require our allies to bear a greater share of the burden for our operation in Europe, and they declined. Finally, Members of this body had a chance to save the American taxpayers $10 billion over the next 5 years by voting for an amendment I offered with a few of my colleagues to terminate funding for the Trident D–5 nuclear missile, a relic from the cold war era. Again, they declined. This shows me that while Members of this body are constantly saying cut spending, they refuse to cut the most wasteful, and expensive, spending programs.

The people I speak with in Marin and Sonoma Counties are not interested in wasting another $10 billion on more nuclear missiles. They are interested in health care reform, education reform, and reducing the deficit; 37 million people are going without health care, programs like Head Start have not been fully funded, and our deficit continues to rise because we choose to spend money on unnecessary weapons instead of our children. I would hate to go back and tell the people of Marin and Sonoma that we failed to deal with these problems because we are spending $262 billion on defense. It is time to reorder our Nation's spending priorities.

Mr. Chairman, our Defense budget is not better than it was in 1975, and our policy on gays in the military is no better than the Dark Ages. On the policy of "don't ask/don't tell," I say, don't ask me to support it, don't tell me that it's fair. The proposal contained in this bill would not only gag gay and lesbian soldiers from admitting their sexual orientation to anyone, including family members; it would also prohibit conduct on and off the base. Moreover, it will continue to subject soldiers to unjust investigation and persecution. I find it outrageous that the Department of Defense has wasted hundreds of millions of taxpayer dollars to conduct witch hunts, which amount to nothing less than an internal war against the citizens of this country.

In November 1992, the American people elected 110 new Members of Congress because they wanted change. I can tell you, Mr. Speaker, that I do not see enough change in this bill. I am voting in opposition to the Defense authorization bill, and I urge my colleagues to do the same.

The SPEAKER pro tempore [Mr. MCNULTY]. The question is on the passage of the bill.

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

RECORDED VOTE

Mr. WALKER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Notwithstanding the Chair's prior announcement, this will be a 15-minute vote.

The vote was taken by electronic device, and there were—ayes 268, noes 162, not voting 3, as follows:

[Roll No. 474]

AYES—268

Abercrombie	Bevill	Bryant
Ackerman	Bilbray	Buyer
Andrews (ME)	Bishop	Byrne
Andrews (NJ)	Blackwell	Camp
Andrews (TX)	Blute	Cantwell
Bacchus (FL)	Bonilla	Cardin
Baesler	Bonior	Carr
Ballenger	Borski	Castle
Barca	Boucher	Chapman
Barcia	Brewster	Clay
Barlow	Brooks	Clayton
Bateman	Browder	Clement
Becerra	Brown (CA)	Clinger
Beilenson	Brown (FL)	Clyburn
Berman	Brown (OH)	Coleman

Collins (MI)
Condit
Cooper
Coppersmith
Costello
Coyne
Cramer
Danner
Darden
de la Garza
Deal
DeLauro
Dellums
Derrick
Deutsch
Dicks
Dingell
Dixon
Dooley
Durbin
Edwards (TX)
Engel
English (AZ)
English (OK)
Eshoo
Evans
Farr
Fazio
Fields (LA)
Filner
Fingerhut
Flake
Foglietta
Ford (MI)
Ford (TN)
Fowler
Frank (MA)
Frost
Gejdenson
Gephardt
Geren
Gibbons
Gilchrest
Glickman
Gonzalez
Gordon
Grandy
Green
Greenwood
Gutierrez
Hall (OH)
Hall (TX)
Hamilton
Harman
Hastings
Hayes
Hefner
Hilliard
Hinchey
Hoagland
Hochbrueckner
Holden
Horn
Hoyer
Hughes
Hutto
Inslee
Istook
Jacobs
Jefferson
Johnson (CT)
Johnson (GA)
Johnson (SD)
Johnson, E.B.
Kanjorski
Kaptur
Kasich
Kennedy
Kennelly
Kildee
Kingston
Kleczka
Klein
Klink
Kopetski
Kreidler
LaFalce
Lambert
Lancaster
Lantos
LaRocco
Laughlin
Lazio
Leach
Lehman
Levin
Lewis (CA)
Lewis (GA)
Lipinski
Lloyd
Long
Lowey
Machtley
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Manzullo
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McCloskey
McCurdy
McDermott
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McKinney
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Neal (MA)
Neal (NC)
Oberstar
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Pallone
Parker
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Payne (NJ)
Payne (VA)
Pelosi
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Peterson (FL)
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Taylor (MS)
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Unsoeld
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Visclosky
Volkmer
Vucanovich
Washington
Waters
Watt
Waxman
Weldon
Wheat
Whitten
Williams
Wilson
Wise
Wynn

NOES—162

Allard
Applegate
Archer
Armey
Bachus (AL)
Baker (CA)
Baker (LA)
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bentley
Bereuter
Billirakis
Bliley
Boehlert
Boehner
Bunning
Burton
Callahan
Calvert
Canady
Coble
Collins (GA)
Collins (IL)
Combest
Conyers
Cox
Crane
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Cunningham
DeFazio
DeLay
Diaz-Balart
Dickey
Doolittle
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Dunn
Edwards (CA)
Emerson
Everett
Ewing
Fawell
Fields (TX)
Fish
Franks (CT)
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Goodlatte
Goodling
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Hyde
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Inhofe
Johnson, Sam
Johnston
Kim
King
Klug
Knollenberg
Kolbe
Kyl
Levy
Lewis (FL)
Lightfoot
Linder
Livingston
Maloney
Margolies-Mezvinsky
McCandless
McCollum
McCrery
McHugh
McInnis
McKeon
Meyers
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Michel
Miller (CA)
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Moorhead
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Packard
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Rahall
Ramstad
Rangel
Regula
Ridge
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Royce
Rush
Sanders
Santorum
Schaefer
Schiff
Sensenbrenner
Shaw
Shays
Shuster
Skeen
Smith (MI)
Smith (OR)
Smith (TX)
Solomon
Spence
Stearns
Studds
Stump
Taylor (NC)
Thomas (CA)
Thomas (WY)
Upton
Vento
Walker
Walsh
Wolf
Woolsey
Wyden
Yates
Young (AK)
Young (FL)
Zeliff
Zimmer

NOT VOTING—3

McDade
Skaggs
Torricelli

□ 1742

Mr. ROHRABACHER and Mr. GILMAN changed their vote from "aye" to "no."

Mr. SERRANO changed his vote from "no" to "aye."

So the bill was passed.

The result of the vote was announced as above recorded.

The title of the bill was amended so as to read: "A bill to authorize appropriations for fiscal year 1994 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.".

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. DELLUMS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on that portion of the bill, H.R. 2401, considered today and the remainder of the bill as passed.

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

There was no objection.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 2401, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1994

Mr. DELLUMS. Mr. Speaker, I ask unanimous consent that, in the engrossment of the bill, H.R. 2401, the Clerk be authorized to correct section numbers, punctuation, and cross references, and to make such other technical and conforming changes as may be necessary to reflect the actions of the House in amending the bill, H.R. 2401.

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

There was no objection.

WAIVING CERTAIN POINTS OF ORDER DURING CONSIDERATION OF H.R. 3116, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, FISCAL YEAR 1994

Mr. FROST. Mr.Speaker, by direction of the Committee on Rules, I call up House Resolution 263 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 263

Resolved, That points of order against consideration of the bill (H.R. 3116) making appropriations for the Department of Defense for the fiscal year ending September 30, 1994, and for other purposes, for failure to comply with clause 7 of rule XXI are waived. During consideration of the bill, all points of order against provisions in the bill for failure to comply with clause 2 or 6 of rule XXI are waived except as follows: beginning with "*Provided*" on page 20, line 17, through "operations:" on page 21, line 21; beginning on page 27, line 23, through line 25; beginning on page 108, line 20, through page 109, line 5; and beginning on page 114, line 3, through page 115, line 10. where points of order are waived against only part of a paragraph, a point of order against matter in the balance of the paragraph may be applied only within the balance of the paragraph and not against the entire paragraph. Points of order under clause 2 of rule XXI against the amendment printed in the report of the Committee on Rules accompanying this resolution are waived.

The SPEAKER pro tempore. The gentleman from Texas [Mr. FROST] is recognized for 1 hour.

Mr. FROST. 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. All time yielded is for the purpose of debate only.

Mr. Speaker, House Resolution 263 expedites the consideration of H.R. 3116, the Department of Defense Appropriations Act for Fiscal Year 1994, by waiving certain points of order against its consideration and against provisions in the bill.

The rule waives clause 7 of rule XXI against the consideration of the bill.

Clause 7 of rule XXI requires that printed hearings and the bill's report be available for 3 days prior to the consideration of a general appropriation bill. The Committee on Rules has provided this waiver only because the transcripts of the hearings conducted by the Defense Subcommittee in preparation for the fiscal year 1994 bill have not been printed. The bill and report, however, have been, and are, currently available.

Mr. Speaker, with the exception of four provisions of the bill which are specified in the rule, House Resolution 263 also waives clause 2 and clause 6 of rule XXI against the provisions in H.R. 3116. Clause 2 of rule XXI prohibits the inclusion of unauthorized appropriations or legislative provisions in a general appropriations bill, and clause 6 of that rule prohibits reappropriations in a general appropriations bill.

As Members are aware, the House has just finished its consideration of the fiscal year 1994 Defense authorization, and consequently H.R. 3116 contains unauthorized provisions. The appropriations bill, however, largely tracks the authorization, and in those instances where there are major policy conflicts, the Committee on Rules has deferred to the authorizing committee.

Specifically, the Armed Services Committee objected to the inclusion of $1 billion in funds for a Carrier Replacement Program which was not included in the authorization. Consequently, the Committee on Rules did not provide a waiver of clause 2 of rule XXI against the specific provision in the bill which provides these funds. In addition, because the carrier provision is found at the beginning of a long paragraph entitled "Shipbuilding and Navy," and because this provision is the only one in that paragraph which was objected to by the authorizing committee, the rule provides a specific protection for the remainder of the paragraph.

The Committee on Rules has also declined to protect the provisos in the paragraph entitled "Global Cooperative Initiatives, Defense-Wide," which prohibit the use of funds for humanitarian or peacekeeping operations unless certain conditions have been met; section 8099, which prohibits the purchase by the Department of Defense of certain cement products; and section 8113, which waives certain requirements of the Arms Export Control Act and the Foreign Assistance Act. The inclusion of these provisions in H.R. 3116 was objected to by the authorizing committees with jurisdiction over these matters, and the Rules Committee, therefore, did not provide waivers of clause 2 or 6 of rule XXI.

Finally, Mr. Speaker, House Resolution 263 waives clause 2 of rule XXI points of order against an amendment printed in the report of the Committee on Rules which accompanies this resolution. This amendment, to be offered by the gentleman from California [Mr. WAXMAN] extends a deadline for DOD, the National Institutes of Health, and the Food and Drug Administration to certify that a large-scale clinical trial of a specific AIDS vaccine should not be performed.

Mr. Speaker, H.R. 3116 is the last of the 13 appropriations bills to be considered by the House for fiscal year 1994. It is a bill which has been carefully crafted by the Defense Subcommittee of the Committee on Appropriations and which reflects the policy decisions that have been recommended to the House by the Committee on Armed Services. House Resolution 263 provides for the orderly consideration of this appropriations bill and I urge its adoption in order that the House may complete its consideration of the funding for the Department of Defense prior to the end of the fiscal year. Mr. Speaker, if this bill is to be sent to the President prior to the expiration of the continuing resolution we passed earlier today, Congress must move quickly to finish its work on this most important legislation.

□ 1750

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 in the strongest possible opposition to this rule, and I urge every Member who is concerned about the defense of our country to join me in voting against it.

As the gentleman from Texas [Mr. FROST] has just told the House, this rule for the Defense appropriations bill is typical of those granted for appropriation bills in that most points of order are waived except for several specified sections. It is those sections that the rule does not protect which are of greatest concern to me, and to those who worry about what might be happening in the next several weeks in a place called Bosnia.

Frankly, I cannot support this bill on final passage if the two sections dealing with peacekeeping and the construction of a new aircraft carrier are knocked out by points of order. Those issues ought to be debated on the floor of this House, and they are not going to be.

Mr. Speaker, I opposed the Defense authorization bill on final passage because I believe that legislation does not provide for an adequate defense of our country. Is that going to ring home in the not-too-distant future.

I am convinced that the authorization bill does not meet the minimum security requirements for this country that were outlined by Secretary Aspin's bottom-up review of our national defense structure. Indeed, Secretary Aspin himself has said publicly that the projected defense spending over the 4-year span of the Clinton administration does not meet the minimum requirements identified by that bottom-up review. I would urge every Member of this House to go back and read it. It is important.

When listening to testimony last week in the Committee on Rules, I became convinced that the appropriators share these same concerns. Accordingly, they put two provisions into this defense appropriations bill which in my view are a significant start in correcting the deficiencies in the authorization bill.

First, the appropriators established some very realistic, very realistic and necessary requirements and conditions with respect to U.S. participation in international peacekeeping operations. People on the other side of the aisle ought to be listening to these conditions, because it is almost as if debate has been turned around here. The world is upside down, and I would say to the gentleman from California [Mr. DELLUMS] that he gave a great speech. It sounded like a speech that I ought to be giving on my side of the aisle.

The appropriators put in provisions that require 15-days notice to Congress whenever the administration is going to commit U.S. troops to a peacekeeping operation. The language in this bill before us requires congressional authorization for such participation by our troops, and even more importantly, the appropriators also established a ceiling. They established a ceiling on Defense Department funds that can be transferred into peacekeeping operations.

The distinguished chairman of the Subcommittee on Defense of the Committee on Appropriations, the gentleman from Pennsylvania [Mr. MURTHA], gave very compelling testimony before the Committee on Rules concerning these provisions. He expressed his serious concern that continued and indefinite and indiscriminate U.S. support for peacekeeping operations, which is about to happen, funded by pirating the readiness accounts in the defense budget, run the grave risk of hollowing out our active duty forces.

The gentleman from Pennsylvania [Mr. MURTHA] warned in the strongest possible terms against a return to the hollow forces of the late 1970's. My God, every one of us sitting here remembers that. When our troops were stationed in Germany and Korea, their families back home were on food stamps because we were improperly funding the defense needs of our country. We are on our way right back to that very situation.

During the present fiscal year alone, the United States has spent more than $1.3 billion in support of peacekeeping operations, at the expense of maintaining the readiness of our own regular forces. I am holding right here in my hand an itemized list. Do the Members

want to hear the names? Somalia, Iraq, Angola, Cambodia, El Salvador, the Western Sahara, the former Yugoslavia—that means Macedonia and Bosnia. We have already spent $1.3 billion in these peackeeping efforts in civil wars around the world.

Come and take a look at this list. It is going to be 10 times bigger than that in the next 3 months. Believe me, $1.3 billion hardly represents a downpayment compared to the bill that will come due if and when the administration commits 25,000 United States troops into Bosnia. Do the Members know how much that will cost per day? Millions and millions of dollars.

Mr. Speaker, our ongoing participation in Somalia has become, in my opinion, a monstrous folly. Getting involved in the swamp known as the Balkans is not only monstrous folly, it is insanity. Adolph Hitler put 42 divisions, 200,000 men, into the Balkans and they were picked off 1 and 2 and 10 at a time by snipers. What do we think is going to happen to American troops over there? The same thing is going to happen.

The social, ethnic, and religious conflicts in the former Yugoslavia, however tragic that situation may be, have defied resolution for centuries. We are not going to solve it with 25,000 troops or 50,000 troops or 200,000 troops. No outside force has ever gone in there and figured out a solution, not even with hundreds of thousands of troops at their disposal.

Mr. Speaker, I greatly fear that the administration is getting us for a debacle in Bosnia that will make the Somali operation look like a success story by comparison. That is why the provisions, the restraints that the appropriators inserted in this bill, are so terribly necessary. I can say only one thing to my friends on the Committee on Foreign Affairs, so many of whom I served with for so many years. If the Members knock out the peacekeeping provisions in this bill on a point of order, and they are coming to this floor tomorrow to do it, at the request of President Clinton, the Committee on Foreign Affairs had better be prepared to bring their own alternative to the floor in the very near future. The Members know that is not going to happen. That is why it is important that we maintain it in this bill today.

The debate we had yesterday concerning Somalia was thanks to the initiative of the ranking member of the Committee on Foreign Affairs, the gentleman from New York [Mr. GILMAN], sitting next to me, who insisted that the sense-of-Congress language be put in the Defense authorization bill. Fortunately, the House had sense enough to do that.

The Committee on Foreign Affairs as a whole, in my estimation, however, has been derelict in its duty by letting this whole issue go this far without having done anything.

□ 1800

I sincerely hope that the committee will come up with a legislative vehicle that will provide this House with an opportunity to have a comprehensive debate on the subject of peacekeeping. It is the most important issue facing this Nation today, because we are talking about lives. This debate absolutely must take place before a single United States soldier sets foot in Bosnia.

Now the second item, Mr. Speaker, that I am concerned about in this bill is the provision that provides for a $1 billion appropriation toward the construction of a new aircraft carrier. Why should we be concerned about that?

This provision is also subject to a point of order, according to the rule. It is my understanding, based on the testimony presented in the Rules Committee, that the appropriators included this provision as a way to anticipating the Clinton administration's expected request for such a carrier in the fiscal year 1995, next year out, defense budget.

I would note further that the bottom-up review, which I do not think 50 Members of this body have read, called for the construction of an additional carrier to replace one presently in service which is more than 40 years old. Ladies and gentlemen, we owe it to the men and women in service to give them the best.

By starting construction this year, and this is where all fiscal conservatives ought to pay attention, by starting construction this year the eventual cost of finishing the carrier would be reduced by $300 million. Members know we are drowning in a sea of red ink. We have a chance here tonight to save $300 million, and yes we are going to flush it down the drain. We are going to add $300 million to the cost of that carrier by putting off the funding until next year.

Again, the Rules Committee leaves this provision unprotected, a provision which has bipartisan support, wide support on both sides of the aisle.

Mr. Speaker, the provision on peacekeeping will save American lives by the thousands, if we are able to debate that on this floor. The provision for the new carrier will save taxpayers millions of dollars.

This rule does the irresponsible thing. The Rules Committee, by leaving these two provisions unprotected, will not give us important debate on the floor tomorrow because two Members of Congress will stand up and knock these provisions out on points of order.

That is why we ought to vote down this rule and come back here with a good rule and a real debate. We are not talking about pork-barrel projects. We are not talking about domestic projects. We are talking about the defense of this country and the lives of American men and women, the All-Volunteer Force that serves our country. Why can we not debate this on the floor? We owe it to our troops and we owe it to our constituents back home to vote down this rule. I urge defeat of it.

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

Mr. FROST. Mr. Speaker, for the purposes of debate only, I yield 6 minutes to the gentleman from California [Mr. DELLUMS], the chairman of the authorizing committee.

Mr. DELLUMS. Mr. Speaker, I thank the gentleman for yielding the time.

Mr. Speaker, I would like to have the attention of my distinguished colleague from New York, because I did listen to every word that my colleague uttered this evening. There are a number of remarks that the gentleman made that I would like to respond to, but time does not permit. Let me go to the salient issue.

First, Mr. Speaker, let me raise this rhetorical question: How many times, I would ask my colleagues, have we been asked to vote against rules that waive points of order? How many times? More times than I can count, Mr. Speaker.

It sets history on its head. It takes me aback. It is shocking to me to hear tonight on the floor of this body that the gentleman is asking us to oppose a rule that does not waive all points of order. We cannot walk both sides of the street simultaneously, unless your legs are pretty wide open, and when they are, Mr. Speaker, you stand pretty vulnerable.

The gentleman from New York is my good friend and I respect him. He says one person can rise to raise a point of order. I do not stand here in the capacity of one person. This is not an ego trip. This is no personal issue. I stand here as the chairperson of the authorizing committee charged with a responsibility. It sets history on its head, Mr. Speaker, when you argue to sanction violations of a process that the gentleman from New York and I have already marched into the well on numerous occasions to defend, that the integrity of the process must be maintained.

Let us come specifically to the carrier. Let me say something to my colleague. We asked for a point of order to be allowed against a $1 billion appropriation, against a $4.8 billion weapons system. Now that is not an accommodation. That is real money.

Mr. Speaker, the bill says appropriation based on authorization. First, to simply say that is a prima facie case that that is a weapons system that is not authorized.

Second, I would say to the gentleman from New York, this weapons system was not even requested in fiscal year 1994.

Now to the integrity of the process. "If authorized." The House authorization bill did not authorize it, it does not appear anywhere in the companion

report of the fiscal year 1994 authorization bill just passed by the House.

Mr. Speaker, further, in the other body, the companion bill of the DOD authorization for fiscal year 1994 also did not authorize this weapons system. Their report does not speak to it.

To the gentleman from New York I would ask this question that he might answer in his time: If the bill says appropriate upon authorization, and the House authorization bill did not authorize it, the Senate authorization bill did not authorize it, the only way that it can be authorized in fiscal year 1994 is both bodies to report back in a conference report $1 billion out of scope, where is the precedent for coming back to a body $1 billion out of scope? I would suggest that logic stands on this gentleman's side. If you can authorize the bill in fiscal year 1994, and you say you cannot appropriate until you authorize, and you cannot authorize until fiscal year 1995, then query: Why then encumber $1 billion in budget authority to appropriate in fiscal year 1994 saying that it is sitting there waiting so some businessman says well, if I can take this money from 1994, sit it there until we authorize, on October 1 we can rush to start signing contracts.

Mr. Speaker, we on the House Armed Services Committee take our jobs very seriously. I will say to the gentleman from New York if we have rules here, how can we argue to votedown a rule because it waives points of order? We ought to maintain the integrity of the authorizing process. But then when it comes to defense we say but, let us set that aside. Do you want a kangaroo court here, do you want rules that govern different subject matters in different ways? Then this would be a bizarre experience. There has to be some continuity. This would be a bizarre experience. So there has to be some way.

You can say yes in the authorizing process. You can say no in the appropriation process. But you cannot turn that around. You cannot say no authorization and yes in the appropriation. That is the rules that were set up before I came here, Mr. Speaker, so I am not here on some personal trip. That is insulting. I am not here on some ego trip, some turf war. That is insulting.

Either this body operates on discipline, it operates on principle, it operates on integrity, or it does not.

So this is not a personal fight here. This is not some one-man show.

Finally, I would say in order to get beyond that, Mr. Speaker, I met with the Democratic caucus of our committee and I said I serve at your pleasure, what do you wish to do. I am prepared as the chair of the committee to tell you what I think, but you act. If you want to blink, blink. If you do not want us to blink, then do not blink. They said do not blink. That is why I am here.

I ask Members to support this rule. Give us the opportunity to maintain the integrity of the process.

Mr. SOLOMON. Mr. Speaker, I yield myself such time as I might consume, briefly, to respond to one of the people whom I respect most in this House. I have always respected him over all of these years, the chairman of the Armed Services Committee, Mr. RON DELLUMS. He has grown in further respect by the membership of this entire House in the way he has conducted himself, believe me, and I have said that a number of times. I mean it sincerely, so in no way would I ever want to insult the gentleman, because he is extremely capable and sincere in everything that he does.

Mr. DELLUMS. I stand corrected and thank the gentleman.

Mr. SOLOMON. Having said that, let me just point out that the authorizers, when they came before the Rules Committee, asked for restrictive rules. The rules did limit what we could do in the way of amendments on the authorization bill.

□ 1810

Let me finish and I will yield to the gentleman.

Furthermore, we went on for some 7 weeks now, putting out four rules. That ties a record for the number of rules dealing with a single piece of legislation.

Let me say to the gentleman that I am not as concerned about the aircraft carrier as I am about the other issue. I am concerned about the aircraft carrier because it saves $300 million, and any time we can do that we ought to be doing it.

What I am really concerned about, I will say to the gentleman, is the other provision that is being left subject to a point of order, namely peacekeeping.

You know, if we put ourselves in a position—and I served in the U.S. Marine Corps and know what it is to be the military—if our troops are put in Bosnia, it is going to be very hard for this gentleman here to cut off funding for them and bring them home. I am going to owe it to them to support them.

Therefore, before that happens, I want the opportunity to be able to say to the President on behalf of the American people that we do not want those troops placed into a civil war situation in the Balkan countries.

Having said that, let me just read to you what we are arguing about. This is the language at issue in the bill. It prohibits the use of funds for humanitarian or peacekeeping operations unless—unless—the President notifies Congress at least 15 days before approving the operation. That gives us the opportunity for debate before the fact, and not after the fact.

We owe that to these young men and women.

No. 2, the President specifies the estimated costs, method of payment, duration, and scope of the operation, and States the United States interest and goals that will be served by the operation. That is reasonable to request.

No. 3, the funds for such operations are derived only from operations provided under the heading of global cooperative initiatives for humanitarian assistance.

That limits the amount the administration can spend on peacekeeping efforts to about $380 million, almost half a billion dollars, without coming back to this Congress and asking permission to continue.

This to me is reasonable language to include. And we could do it because it is for the defense of this country. It is not arguing over whether we are going to spend money on this domestic program or that one; it is for the defense of the country. We ought to have that debate.

Then, if Mr. LEE HAMILTON, the gentleman from Indiana, chairman of the Committee on Foreign Affairs, wants to come to this floor and offer an amendment to strike this language, we have the debate and an opportunity to vote "yes" or "no." But let's have the debate; don't short circuit the whole thing by a simple point of order.

I say to the gentleman from California [Mr. DELLUMS] the appropriators are right.

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

Mr. SOLOMON. I yield to the gentleman from California [Mr. DELLUMS].

Mr. DELLUMS. I thank the gentleman for yielding to me.

Mr. Speaker, a point of clarification: My point of order does not go to the gentleman's latter point, as he well knows.

Mr. SOLOMON. I know it does not.

Mr. DELLUMS. This gentleman's point goes only to the appropriation of the carrier that has not been requested, nor authorized.

Secondly, I know the gentleman was sitting there the day I walked into the Committee on Rules for the first time as chair of the Committee on Armed Services. I said to the gentlemen that you can fashion whatever rule you choose, and I did not walk in the door offering any restrictions. I said that I am prepared to live with whatever the Rules Committee fashioned in order for the deliberation of the debate.

So the gentleman is not speaking to this person.

I was prepared to live with the open rule or whatever rule.

So the rule that got laid down the Rules Committee laid down; this gentleman did not walk in and ask you for some limited rule.

Mr. SOLOMON. The gentleman is absolutely right, and I am not criticizing the gentleman. I am criticizing the rule. I am asking every Member to vote

"no" on the rule. I thank the gentleman for his comments.

Mr. Speaker, I yield such time as he may consume to the distinguished ranking member of the Committee on Foreign Affairs, the very distinguished gentleman from New York [Mr. GILMAN].

Mr. GILMAN. I thank the gentleman for yielding this time to me.

Mr. Speaker, I wish to associate myself with the remarks of the distinguished ranking Republican member of the Committee on Rules, the gentleman from New York [Mr. SOLOMON].

I share Mr. SOLOMON's concerns about the arbitrary manner in which the Rules Committee majority has exercised its power on this and other bills to prevent important issues from coming to the floor.

One significant item in this bill that this rule will keep from the floor is a provision concerning the so-called global cooperative initiative which is the new Defense Department program established by the administration to significantly step up our Nation's participation in U.N. peacekeeping operations.

I have previously raised serious concerns about this global cooperative initiative. The provision that this rule will keep from the floor would impose some very sensible restrictions on Defense Department support for and involvement in U.N. peacekeeping operations pursuant to the global cooperative initiative.

It is unfortunate that the Members of this House will once again be denied an opportunity to debate and vote on this very significant matter.

Accordingly, I urge my colleagues to oppose this rule.

Mr. FROST. Mr. Speaker, for purposes of debate only, I yield 5 minutes to the gentleman from Missouri [Mr. SKELTON].

Mr. SKELTON. I thank the gentleman for yielding this time to me.

Mr. Speaker, I rise on this issue probably looking at it a bit differently than others do. But first let me address myself to the gentleman from New York. I have deep concerns regarding the proposed peacekeeping thoughts and suggestions. I have communicated with the White House an entire set of conditions that they should consider before any peacekeeping is to be instituted in Bosnia. So I understand whence you come on that issue.

Our committee—and as the gentleman knows, I am a member of the Committee on Armed Services, the authorizing committee—our committee did not have anything to do with that issue on peacekeeping. But I understand whence you come, and I want the gentleman to know that I have made my position quite clear at the White House on the conditions that ought to be taken into consideration.

And I think they would be parallel to some of the gentleman's conditions.

I do speak, however, on the issue dealing with the aircraft carrier. I look at it, I am sure, in a different light than my chairman. This was not asked for by the administration. It was not authorized by our committee.

I will probably help lead the charge for an aircraft carrier when it is recommended and requested. I feel very strongly about the seapower of our Nation.

But what happens in this instance where we have gone through a machination of trying to crunch numbers and fit them all together to make them come out, doing our best to have enough training, operation, maintenance, and a respectable number of young men and young women in uniform, plus the other systems that go into it. I am fearful that if we at the last minute, without all the previous time which we should have had, had they asked for the aircraft carrier we could have done it and found where you would take the money from. At this date, what happens? The only easy place to take money is from the end strength; that is, you cut people out of uniform. You get 100 cents on the dollar when you do that.

For that billion dollars, let me say this, the average salary cost on a man-year basis for a serviceman or woman is $35,000 per year. On that basis we could use that billion dollars toward an aircraft carrier to pay the salaries of 28,600 troops. That is 28,600 service members that we could keep on active duty if that billion dollars were not spent on the aircraft carrier.

Now, if that is to become a part of the budget, the quick way to find the billion dollars is right out of the end strength of those and we end up at least cutting 28,600 additional troops. We do not want that.

Let me go on and tell you my concerns because I think you on the other side of the aisle will understand and agree with me. We have additional duties coming up, like it or not, in the peacekeeping area. I am convinced that when the bottom-up review refers to 10 Army divisions, for instance—a division slice is 48,000—that is 480,000 troops plus the training and the doctrine command, which would be 42,000, that is 522,000 soldiers, bottom.

□ 1820

I think it is too low, but in addition to that, if we have peacekeeping efforts, those people in peacekeeping should be over and above those troops, because it is those troops that give us the capability of fighting a successful conflict on two fronts. Frankly, it is not enough.

The SPEAKER pro tempore (Mr. MCNULTY). The time of the gentleman from Missouri [Mr. SKELTON] has expired.

Mr. FROST. Mr. Speaker, I yield 3 additional minutes to the gentleman from Missouri [Mr. SKELTON].

Mr. SKELTON. Mr. Speaker, I am of the opinion that should we enter into peacekeeping duties, we will need around 60,000 people for that. Do you take them out of hide or do you take them in addition thereto?

So what we are looking at is additional soldiers and sailors, people in uniform, rather than cutting.

An aircraft carrier that has not been taken into consideration by an authorization committee causes a cut in troop strength. I am truthfully concerned about that. I want the Members of this body to understand, I feel very strongly about keeping a high level of troops, keeping a high level of training for them.

I will be for the aircraft carrier, but we have to make sure that the troops are not cut in the process. That is a deadly serious situation. We have to consider that. If we do it properly, and hopefully we will, I assure the gentleman on the other side that I will lead the charge for that aircraft carrier, but I do not want our troops to get cut. Frankly, we are going to need more if we have any type of peacekeeping obligations in the future.

I hope those on the other side will help me find those additional troops when that time comes, because there will be a major battle on this floor comes the time for the budget consideration, and I hope to do my best to make sure we have sufficient troops, sailors, marines, soldiers, and airmen, to meet our commitments throughout this world.

I hate to see anything even as important and vital as an aircraft carrier to invade that number and to hurt the possibility of keeping our end strength at a proper level.

Mr. SOLOMON. Mr. Speaker, I say to the gentleman who just spoke that he is one of the most respected Members of this House; particularly in the chairmanship of the subcommittee that he chairs, he certainly does look out for those troops.

Mr. Speaker, I yield time to another respected Member, one from the State of Florida. He is also a member of the Intelligence Committee, and he is the ranking Republican on the Legislative Subcommittee of the Committee on Appropriations.

Mr. Speaker, I yield such time as he may consume to the gentleman from Florida [Mr. YOUNG].

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

I had no intention of getting into this debate on the rule, but I was astonished at some of the debate I heard between the chairman of the Armed Services Committee and the gentleman from New York [Mr. SOLOMON], the ranking member of the Rules Committee, about the issue of an aircraft carrier.

The question was whether or not the Appropriations Committee was funding

an aircraft carrier that had not been authorized. I would remind the very distinguished chairman of the Armed Services Committee that last year his committee authorized nearly $1 billion for advanced procurement on this specific aircraft carrier. Our committee appropriated the funds to go along with that authorization.

Now we are talking about dropping out a year. The Navy has told us if we drop out a year, that aircraft carrier is going to cost at least $200 million more than it would if we proceed with the funding included in the bill we will consider tomorrow morning.

Now, the gentleman from Missouri [Mr. SKELTON], the very distinguished gentleman, raised the issue of end strength. There is no doubt in this Member's mind that we have reduced the end strength to a level that I think is dangerous, but listen to this, the end strength that we provide in the appropriations bill is exactly the end strength authorized by the gentleman's committee, and in the area of end strength for Reserves we have actually gone beyond the authorization and appropriated for an additional 7,000 personnel end strength for Reserves.

So the arguments that the carrier is not authorized are hollow, because the carrier advanced procurement was authorized last year by the gentleman's committee.

On the end strength argument, we have actually appropriated for more end strength than the Armed Services Committee authorized.

I think the arguments made by the gentleman from New York [Mr. SOLOMON] in opposition to this rule are valid arguments. I think the arguments of the distinguished gentleman who is chairman of the Armed Services Committee, while they might be articulate, which he always is, do not really address the issue as it exists today.

Again I thank the gentleman for yielding this time to me.

Mr. SOLOMON. Mr. Speaker, I thank the gentleman for his cogent remarks.

I yield 4 minutes to the distinguished gentleman from Virginia [Mr. BATEMAN], a member of the Committee on Armed Services.

Mr. BATEMAN. Mr. Speaker, I certainly appreciate the gentleman yielding this time to me.

Certainly within the 3 minutes there is a lot more that needs to be said than I can possibly say; but one aspect of this discussion needs to be addressed and is not being addressed, and that is to the extent we are in this position where legitimately the chairman of the Armed Services Committee can call this proposal for the aircraft carrier unauthorized and where we risk costing the taxpayers of America over $200 million if we delay funding the aircraft carrier in this session, and when you bear in mind that we now operate under rules as to authorization and the other workings of authorization and the Appropriations Committee designed long before we had the accounting rules thatnow go to how you score outlays and budget authority and how you match one with the other and how the timing in which the authorizers act relative to when the appropriators are required to act, we have some incredible mixed mishmash of how we make the gears of our wheels mesh in order to cogently and rationally legislate.

I would call upon all the Members of this body, especially those on the Rules Committee, to address this problem and how the Rules of the House need to be changed so that we do not have to make unintelligent, even silly, stupid public policy decisions, because of the complexities of our rules and their inability to match the reality in which we need to make public policy decisions.

Let me say, Mr. Speaker, that it does strike this Member as odd that we say something we appropriated and authorized $832 million for last year is an unauthorized activity or project. That strikes me as strange. It strikes me as strange that if the appropriators have said in funding something that none of this money can be obligated until it has been finally formally and officially authorized that this is a substantial accommodation.

I do not understand this in the context that we may be depriving our taxpayers of America of $200 million unnecessarily for a defense platform that I think every knowledgeable person on the authorizing and Appropriations Committee feels is one of our most vitally important platforms and which is justified under the bottom-up review.

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

Mr. BATEMAN. Yes, I yield to the gentleman from California.

Mr. DELLUMS. Mr. Speaker, where does the gentleman seek to find the $1 billion? The gentleman served with me on the committee as we assiduously went about the business of putting together a $263 billion military budget that all fit. Where would the gentleman find this additional $1 billion?

Mr. BATEMAN. I would say to my chairman that that is indeed a problem and one which needs to be addressed and should be addressed.

I do not know. No one has been able to tell me what the Appropriations Committee has done or not done in order to make it possible to at least appropriate conditionally the $1 billion.

□ 1830

But we have a long ways to go before we will ever enact either an authorization bill that gets signed into law and passes this Congress in an appropriations bill, and what we ought to be doing is seeing that we go forward together in order to do it the logical way in order that we do not hamstring the end strength of the gentleman from Missouri [Mr. SKELTON] and the personnel account, but at the same time we get the platform, and we get it in a way in a timetable that avoids wasting $200 million. That is my plea.

Mr. Speaker, the concluding point I want to make is: I am not quarreling with my chairman, or anyone else on the authorizing committee. The only committees I serve on are authorizing committees. I, too, am jealous of their prerogatives, but certainly there is enough wisdom, enough judgment, and enough responsibility in this body that we can come together in a way that we do the practical, common sense thing that serves the public interest and our national security.

We have a rule which, if passed, makes the carrier subject to a point of order. It may be subject to a point of order, but it does not require a point of order, and logic would dictate that no point of order should be raised, even if it can.

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

Mr. BATEMAN. I yield to the gentleman from Missouri.

Mr. SKELTON. Mr. Speaker, the gentleman from Virginia [Mr. BATEMAN] really backs up what I have been saying: "You cannot pinpoint where the billion dollars comes from."

We went through a very arduous procedure of piecing together a $263 billion defense authorization bill. I am for the carrier, but where in the world are we going to find——

Mr. BATEMAN. Mr. Speaker, I reclaim my time.

Mr. SKELTON. I will tell the gentleman where to find it.

Mr. BATEMAN. The one thing that is not being done: It has not been taken out of personnel to this point, and we can make sure that it does not get done this way before we are through and does get done in the most responsible way.

Mr. FROST. Mr. Speaker, may I inquire what time remains for each side?

The SPEAKER pro tempore [Mr. MCNULTY]. The gentleman from Texas [Mr. FROST] has 12 minutes remaining, and the gentleman from New York [Mr. SOLOMON] has 5 minutes remaining.

Mr. FROST. Mr. Speaker, for purposes of debate only, I yield 7 minutes to the gentleman from California [Mr. DELLUMS].

Mr. DELLUMS. Mr. Speaker, let me just respond.

First of all, this is a debate on the rule. The rule goes to the question of the process that governs how we do business here. We are trying to change this debate into a discussion about the carrier. This debate is about the integrity of the process, or the lack thereof, and Members' willingness or ability to make judgments in that regard.

Having said that, let me just now come to both the process and the substance.

I say to the gentleman. A carrier is probably more important to the Navy than anything else. If they had wanted it, why did they not ask the authorizing committee? As the gentleman from Missouri [Mr. SKELTON] pointed out, he was prepared to support it, and, if you had asked me, I would imagine that the majority of my colleagues would support it. But why did they not ask if it was that important?

Now, Mr. Speaker, we have heard this figure: $200 million. We are going to save the taxpayers $200 million. Where did that figure come from? Did it drop from the air? Did it come from our committee?

No. Some CEO said, "If you guys appropriate the money and authorize it, I can show you where I can save you $200 million." Yet these are the guys that have never built a ship with the money they said they would build it on in history.

Mr. Speaker, we are replete with cost overruns, so suddenly there is going to be this great accuracy of this $200 million? Give me a break.

Now my distinguished colleague said he could not answer the question of where would the money come from. That is precisely the responsibility of the authorizing committee, to determine those judgments within the framework of intelligent and rational policy considerations, policy discussions.

Mr. SOLOMON. Mr. Speaker, would the gentleman yield and I will answer the question?

Mr. DELLUMS. Mr. Speaker, just one second, and I will come back to the gentleman from New York [Mr. SOLOMON] because I want answered one other question.

The gentleman from Florida said $800 million was authorized by this committee last year, long-lead items.

No. 1, this gentleman was not the chair last year; but, No. 2, that $800 million for long-lead items was for a nuclear propulsion system that routinely is requested 2 years in advance of the request and authorization because it takes a substantial amount of time in order to build that nuclear propulsion system. So, there is nothing off-color or unusual about that. But the request has not been made.

To summarize, Mr. Speaker, No. 1, this is not a debate about the carrier. That ought to be dealt with in the normal course of things. This is a debate about the process, the integrity or the lack thereof. I am suggesting to you that it sets this institution on its head when my colleagues, day after day, come here banging against rules that waive points of order, and we simply ask for a rule that gives point of order, and suddenly they are saying, "Defeat the rule."

I say, "You can't walk both sides of the street."

Finally, let the administration ask in the normal course of things, and let us do our job in the normal course of events.

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

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

Mr. SOLOMON. Mr. Speaker, I just say to the gentleman, "You wanted to know where the money is going to come from. Let me give you two very good sources: First of all, bring our troops home from Somalia. We'll save $500 million in the next few months alone. Do not deploy our troops in Bosnia, and we will save hundreds of millions of dollars over the next 7 to 8 months. That more than pays for any carrier, believe me, I would say to the gentleman.

Mr. Speaker, I hope the gentleman will take that into consideration.

Mr. DELLUMS. I would simply say to my colleague on both of those issues:

On the issue of Somalia, my colleague, that is going to be a debate that is going to go into the future. The gentleman and I know that. We know we are going to ultimately resolve that matter. The question of Bosnia is a debate that lies before us, an the gentleman from New York [Mr. SOLOMON] knows where this gentleman stands on that, the authority and responsibility of Congress in war making and my concern about war powers.

I come back to the issue: Why are we appropriating in fiscal year 1994 $1 billion for a $5 billion weapon system that cannot legally be authorized until fiscal year 1995?

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

Mr. DELLUMS. I yield to the gentleman from Washington.

Mr. DICKS. Mr. Speaker, as a member of the subcommittee, and I know that my colleague has spoken on this already, but we saw an opportunity because long lead had already been approved by the authorization committee to put in $1 billion because of this complex relationship, and we felt, because of the interrelationship of outlays and budget authority, we had an opportunity to invest $1 billion in the carrier, which is needed. We are going to build it, we know we are going to build it, and, because of that, by doing that, and this is the point I heard the gentleman make when I first came to the floor.

I called the Secretary of the Navy. I called the Chief of Naval Operations. I said, "Is this $200 million number real?"

I was told, "Yes, we will save in the acquisition of the carrier $200 million."

Now I know that sometimes these numbers get stretched, sometimes by contractors, but this came right from the top leadership of the U.S. Navy.

Mr. DELLUMS. If I might reclaim my time for a moment——

Mr. DICKS. And so we just thought it was a good investment. We——

Mr. DELLUMS. I will yield back, but I would like to reclaim my time at this point because I think the record should be complete.

Mr. DICKS. Yes.

Mr. DELLUMS. Mr. Speaker, I have talked with the Deputy Secretary of Defense who said they did not, while they may have wanted it. I said, "Why didn't you ask?"

They said, "We didn't, and we're not trying to go around the authorizing process."

They said that as a matter of fact and as a matter of record, my friend. The administration should not be about going aroune the authorization process——

Mr. DICKS. They were just——

Mr. DELLUMS. They——

Mr. DICKS. The number of $200 million, of whether that was a real number, and they said, "Yes, that was a real number." They did not say they were asking us to do it. They wanted the whole carrier.

Mr. DELLUMS. One other thing they agreed with me on is that in the course of the markup they did have ample opportunity to penetrate the process with a request on a timely enough basis that we could have considered it ordinarily within the framework of H.R. 2401. They agreed with me in that regard.

So, my question is: "Why wasn't it done?"

One last comment, Mr. Speaker.

During the authorization process I tried to maintain the integrity of keeping the playing field level.

□ 1840

What this does is it unlevels the playing field. You start down the road on this defense conversion effort here.

The SPEAKER pro tempore (Mr. MCNULTY). The Chair would advise that each side has 5 minutes remaining.

Mr. SOLOMON. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Pennsylvania [Mr. WALKER], the chief deputy whip.

Mr. YOUNG of Florida. Mr. Speaker, will the gentleman yield?

Mr. WALKER. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. Mr. Speaker, I thank the gentleman for yielding. I would like to comment to those who ask, where is the money coming from? It is going to come from the same place every other dollar comes from, and that is the taxpayer.

Mr. Speaker, I would like to report to the chairman, this bill we consider tomorrow, the appropriations bill that includes this amount, is under the 602(b) allocation budget authority, as well as outlay.

I would like to, if I may, make just one further comment. The reason that we are having this debate today, I would say to the gentleman, on the subject of the carrier, is because tomorrow, once the gentleman makes his

point or order, we are not going to be able to have any debate on the subject of the carrier. So, when the iron is hot, you strike, or whatever the cliche is. That is why we are doing it today, because I think the gentleman is going to preempt us tomorrow.

Mr. WALKER. Mr. Speaker, reclaiming my time, I think this discussion of process here has been fascinating this evening. I have enjoyed it. It is a little interesting, the fact that they do waive points of order on 95 percent of the bill, because the fact is none of this is authorized and will not be authorized by the time this bill becomes law. So to suggest that somehow we can carve out one or two little territories here and that is destructive of the process, the fact is the rule coming down here waives about 95 percent of the bill. But they leave a couple of places where they are going to allow no debate.

One of the places that is particularly of concern to me, as the gentleman from New York [Mr. SOLOMON] suggested is of concern to him also, is the introduction of peacekeeping forces possibly into Bosnia.

Mr. Speaker, the reason why that becomes important is because when the authorization bill was here, it was here under a closed rule, where typically we would have been able to offer language under an open rule to deal with this matter. But we were prevented from offering amendments. We could not even offer amendments on the authorization bill to knock out pork projects that were protected by the Committee on Rules.

In the case of the introduction of military troops on peacekeeping missions, we were not able to address that issue. The Committee on Appropriations found the need to address that issue so compelling that they included it in their bill.

Mr. Speaker, what happens? Well, now the rules process is used to see to it that we will never get to debate it under the appropriations process either.

So what has happened here is the rules process has been used to prevent this House from debating whether or not peacekeeping forces ought to be put into Bosnia without congressional approval. That is wrong. That is the use of the process, that is the use of governance, in the wrong way.

We ought to have a right to debate that issue. It is a fundamentally important issue at this point. Young men and young women are going to be sent to die in Bosnia, and we are not going to even have a chance to debate it beforehand. This administration does not want us to have that debate on this floor, because they feel that debate might embarrass them. It is wrong not to have that debate, and this rule prevents us from having that debate. It should be turned down.

Mr. FROST. Mr. Speaker, for the purpose of debate only, I yield 4 minutes to the gentleman from Indiana [Mr. HAMILTON], the chairman of the Committee on Foreign Affairs.

Mr. HAMILTON. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I operate a little bit at a disadvantage here because I did not hear all of the previous statements with regard to the waiver. As I understand it, the rule does not protect the provision from objection, and it is my intention to object.

Now, it is not my intention to be obstreperous here. It is true that the particular language is authorizing language, which, as I understand it, very clearly falls within the jurisdiction of the Committee on Foreign Affairs.

That is a parochial argument. It is an argument on the basis of protecting the jurisdiction of the Committee on Foreign Affairs. It is really not, however, the most important thing to be said here.

It just so happens that this whole business of peacekeeping is a threshold issue in this Congress at this time. It is a very important issue, we all recognize that. The provision that has been drafted has been drafted with the best of intentions, but it could be a very mischievous provision.

It is a provision that is strongly opposed by the administration. It is a provision which they believe seriously hampers the power of the Commander in Chief. It is a provision that, as they have stated to me, they object to seriously enough that it would make this bill subject to a veto.

Now, I want to say to my friends who support this provision that I understand their motivation here, and I think it is a motivation that is worthy, because they are deeply concerned about peacekeeping here, and this 15-day prenotification provision calls for good information.

But let me just argue not to proceed too quickly. This is a very tough, difficult issue. The way this particular provision is drafted, it raised very grave concern on the part of the President, the Commander in Chief, as to whether the exercise of the powers of the Commander in Chief would in fact be seriously hampered.

That is the reason I intend to object to this tomorrow. Not to be obstreperous, but because I think we are acting too quickly on a very grave matter.

I do want to say that the Committee on Foreign Affairs and other committees here are working very closely now with the administration on the whole question of a better consultative mechanism than we now have. Some of us saw that in action last week as the administration came up with prior consultation with respect to the introduction of troops, possibly into Bosnia under the peace agreement. I think we are moving in the right direction.

I also want to say that with regard to the remarks of the gentleman who just spoke, his deep concern about Bosnia; that is a legitimate concern, obviously. It is my very strong view that if American forces are introduced into Bosnia as part of a peacekeeping agreement, that those steps should be authorized by the Congress. The administration agrees with that position. There is no intent, as I understand it, no intent to introduce American forces into Bosnia as part of a peacekeeping agreement without getting the authorization of the United States Congress.

That is my strong view. So far as I can understand it, it is the strong view of the administration. And everybody in this chamber is quite right to be concerned about Presidents acting without the authorization of Congress there.

Mr. Speaker, I appreciate very much the opportunity to make these observations.

Mr. SOLOMON. Mr. Speaker, I yield myself the balance of my time.

The SPEAKER pro tempore. The gentleman from New York [Mr. SOLOMON] is recognized for 3 minutes.

Mr. SOLOMON. Mr. Speaker, the gentleman from Indiana [Mr. HAMILTON], the chairman of the Committee on Foreign Affairs, is one of the most respected Members of this House. I served with him for years on that committee. Much of what the gentleman says is true. I hope the President does come and ask permission to put these troops in.

However, there is no guarantee that that is going to happen. What the argument is today is over this language. It simply says the President notifies Congress at least 15 days before the operation. The gentleman agrees with that, so why not write it into the bill.

The second portion says, and this is so terribly important to the American people, that the President specifies the estimated cost, the method of payment, the duration and scope of the operation, and states the U.S. interests and goals that will be served by that operation.

We do not believe that a civil war warrants any U.S. participation, and we want that explained to us. This simply says the President will explain it to us.

Mr. Speaker, this may be the only vote that Members have on whether we put American troops into a civil war in Bosnia. If Members defeat this rule, it will not only save $300 million on the aircraft carrier issue, but, more importantly, it will save American lives.

□ 1850

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

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

Mr. HAMILTON. Mr. Speaker, the gentleman and I are not really, I do not think, in too much difference here.

The gentleman supports this particular provision, but there may be times

when the President cannot notify the gentleman 15 days ahead of time. We do not write something that arbitrary into the law.

There has been a lot of complaining done about micromanagement of the executive power. This is a classic illustration of it.

We are micromanaging a President and saying that he must give us 15 days. There may be occasions when he cannot give us 15 days.

Mr. SOLOMON. Mr. Speaker, reclaiming my time I say to my good friend, that the gentleman from Pennsylvania [Mr. MURTHA] is one of the most respected Members of this House. He would never do anything to impair the Commander in Chief of the United States of America. This is his language. He believes in it. We believe in it.

Members ought to vote "no" on this rule so that we can keep that language in the bill.

Vote "no."

Mr. FROST. Mr. Speaker, I yield myself the balance of my time.

The issues here have been adequately aired. We have had eloquent speeches on both sides.

The Committee on Rules has tried to be fair and reasonable in its approach, and I urge the adoption of this rule.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

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

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

Mr. FROST. 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 254, nays 176, not voting 3, as follows:

[Roll No. 475]

YEAS—254

Abercrombie
Ackerman
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Applegate
Bacchus (FL)
Baesler
Barca
Barcia
Barlow
Barrett (WI)
Becerra
Beilenson
Berman
Bevill
Bilbray
Bishop
Blackwell
Bonior
Borski
Boucher
Brewster
Brooks
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Byrne
Cantwell
Cardin
Carr
Chapman
Clay
Clayton
Clement
Clyburn
Coleman
Collins (IL)
Collins (MI)
Condit
Conyers
Cooper
Coppersmith
Costello
Coyne
Cramer
Danner
Darden
de la Garza
Deal
DeFazio
DeLauro
Dellums
Derrick
Deutsch
Dicks
Dingell
Dixon
Dooley
Durbin
Edwards (CA)
Edwards (TX)
Engel
English (AZ)
English (OK)
Eshoo
Evans
Farr
Fazio
Fields (LA)
Filner
Fingerhut
Flake
Foglietta
Ford (MI)
Ford (TN)
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Geren
Gibbons
Glickman
Gonzalez
Gordon
Green
Gutierrez
Hall (OH)
Hall (TX)
Hamburg
Hamilton
Harman
Hastings
Hayes
Hefner
Hilliard
Hinchey
Hoagland
Hochbrueckner
Holden
Hoyer
Hughes
Hutto
Inslee
Jefferson
Johnson (GA)
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kennedy
Kennelly
Kildee
Kleczka
Klein
Klink
Kopetski
Kreidler
Lambert
Lancaster
Lantos
LaRocco
Laughlin
Lehman
Levin
Lewis (GA)
Lipinski
Lloyd
Long
Lowey
Maloney
Mann
Manton
Margolies-Mezvinsky
Markey
Martinez
Matsui
Mazzoli
McCloskey
McCurdy
McDermott
McHale
McKinney
McNulty
Meehan
Meek
Menendez
Mfume
Miller (CA)
Mineta
Minge
Mink
Moakley
Mollohan
Montgomery
Moran
Murphy
Murtha
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)
Pickett
Pickle
Pomeroy
Poshard
Price (NC)
Rahall
Rangel
Reed
Reynolds
Richardson
Roemer
Rose
Rostenkowski
Rowland
Roybal-Allard
Rush
Sabo
Sanders
Sangmeister
Sarpalius
Sawyer
Schenk
Schroeder
Schumer
Scott
Serrano
Sharp
Shepherd
Sisisky
Skaggs
Skelton
Slattery
Slaughter
Smith (IA)
Spratt
Stark
Stenholm
Stokes
Strickland
Studds
Stupak
Swett
Swift
Synar
Tanner
Tauzin
Taylor (MS)
Tejeda
Thompson
Thornton
Thurman
Torres
Towns
Traficant
Tucker
Unsoeld
Valentine
Velazquez
Vento
Visclosky
Volkmer
Washington
Waters
Watt
Waxman
Wheat
Williams
Wilson
Wise
Woolsey
Wyden
Wynn
Yates

NAYS—176

Allard
Archer
Armey
Bachus (AL)
Baker (CA)
Baker (LA)
Ballenger
Barrett (NE)
Bartlett
Barton
Bateman
Bentley
Bereuter
Bilirakis
Bliley
Blute
Boehlert
Boehner
Bonilla
Bunning
Burton
Buyer
Callahan
Calvert
Camp
Canady
Castle
Clinger
Coble
Collins (GA)
Combest
Cox
Crane
Crapo
Cunningham
DeLay
Diaz-Balart
Dickey
Doolittle
Dornan
Dreier
Duncan
Dunn
Emerson
Everett
Ewing
Fawell
Fields (TX)
Fish
Fowler
Franks (CT)
Franks (NJ)
Gallegly
Gallo
Gekas
Gilchrest
Gillmor
Gilman
Gingrich
Goodlatte
Goodling
Goss
Grams
Grandy
Greenwood
Gunderson
Hancock
Hansen
Hastert
Hefley
Herger
Hobson
Hoekstra
Hoke
Horn
Houghton
Huffington
Hunter
Hutchinson
Hyde
Inglis
Inhofe
Istook
Jacobs
Johnson (CT)
Johnson, Sam
Kasich
Kim
King
Kingston
Klug
Knollenberg
Kolbe
Kyl
Lazio
Leach
Levy
Lewis (CA)
Lewis (FL)
Lightfoot
Linder
Livingston
Machtley
Manzullo
McCandless
McCollum
McCrery
McHugh
McInnis
McKeon
McMillan
Meyers
Mica
Michel
Miller (FL)
Molinari
Moorhead
Morella
Myers
Nussle
Oxley
Packard
Paxon
Petri
Pombo
Porter
Portman
Pryce (OH)
Quillen
Quinn
Ramstad
Ravenel
Regula
Ridge
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Royce
Santorum
Saxton
Schaefer
Schiff
Sensenbrenner
Shaw
Shays
Shuster
Skeen
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solomon
Spence
Stearns
Stump
Sundquist
Talent
Taylor (NC)
Thomas (CA)
Thomas (WY)
Torkildsen
Upton
Vucanovich
Walker
Walsh
Weldon
Whitten
Wolf
Young (AK)
Young (FL)
Zeliff
Zimmer

NOT VOTING—3

LaFalce
McDade
Torricelli

□ 1909

Messrs. CANADY, BAKER of California, and KASICH changed their vote from "yea" to "nay."

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3167, EXTENDING THE UNEMPLOYMENT COMPENSATION PROGRAM

Mr. MOAKLEY, from the Committee on Rules, submitted a privileged report (Rept. No. 103–269) on the resolution (H. Res. 265) providing for consideration of the bill (H.R. 3167) to extend the emergency unemployment compensation program, to establish a system of worker profiling, and for other purposes, which was referred to the House Calendar and ordered to be printed.

JEMEZ NATIONAL RECREATION AREA

Mr. VENTO. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 38) to establish the Jemez National Recreation Area in the State of New Mexico, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Senate amendments:

Page 4, line 19, strike out "religious purposes, and insert: "customary uses,".

Page 4, line 20, strike out "shall," and insert "shall, subject to the provisions of section 2(n)".

Page 4, line 23, strike out "religious purposes," and insert: "customary uses,".

Page 5, line 2, strike out all after "Act")." down to and including line 9 and insert "The Secretary, in accordance with such Act, upon request of an Indian tribe or pueblo, may from time to time temporarily close to general public use one or more specific portions of the recreational area in order to protect traditional and customary uses in such portions by Indian peoples."

Page 6, line 7, strike out all after "law." down to and including line 15.

Page 9, after line 5, insert:

(n) RESOURCE PROTECTION.—The Secretary may designate zones where, and establish periods when, any activity otherwise permitted in the recreation area will not be permitted for reasons of public safety, administration, fish and wildlife management, protection of archaeological or cultural resources, or public use and enjoyment. Except in emergencies such designations by the Secretary shall be put into effect only after consultation with the appropriate State agencies, appropriate tribal leaders, and other affected parties.

Page 11, after line 13, insert:

SEC. 5. ACQUISITION OF LAND.

(a) STATE LAND.—Land and interests in land within the boundaries of the recreation area that are owned by the State of New Mexico, or a political subdivision of New Mexico, may be acquired only by donation or exchange.

(b) OFFERS TO SELL.—

(1) IN GENERAL.—Subject to paragraph (2), the Secretary may acquire land and interests in land within the boundaries of the recreation area by donation, purchase with donated or appropriated funds, or exchange.

(2) LIMITATION.—The Secretary may not acquire lands within the recreation area without the consent of the owner thereof unless the Secretary has determined that such lands will be put to a use different from their use as of the date of enactment of this Act and that such new use would be incompatible with the protection of the natural and cultural resources of the recreation area.

Page 11, line 14, strike out "SEC. 5." and insert "SEC. 6."

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

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

There was no objection.

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

Mr. HANSEN. Mr. Speaker, reserving the right to object, under my reservation I yield to the gentleman from Minnesota [Mr. VENTO] for an explanation of the Senate amendments.

Mr. VENTO. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, H.R. 38, introduced by Mr. RICHARDSON, was passed by the House last April and has now passed the Senate with amendments.

The Senate amendments which are acceptable to me clarify the language protecting traditional uses by Indian peoples, require consultation with tribal leaders, and provide more specific direction on how lands within the NRA can be acquired.

H.R. 38 would establish a 57,000-acre Jemez National Recreation Area within the Santa Fe National Forest in New Mexico. The national recreation area would encompass a portion of the Jemez Mountains that includes steep canyons with brilliantly colored rimrocks and rich biological diversity. The largest elk herd in New Mexico migrates through the area and the mountains are home to many Federal- and State-listed threatened, endangered, and sensitive species.

The Jemez also contains one of the highest densities of archeological and cultural sites in North America, estimated at approximately 15 sites per square mile and totaling approximately 30,000 sites. Large, ancient Pueblo Indian village sites are particularly abundant. Many of these sites have been nominated and placed on the National Register of Historic Places.

Easy access and scenic surroundings make the Jemez a popular recreational area. National forest figures show that almost 300,000 people a year visit the Jemez Mountains. Within the area is the east fork of the Jemez River, 11 miles of which have been designated as a national wild and scenic river.

The legislation, in addition to enhancing the public's use and enjoyment of the area, will also protect the resources of the Jemez by withdrawing the area from mineral entry and providing that timber harvesting would have to be compatible with the purposes of the national recreation area.

I urge my colleagues to support this bill which will protect and enhance the Jemez Mountains.

Mr. HANSEN. Mr. Speaker, the minority has no problem and we agree with these amendments.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

A motion to reconsider was laid on the table.

CONFERENCE REPORT ON H.R. 2403, TREASURY, POSTAL SERVICE, AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 1994

Mr. BEILENSON. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 261 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 261

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 2403) making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 1994, and for other purposes. All points of order against the conference report and against its consideration are waived.

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

Mr. BEILENSON. Mr. Speaker, for the purpose of debate only, I yield the customary one-half hour of debate time to the gentleman from Tennessee [Mr. QUILLEN] pending which I yield myself such time as I may consume. During consideration of this resolution, Mr. Speaker, all time yielded is for the purpose of debate only.

Mr. Speaker, House Resolution 261 is the rule providing for consideration of the conference report on H.R. 2403, the bill making appropriations for the Treasury Department, the U.S. Postal Service, and the Executive Office of the President for fiscal year 1994. The bill also includes funding for several independent agencies, including the General Services Administration, the Office of Personnel Management, and the Federal Election Commission.

So that the House may consider this conference report as expeditiously as possible, both the chairman and the ranking minority member of the Subcommittee on Treasury, Postal Service, and General Government Appropriations requested, and the Rules Committee granted, a rule waiving all points of order against the conference report and against its consideration.

Mr. Speaker, the conference agreement provides $22.538 billion for fiscal year 1994, which is $169.958 million below the level approved by the House in June.

We are also advised by the Budget Committee that the conference report is $50 million below the discretionary budget authority and $20 million below outlay spending allocations and the 602(b) spending allocations for this subcommittee.

It is within the target for discretionary budget authority and outlays set by the Appropriations Committee pursuant to the fiscal year 1994 budget resolution.

Mr. Speaker, we commend the chairman of the Appropriations subcommittee responsible for this legislation, the gentleman from Maryland [Mr. HOYER], and the ranking minority member, the gentleman from Iowa [Mr. LIGHTFOOT], for their good work on this bill and I urge my colleagues to approve this rule so that we may act this evening on this conference report.

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

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

Mr. Speaker, as my colleague, the gentleman from California, has described, this rule waives all points of order against the consideration of the conference report to accompany H.R. 2403, making appropriations for the Treasury Department, the U.S. Postal Service, the Executive Office of the President and certain Independent Agencies for fiscal year 1994.

While I do not endorse this frequent practice of granting blanket waivers against conference reports for appropriation bills, we need to complete our action on these funding measures in a timely manner, and I will not oppose this rule.

I hope Members have taken the time to review the provisions of this conference report. Of particular concern to many Members, myself included, is the absence of language to prohibit the use of tax dollars to pay for abortions under the Federal Employees Health Benefits Program. This language has been around for some 10 years, but it is not included in this bill. Passage of this conference report will open the door to allow taxpayer financing of abortion on demand for Federal employees. I find this unacceptable.

Additionally, the conference report contains a modification to the revenue forgone reform provision to include a 6-year phase-in for postage rate increases for nonprofit mail. The bill also prohibits a cost-of-living increase for Federal employees but adopts the phasing in of the locality-pay increases.

Mr. Speaker, earlier today the House adopted a continuing funding resolution because we could not move the 13 appropriation bills through the Congress prior to the beginning of the fiscal year. In fact, only one of the appropriation bills has been signed into law. So I will not oppose this rule since it will expedite the consideration of this conference report.

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

Mr. BEILENSON. Mr. Speaker, I thank the gentleman from Tennessee for his remarks.

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

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. HOYER. Mr. Speaker, pursuant to House Resolution 261, I call up the conference report on the bill (H.R. 2403) making appropriations for the Treasury Department, the U.S. Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 1994, and for other purposes.

□ 1920

The Clerk read the title of the bill.

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

(For conference report and statement, see proceedings of the House of September 24, 1993, at page H6983.)

The SPEAKER pro tempore. The gentleman from Maryland [Mr. HOYER] will be recognized for 30 minutes, and the gentleman from Iowa [Mr. LIGHTFOOT] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Maryland [Mr. HOYER].

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

Mr. Speaker, the conferees have reached agreement on H.R. 2403 the treasury, postal service, and general government appropriations bill for fiscal year 1994. It was not an easy conference, because the fiscal restraints required the conferees to make some difficult decisions.

The conference report will fund the agencies in this bill at a level which will enable them to perform their assigned functions in an effective and efficient manner.

H.R. 2403 provides a total of $22.5 billion in new budget authority for the agencies under this bill for fiscal year 1993. The conference agreement is below the 602(b) allocations for both budget authority and outlays. I ask unanimous consent to insert a table in the RECORD providing details of this conference report.

DEPARTMENT OF THE TREASURY

Mr. Speaker, the conference report on H.R. 2403 funds Federal agencies deeply involved in the war on drugs. The conference report provides funding for a number of law enforcement agencies in the Department of the Treasury such as the U.S. Customs Service, the Secret Service, the Bureau of Alcohol, Tobacco, and Firearms, the Internal Revenue Service, the Financial Crimes Enforcement Network, and others.

U.S. POSTAL SERVICE

In the Postal Service, the conferees included revenue forgone reform which represents a compromise between commercial and nonprofit mailers to eliminate the authorization for revenue forgone appropriations. Mr. CLAY, chairman of the Post Office and Civil Service Committee did an outstanding job in crafting the original compromise on revenue forgone. This compromise creates a mechanism to continue preferred, lower postage rates for nonprofit mailers without the need for taxpayer subsidy. The compromise also establishes a 6-year phase-in of postage rate increases for nonprofit mail. Commercial use of nonprofit third-class mail has been prohibited. Advertising for nonprofit second-class mail has been limited, as has the use of library rate mail by commercial publishers. Publishers may use library rate mail only for matter which has been ordered by libraries or schools.

EXECUTIVE OFFICE OF THE PRESIDENT

In the Executive Office of the President, the conferees have fulfilled the President's commitment to reduce employment in the Executive Office by 25 percent below the total level in fiscal year 1993. The conferees have included language in the bill that requests the Office of National Drug Control Policy to maintain a level of 40 positions, 15 above the President's request. Both the administration and the House were opposed to mandating personnel levels. In fact, the House conferees were successful in eliminating all personnel floors and ceilings except this one. But conferees do involve compromises, and the other body was adamant on this issue. The conferees did require the Executive Office to reduce other Executive Office accounts by 15 positions to guarantee to the House that the total ceiling on the Executive Office of the President reflects the 25-percent reduction below 1993 levels. The conferees have provided appropriations above the President's request in the special forfeiture fund in the Office of the National Drug Control Policy for ADAMHA and community partnership grants for drug prevention and drug treatment in the Department of Health and Human Services.

EXECUTIVE OFFICE OF THE PRESIDENT EMPLOYMENT LEVELS

We wish to clarify the intent of the conferees with regard to the employment levels for the Executive Office of the President. The statement of the managers states that the total employment level for the Executive Office of the President shall not exceed 1,044, with the understanding that this level will fluctuate as the President manages the day-to-day operations of the White House.

It is the intent of the conferees that this total should not include the staff requirements for the Office of Management and Budget, Office of Federal Procurement Policy, or the Office of the U.S. Trade Representative.

The President's pledge of a 25-percent reduction in White House staff excludes these offices, and therefore the conferee's agreement of a 1,044 employment level at the White House also excludes these offices.

INDEPENDENT AGENCIES

In the General Services Administration the conferees have provided funding for additional construction projects, and have also included language which gives the legislative committees of both the House and Senate an opportunity to review in detail these projects and to approve or disapprove the projects prior to the obligation of funds.

The conferees have also fully funded the Government payment for annuitants, employees' health benefits.

GENERAL PROVISIONS

The conferees have fully protected locality pay and its implementation on January 1, 1994. In order to avoid the necessity of reduction-in-force by agencies whose budgets did not preserve a pay raise in 1994, the conferees have blocked the across-the-board employees cost index pay increase that was to be effective in January.

REINVENTING GOVERNMENT

Mr. Speaker, I also want to discuss what the conferees have done to recreate Government and our response to the Vice President's challenge to make "Government Work Better and Cost Less."

First, the conferees stated their strong support for the goals of making our Government work better and more efficiently.

Second, the conferees initiated changes in the bill to achieve immediate impact toward the Vice President's goals.

We created an "innovation fund" for all agencies within this bill, which will allow agencies to carry over 50 percent of their savings for productivity investments, employee bonuses, and employee training. Adding market incentives for efficiency is, in our opinion, the key to making Government work better for less.

We deleted almost every mandated FTE employee ceiling and floor in this bill, with the only exception being law enforcement and the Office of Drug Control Policy.

We provided agencies flexibility to reallocate funds by providing limited transfer authority.

We directed agencies to work toward reducing Government redtape and paperwork—not only for internal Government paperwork, but for small businesses and people who must deal with the Government as well.

We have urged IRS and Customs to restructure their workforce to meet modern day requirements and service standards.

We have directed GAO and GSA to begin the process to make GSA compete with private companies in providing services to Federal agencies. It is our belief that if GSA can offer the best price, they should win, if not, they should lose agencies business.

We have provided support for the President's Labor-Management Council or the "National Partnership Council" as it is called.

The conferees have approved a provision that would allow multiagency funding of the National Partnership Council. The conferees recognize that the Council may be established under current law with single agency funding. This provision would simply allow the Council also to proceed under multiagency funding, subject to authorization, in case this type of added funding capability is deemed desirable.

We have directed the Administrator of GSA to review every project in this bill and ensure that it meets a Federal need, is of appropriate design, and its costs are fully justified, and report back to us on their findings.

And we have put in place through the House report, the basis for performance management, which we intend to fully pursue in next year's hearings in my subcommittee. We believe that we must be about identifying achievable goals and performance measures to measure progress or failure, if we are to restore the American people's trust in how their Government spends their money.

In summary, the conferees funded all agencies at a level that would enable them to continue their operations in the most effective and efficient way possible.

Mr. Speaker, I believe that this is a good conference report. It represents a reasonable compromise with the Senate. I believe that it is fair, it is well done, and I urge Members to support the conference report.

Treasury Department, U.S. Postal Service, Exec. Office of the President and Ind. Ag. (H.R. 2403)

	FY 1993 Enacted	FY 1994 Estimate	House	Senate	Conference	Conference compared with enacted
TITLE I - DEPARTMENT OF THE TREASURY						
Departmental Offices:						
Salaries and Expenses	71,202,000	104,597,000	104,597,000	105,700,000	105,150,000	+33,948,000
International Affairs	33,408,000					-33,408,000
Total, Departmental Offices	104,610,000	104,597,000	104,597,000	105,700,000	105,150,000	+540,000
Office of Inspector General	29,147,000	28,897,000	28,897,000	28,897,000	28,897,000	-250,000
Financial Crimes Enforcement Network	18,342,000	18,280,000	18,280,000	18,280,000	18,280,000	-62,000
Treasury Forfeiture Fund (limitation on availability of deposits)		14,770,000	14,770,000	50,000,000	32,500,000	+32,500,000
Federal Law Enforcement Training Center:						
Salaries and Expenses	47,158,000	47,195,000	47,195,000	47,695,000	47,445,000	+287,000
Acquisition, Construction, Improvements, and Related Expenses	12,301,000	6,712,000	7,712,000	12,712,000	12,712,000	+411,000
Total, Federal Law Enforcement Training Center	59,459,000	53,907,000	54,907,000	60,407,000	60,157,000	+698,000
Financial Management Service	214,069,000	209,877,000	209,877,000	209,877,000	209,877,000	-4,192,000
Bureau of Alcohol, Tobacco and Firearms	370,372,000	364,245,000	364,245,000	368,046,000	366,446,000	-3,926,000
United States Customs Service:						
Salaries and Expenses	1,317,535,000	1,311,819,000	1,311,819,000	1,363,668,000	1,350,668,000	+33,133,000
Operation and Maintenance, Air and Marine Interdiction Programs	81,624,000	46,063,000	46,063,000	47,863,000	47,863,000	-33,761,000
Operations and Maintenance, Customs P-3 Drug Interdiction Program	28,000,000	28,000,000	28,000,000	28,000,000	28,000,000	
Air and Marine Interdiction Programs, Procurement	21,174,000	21,093,000	21,093,000	21,093,000	21,093,000	-81,000
Customs Facilities, Construction, Improvements and Related Expenses	4,600,000			10,000,000	5,000,000	+400,000
Customs Forfeiture Fund (limitation on availability of deposits)	15,000,000					-15,000,000
Customs Services at Small Airports (to be derived from fees collected)	1,500,000	1,406,000	1,406,000	1,406,000	1,406,000	-94,000
Total, United States Customs Service	1,469,433,000	1,408,381,000	1,408,381,000	1,472,030,000	1,454,030,000	-15,403,000
United States Mint	53,001,000	54,770,000	54,770,000	54,770,000	54,770,000	+1,769,000
Bureau of the Public Debt	191,243,000	189,209,000	189,209,000	187,209,000	187,209,000	-4,034,000
Payment of Government Losses in Shipment	500,000	500,000	500,000	500,000	500,000	
Internal Revenue Service:						
Administration and Management	157,368,000	167,822,000	167,822,000	167,822,000	167,822,000	+10,454,000
Processing Tax Returns and Assistance	1,632,624,000	1,696,853,000	1,696,853,000	1,696,853,000	1,696,853,000	+64,229,000
Tax Law Enforcement	3,831,375,000	4,043,281,000	4,007,962,000	4,043,281,000	4,007,962,000	+176,587,000
Information Systems	1,478,914,000	1,487,722,000	1,402,629,000	1,487,722,000	1,471,448,000	-7,466,000
(By transfer)		(39,751,000)				
Total, Internal Revenue Service	7,100,281,000	7,395,678,000	7,275,266,000	7,395,678,000	7,344,085,000	+243,804,000
United States Secret Service	480,432,000	457,360,000	457,360,000	461,931,000	461,931,000	-18,501,000
Total, Title I, Department of the Treasury	10,090,889,000	10,300,471,000	10,181,059,000	10,413,325,000	10,323,832,000	+232,943,000
TITLE II - POSTAL SERVICE						
Payment to the Postal Service Fund	121,912,000	91,434,000	91,434,000	91,434,000	91,434,000	-30,478,000
Payment to the Postal Service Fund for Nonfunded Liabilities	38,614,000	38,803,000	38,803,000	38,803,000	38,803,000	+189,000
Total, Title II, Postal Service	160,526,000	130,237,000	130,237,000	130,237,000	130,237,000	-30,289,000
TITLE III - EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT						
Compensation of the President	250,000	250,000	250,000	250,000	250,000	
The White House Office	42,795,538	38,914,000	38,914,000	38,754,000	38,754,000	-4,041,538
Executive Residence at the White House	7,598,000	7,925,000	7,925,000	7,925,000	7,925,000	+327,000
Official Residence of the Vice President	324,000	324,000	324,000	324,000	324,000	
Special Assistance to the President	3,257,000	3,270,000	3,270,000	3,270,000	3,270,000	+13,000
Council of Economic Advisers	3,428,000	3,420,000	3,420,000	3,420,000	3,420,000	-8,000
Office of Policy Development	3,772,000	5,122,000	5,122,000	5,122,000	5,122,000	+1,350,000
National Security Council	6,118,000	6,648,000	6,648,000	8,209,000	6,648,000	+530,000
National Critical Materials Council	185,000					-185,000
Office of Administration	24,853,000	24,850,000	24,850,000	24,850,000	24,850,000	-3,000
Office of Management and Budget	52,981,000	53,481,000	56,539,000	53,481,000	56,539,000	+3,558,000
Office of Federal Procurement Policy	3,058,000	3,058,000		3,058,000		-3,058,000
Office of National Drug Control Policy:						
Salaries and Expenses	101,248,000	5,800,000	5,800,000	11,687,000	11,687,000	-89,561,000
Transfer to other agencies:						
Federal Law Enforcement Training Center	(5,000,000)					(-5,000,000)
Drug Enforcement Administration	(2,000,000)					(-2,000,000)
Alcohol, Drug Abuse & Mental Health Administration	(33,701,000)					(-33,701,000)
Financial Crimes Enforcement Network	(2,800,000)					(-2,800,000)
Immigration & Naturalization Service	(7,000,000)					(-7,000,000)
United States Marshals Service	(2,500,000)					(-2,500,000)
United States Customs Service	(5,741,000)					(-5,741,000)

Treasury Department, U.S. Postal Service, Exec. Office of the Pres. and Ind. Ag. (H.R. 2403) - Cont.

	FY 1993 Enacted	FY 1994 Estimate	House	Senate	Conference	Conference compared with enacted
Dept of Justice: Bureau of Justice Assistance	(2,000,000)					(-2,000,000)
Counter-Drug Technology Assessment Center	(15,000,000)					(-15,000,000)
Total, transfer to other agencies	(75,742,000)					(-75,742,000)
Total, Office of National Drug Control Policy	101,248,000	5,800,000	5,800,000	11,687,000	11,687,000	-89,561,000
Unanticipated Needs	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	
Federal Drug Control Programs:						
High Intensity Drug Trafficking Areas Program		86,000,000	86,000,000	86,000,000	86,000,000	+86,000,000
Special Forfeiture Fund	75,742,000	28,000,000	28,000,000	75,000,000	52,500,000	-23,242,000
Transfer to other agencies:						
Internal Revenue Service			(6,000,000)		(6,000,000)	(+6,000,000)
Drug Enforcement Agency			(4,000,000)		(4,000,000)	(+4,000,000)
Counter-Drug Technology Assessment Center			(5,000,000)			
Bureau of Alcohol, Tobacco and Firearms			(1,000,000)	(5,000,000)	(5,000,000)	(+5,000,000)
United States Customs Service			(5,000,000)			
ADAMAHA				(25,000,000)	(15,000,000)	(+15,000,000)
CTAC (R&D)				(15,000,000)	(7,500,000)	(+7,500,000)
Community Partnership Grants (CSAP)				(10,000,000)	(10,000,000)	(+10,000,000)
ONDCP Director discretion			(7,000,000)	(20,000,000)	(5,000,000)	(+5,000,000)
Total, Federal Drug Control Programs	75,742,000	114,000,000	114,000,000	161,000,000	138,500,000	+62,758,000
Total, Title III, Executive Office of the President	326,609,538	268,062,000	268,062,000	322,350,000	298,289,000	-28,320,538
TITLE IV - INDEPENDENT AGENCIES						
General Services Administration:						
Federal Buildings Fund:						
Appropriation	281,601,000			312,814,000	288,486,000	+6,885,000
Unobligated balances		150,218,000	295,294,000			
Rescission		(-185,344,000)	(-107,781,000)	(-185,344,000)	(-185,344,000)	(-185,344,000)
Limitations on availability of revenue:						
Construction & acquisition of facilities	(626,312,000)	(746,965,000)	(820,476,000)	(933,787,000)	(925,027,306)	(+298,715,306)
Repairs and alterations	(594,066,000)	(546,682,000)	(539,982,000)	(516,782,000)	(523,782,000)	(-70,284,000)
Energy Investment Proposal			(6,700,000)			
Energy Investment Proposal		6,700,000				
Installment acquisition payments	(143,381,000)	(119,108,000)	(118,108,000)	(119,108,000)	(118,108,000)	(-25,273,000)
Rental of space	(1,882,691,000)	(2,125,373,000)	(2,124,373,000)	(2,117,421,000)	(2,117,421,000)	(+234,730,000)
Real property operations	(1,130,871,000)	(1,233,085,000)	(1,231,085,000)	(1,226,085,000)	(1,226,085,000)	(+95,214,000)
Program direction	(142,000,000)	(157,613,000)	(156,613,000)	(156,613,000)	(156,613,000)	(+14,613,000)
Design and construction services	(179,930,000)	(189,274,000)	(188,274,000)	(184,081,000)	(184,081,000)	(+4,151,000)
Total, Federal Buildings Fund	281,601,000	156,918,000	295,294,000	312,814,000	288,486,000	+6,885,000
(Limitations)	(4,699,251,000)	(5,118,100,000)	(5,185,611,000)	(5,253,877,000)	(5,251,117,306)	(+551,866,306)
Federal Supply Service	56,144,000	55,804,000	55,804,000	43,420,000	43,420,000	-12,724,000
Use of proceeds of sales and overpayments				12,384,000	12,384,000	+12,384,000
Information Resources Management Service	46,419,000	46,291,000	45,675,000	44,730,000	45,675,000	-744,000
Federal Property Resources Service	13,933,000	15,756,000	15,756,000	15,756,000	15,756,000	+1,823,000
General Management and Administration	34,000,000	31,435,000	31,435,000	31,435,000	31,435,000	-2,565,000
Office of Inspector General	34,748,000	34,925,000	34,925,000	34,925,000	34,925,000	+177,000
Allowances and Office Staff for Former Presidents	2,386,000	2,833,000	2,833,000	2,833,000	2,833,000	+447,000
Expenses, Presidential Transition	5,000,000					-5,000,000
Total, General Services Administration	474,231,000	343,962,000	481,722,000	498,297,000	474,914,000	+683,000
Office of Personnel Management:						
Salaries and Expenses	119,000,000	118,533,000	118,533,000	118,533,000	118,533,000	-467,000
(limitation on administrative expenses)	(69,993,000)	(72,754,000)	(72,754,000)	(72,754,000)	(72,754,000)	(+2,761,000)
Office of Inspector General	4,227,000	4,253,000	4,253,000	4,253,000	4,253,000	+26,000
(limitation on administrative expenses)	(6,500,000)	(6,514,000)	(6,514,000)	(6,514,000)	(6,514,000)	(+14,000)
Government Payment for Annuitants, Employees Health Benefits	4,149,245,000	3,458,480,000	4,148,480,000	3,458,480,000	3,805,480,000	-343,765,000
Government Payment for Annuitants, Employee Life Insurance	12,433,000	1,607,000	1,607,000	1,607,000	1,607,000	-10,826,000
Payment to Civil Service Retirement and Disability Fund	6,900,000,000	7,065,819,000	7,065,819,000	7,065,819,000	7,065,819,000	+165,819,000
Employees Health Benefits Fund (limitation on administrative expenses)	(14,702,000)	(14,774,000)	(14,774,000)	(14,774,000)	(14,774,000)	(+72,000)
Employees Life Insurance Fund (limitation on administrative expenses)	(1,086,000)	(826,000)	(826,000)	(826,000)	(826,000)	(-260,000)
Retired Employees Health Benefits Fund (limitation on administrative expenses)	(251,000)	(165,000)	(165,000)	(165,000)	(165,000)	(-86,000)
Total, Office of Personnel Management	11,184,905,000	10,648,692,000	11,336,692,000	10,648,692,000	10,995,692,000	-189,213,000
Administrative Conference of the United States	2,314,000	2,314,000		1,800,000	1,800,000	-514,000
Advisory Commission on Intergovernmental Relations	1,820,000	1,859,000		1,000,000	1,000,000	-820,000
Citizens' Commission on Public Service and Compensation	250,000	254,000				-250,000
(Rescission)				-250,000	-250,000	-250,000
Committee for Purchase from People Who Are Blind or Severely Disabled	1,653,000	1,679,000	1,689,000	1,689,000	1,689,000	+36,000

Treasury Department, U.S. Postal Service, Exec. Office of the Pres. Ind. Ag. (H.R. 2403) - Cont.

	FY 1993 Enacted	FY 1994 Estimate	House	Senate	Conference	Conference compared with enacted
Federal Election Commission	21,143,000	21,151,000	23,564,000	23,564,000	23,564,000	+2,421,000
Federal Labor Relations Authority	21,647,000	21,341,000	21,341,000	21,341,000	21,341,000	-306,000
Merit Systems Protection Board:						
Salaries and Expenses	24,450,000	24,674,000	24,674,000	24,674,000	24,674,000	+224,000
(limitation on administrative expenses)	(1,950,000)	(1,989,000)	(1,989,000)	(1,989,000)	(1,989,000)	(+39,000)
National Archives and Records Administration	168,042,000	193,182,000	193,182,000	196,482,000	195,482,000	+27,440,000
Reduction of debt	.....	-3,397,000	-3,397,000	-3,397,000	-3,397,000	-3,397,000
Office of Government Ethics	8,265,000	8,313,000	8,313,000	8,313,000	8,313,000	+48,000
Office of Special Counsel	7,952,000	7,992,000	7,992,000	7,992,000	7,992,000	+40,000
United States Tax Court	32,435,000	35,350,000	33,650,000	35,350,000	33,650,000	+1,215,000
Total, Title IV, Independent Agencies	11,949,107,000	11,307,366,000	12,129,422,000	11,485,547,000	11,786,464,000	-162,643,000
(limitation on administrative expenses)	(4,793,733,000)	(5,029,778,000)	(5,174,852,000)	(5,165,555,000)	(5,162,795,306)	(+369,062,306)
General Reduction, 1.478 % of Discretionary accounts	.....	.....	.....	-173,772,000	.....	.....
Grand total:						
New budget (obligational) authority	22,527,131,538	22,006,136,000	22,708,780,000	22,157,687,000	22,538,822,000	+11,690,462
(Appropriations)	(22,527,131,538)	(22,006,136,000)	(22,708,780,000)	(22,157,937,000)	(22,539,072,000)	(+11,940,462)
(Rescissions)	.....	.....	.....	(-250,000)	(-250,000)	(-250,000)
(Limitations)	(4,793,733,000)	(5,029,778,000)	(5,174,852,000)	(5,165,555,000)	(5,162,795,306)	(+369,062,306)

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

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

Mr. Speaker, I rise in support of the conference report to accompany H.R. 2403, the Treasury, Postal Service, and General Government appropriations bill for fiscal year 1994. Mr. Speaker, I concur with my chairman and good friend, Mr. HOYER, on a number of points in this bill.

As a Republican and the ranking member of the subcommittee, there are a number of things in this conference report I can strongly support.

For one, as my chairman says, the total numbers of the bill are below the House-passed bill. Our discretionary numbers are slightly higher, but by less than 2 percent. When combined with the mandatory figures, the total bill is actually only $6 million more than fiscal year 1993. In most accounts, we basically split the difference between the House and Senate bills, and in addition we are below the subcommittee's 602(b) allocation in budget authority.

The funding for the executive office of the President is $28 million below fiscal year 1993 levels, although most of that can be accounted for by cuts to the office of national drug control policy, or the drug czar's office.

One issue I would like to call to the attention of Members is our bill's incorporation of some of the Vice President's national performance review recommendations. As a Republican, I find myself supportive of many of these recommendations, such as the call for reductions in the numbers of Federal employees, and eliminating legislative mandates to the agencies which micromanage the Federal Government. For many of the agencies funded in the bill, we removed the mandated floors in FTE [full-time equivalent positions] levels, in following the Vice President's national performance review recommendations to stop micromanaging Federal agencies. I do believe we could have gone farther than we did in this area, by completely adopting this approach for all agencies, but there were concerns about the impact this might have on law enforcement agencies.

I was also pleased the conference included language I proposed to recommend that Federal agencies make efforts to reduce by 50 percent the paperwork burden, both internally and for individuals and businesses which are required to prepare Government forms for various purposes.

I also want to mention to my colleagues who have concerns about construction of new Federal buildings in the bill, that language is included in the conference report requiring the authorization of the buildings by the public works committees of both bodies prior to the obligations of any funds. The conference report takes the same approach it did last year, by not funding any nongovernment, or special projects, as was done in previous years.

For those who are concerned about postal revenues forgone and non-profit postal rates, our conference report also reaffirms the so-called Clay compromise adopted by the budget reconciliation bill enacted earlier this year. Therefore, this section of the bill should also be noncontroversial.

Another positive point in this conference report carried over the intent of last year's bill with respect to the family-friendly policy of the Federal Government. The conferees directed OPM to take a stronger leadership role in addressing this issue, stressing that the Government's ability to retain and attract the most qualified professionals depends highly on employee satisfaction, and the perception of such.

The conference report also included language carried over from the House bill requesting that GSA initiate a management review to determine the feasibility of making the Federal supply service a totally reimbursable service. I believe this is an excellent goal, and I think my colleagues on this side of the aisle would agree.

One final matter which I know was important to my Republican colleagues was the elimination, in the House bill, of several small agencies or organizations funded in previous years by this bill. Although we were not successful in defunding all of them, and partially because of objections on both sides of the aisle, I was pleased that the final conference report did refund two of these small entities. As many of you know, once a commission or agency is created, it takes on a life of its own, and is virtually impossible to ever eliminate. I myself have had second thoughts at times.

Unfortunately, if we are ever to get a grip on the Federal budget, we have got to start somewhere. I know many people felt both of these entities had merit, but nonetheless, I was pleased we had the ability to start somewhere, and I commend my colleagues who had the backbone to "just say no."

Now let me take just a few moments to mention a couple of concerns I have about this conference report. First of all, I was extremely disappointed that the conference report eliminates completely, as did the House bill, language contained in this bill in previous years prohibiting the use of Federal funds to finance Federal employees' health benefit plans which fund abortions. I do

not believe the American public is solidly behind public financing of abortion, and I therefore believe most Americans will not want to be compelled to pay for abortions through Federal employees health benefit plans. Adoption of the Hyde amendment by both bodies is clear indication of that. I know many of my colleagues share my concern about this matter, and some may seek to work their will with respect to that portion of the bill—I will not oppose such efforts. It was clear during committee and floor consideration that we did not have the votes to reinstate the abortion prohibition language, but I will let the House work its will on that issue.

I also was quite concerned about the statement of managers' failure to include language discussing the recently completed GAO report on White House payroll practices. We have seen, we believe, unprecedented actions taken by the White House with respect to the backdating of pay raises, retroactive appointments, and double-dipping by White House employees on two federally funded accounts. I believe it is wrong to simply turn a blind eye to that, and I would like to thank the chairman for agreeing to hold a hearing on this matter. GAO made clear that Congress should revisit the issue of title 3 employees and the President's discretion in that regard to prevent potential abuse in the future.

Because the White House and both bodies of Congress are controlled by the same party, we have all the more need to ensure that the proper amount of oversight is being maintained. The minority party has a very important role to play in this oversight process, because we are the only ones providing any scrutiny over the executive branch. This Congress did a very effective job at oversight, I might add, during the past 12 years of Republican administrations, and I urge my Democratic colleagues not to forget that. We are still separate branches of Government, and should not simply take everything said or done by the White House at face value without careful evaluation. If we do, we will be failing to do our jobs for the American people. I will continue to urge my chairman to hold an oversight hearing on White House actions in several areas.

On a final note, I would like to extend my thanks to Bill Smith, Betsy Phillips, Robin Bason, Jenny Mummert, and John Berry on the majority staff, and Michelle Mrdeza on the minority staff, for all their hard work. I especially appreciate the cooperation we have had. In my first year as ranking member of the subcommittee, it has made my job easier. I also thank my friend, Chairman HOYER, for his willingness to hear all sides, and to accommodate the minority when he is able to. I have enjoyed working with him in his first year as chairman of the subcommittee.

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

Mr. LIGHTFOOT. Mr. Speaker, I yield 8 minutes to the gentleman from Virginia [Mr. WOLF].

Mr. WOLF. Mr. Speaker, I will be very brief.

Mr. Speaker, I rise in opposition to the bill, but before I give the reasons, let me just stipulate publicly my admiration and respect for the job that the gentleman from Maryland [Mr. HOYER] and his staff did, also the gentleman from Iowa [Mr. LIGHTFOOT] and his staff did.

Nothing that I say here is meant to be criticism in any way of them. You could not have a fairer team.

Let me just say to the gentleman from Iowa [Mr. LIGHTFOOT] that I think it is the A-team, it has always been the A-team. The work of the gentleman from Maryland [Mr. HOYER] has always been "A," and I think the gentleman from Iowa [Mr. LIGHTFOOT] has been a great improvement over the one he replaced; so let me just stipulate that for the RECORD.

Mr. Speaker, I am going to oppose the bill for two reasons. There were five Federal employees who lost their jobs because of firing in the Travel Gate. There has been a lot of activity now to try to help them find jobs, and partially because of the gentleman from Maryland [Mr. HOYER] I think they have been successful in finding them, but all five of these employees now have legal fees of over $20,000. One gentleman is perhaps in the range of $30,000.

We are asking that the administration work out something to pay for their legal fees.

Now, the Members know and the people listening know that when a Member of Congress or a high-profile employee, a political employee gets in trouble, they go to their campaign funds or to their wealthy friends. These career Federal employees have no place to go. One or two or them may be bankrupt for this activity.

The White House on this issue is out of control, and this issue has to be dealt with. I have been disappointed that but for the gentleman from Maryland [Mr. HOYER] and one or two others, there have been very few people who have really expressed any interest.

I say to the Federal Employee Unions whose job it is to represent and defend your Members and employees, your silence has been basically an indictment, because you had an obligation to come to the defense of the least, and if you come to the defense of the least, many times your employees will be better off.

Second, let me cover an issue that is equally important. It came out in the Wall Street Journal last week that a friend of the President, Mr. Ickes, who is a prominent lawyer up in New York who is alleged—and I say alleged—to be connected with organized crime had a White House pass.

Now, your constituents when they come to Washington do not have a White House pass. He had a White House pass that enabled him to walk into the White House whenever he wanted to.

In fact, Mr. Ickes was quoted, he said:

> Many people get access to the White House. I am one of those and I see nothing improper in it.

Then if you go back and you read in the Wall Street Journal piece it says:

> When New York lawyer Harold Ickes visited the Capitol in early June, a Senator's aide asked him quizzically, "Are you here in behalf of the White House or Puerto Rico?"

The confusion was understandable. Mr. Ickes, the son of Franklin Delano Roosevelt's Interior Secretary, is widely known as an influential friend of President Clinton and has often been mentioned for a top White House job, and even has the kind of Secret Service issue pass that is given to Presidential aides allowing him to roam the White House corridors at will. That is wrong. It was wrong in the Reagan administration when Deaver had the pass, and it is wrong in this administration and it ought to stop.

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Second, we have Carville, and, if my colleagues read in the latest Time/Newsweek magazine, it is a picture. Adviser James Carville spins the President's message.

Well, Bob Teeter, who was the pollster and political adviser for President Bush, did not have a White House pass. Mary Matalin did not have a White House pass. But Carville has a White Hose pass; Begala has a White House pass.

Now it is said, "Well, they are friends of the President. What's wrong with that?"

Well, the people who work on the White House staff ought to have White House passes. The President's family ought to have a White House pass.

Now, if the President wants Begala and Carville to come in, just put their name on the list, same way when any Member goes down to the White House.

But it is wrong, and what they are doing is they are trading on their knowledge and ability to enter the White House and be friends of the President. They are trading on that to pick up clients.

Now, if my colleagues read the full article, Ickes is on retainer with the Government of Puerto Rico for $10,000 a month, and I ask my colleagues, "Why do you think they are hiring him?" They are hiring him because he has the access to the White House.

I would urge Members to vote "no" on this bill. I say to my colleagues, "I think, if you constituents knew that

Begala, and Carville, and then Ickes and others, and we have asked the White House for a list of those, and what I think would be an acceptable compromise, I would feel comfortable, is if they gave the list of those who had the White House passes to the chairman, Mr. HOYER, and to Mr. LIGHTFOOT, and no other Member, if that were the case, whereby they could then make a decision whether or not it was appropriate. But when people are on the White House list, and they are also outside selling their wares, I think it's wrong. I think it's wrong morally, and I think it's wrong ethically.

"Second, by voting this bill down and sending a message to the White House you may do more to help the Clinton administration by stopping this than anything else that you can do.

"Last, I ask that any Member of Congress, if you ever happen to be the subject of an indictment, think about these five Federal employees who now have hanging over their head the situation where they still can potentially be indicted. They are still running up legal fees. One has Akin Gump, who, I can tell you, is not very cheap, and no one is coming to their defense. The White House has a moral obligation to take care of that."

Second, Mr. Speaker, the White House ought to stop these passes, lift the White House passes, and at the minimum, anyone who has a White House pass, the gentleman from Maryland [Mr. HOYER] and the gentleman from Iowa [Mr. LIGHTFOOT] ought to be able to see them.

I urge a no vote to send a message to the White House that these things are wrong.

Mr. Speaker, I rise in opposition to the conference report. I want to thank the chairman of the committee, Mr. HOYER, for his leadership in bringing this conference report to the floor today. I also want to recognize Mr. LIGHTFOOT for his efforts. I was previously the ranking member of this committee, so I'm aware of the demands placed upon Mr. LIGHTFOOT. Both Members have worked hard on this legislation, but because of a number of important changes in this year's bill, I cannot support it.

This bill contains a number of provisions which I support. It expands from three to four the number of Federal telecommuting pilot projects in the Washington metropolitan area. As Members know, these centers will allow Federal employees to work from regional centers—complete with computers, fax machines, and telephones—rather than spending hours commuting to downtown District of Columbia. This is a win-win concept: Federal employees will be able to spend more time with their families rather than being stuck in traffic and they become more productive in their jobs.

I also want to mention one provision which I feel strongly about which was stricken from this bill before it was originally passed in the House. This provision would have allowed Federal employees to apply their accumulated sick leave for the adoption of a child. Right now, Federal employees may use sick leave for the birth of a child, but families which adopt may not, creating an unfair double standard for adoptive parents. I am pleased that the House recently passed legislation which authorizes this change and I am hopeful that the other body will quickly act on that important bill.

Mr. Speaker, I would like to speak about serious concerns in this bill. From the firings of the Travel Office staff to the backdating of pay and providing White House passes to lobbyists, this Executive Office of the President is skating close to and maybe even over the ethical edge. There are various White House staffing and financial issues that should be examined more closely.

First of all, I am deeply concerned about the fate of the five fired employees of the White House travel office. It is incomprehensible why the Federal employee unions haven't made this issue a top priority. This is a case where Federal employees were wrongfully accused of a crime, fired from their jobs without just cause, publicly criticized for political gain, leaving them unemployed and straddled with thousands of dollars in legal fees. I understand that the Justice Department has ruled that these five employees will be allowed to make their case for Federal reimbursement of legal fees, but that there is no guarantee that the Government will reimburse these people.

Second is the question of White House security passes. Recently I wrote to White House Chief of Staff Mack McLarty regarding the proliferation of White House passes being given out to individuals who are not White House employees but who are basically working in the White House while holding lucrative paid positions outside the White House.

The Chief of Staff declined to provide information on individuals who hold White House passes, but did say that these non-Government persons were holding passes because they provide regular services to the White House. I am seriously concerned that at least some of the non-Government persons known to have White House passes are highly paid lawyers, consultants, and lobbyists who are not subject to any kind of oversight or disclosure requirements that are routine for regular White House employees. Serious ethical and conflict of interest problems abound with this kind of loose operation.

I am concerned that this White House seems to be developing a pattern of having highly paid—from outside sources—volunteers working on a regular basis in the White House with potentially unknown dubious connections. What outside group or corporation wouldn't mind paying an employee to go volunteer at the White House if that volunteer could promote their cause or have the White House access?

Furthermore, many of these volunteers have the best of both worlds: They don't have to give up their outside salaries or subject themselves to financial disclosure or limits on outside income yet they have the access and the cache of working from the White House. Look at James Carville, for example: He holds a White House pass, works regularly at the White House—see picture featuring him spinning the President's health care message at the Talk Radio fest at the White House last week—and heads out after he is done and gets paid for speeches all over the country and even in foreign countries. He is not subject to any of the restrictions that a regular White House employee must abide by. During the Bush administration outside operatives such as Bob Teeter or Mary Matalin never held such passes or worked at the White House in such a fashion.

If these individuals are providing regular services doesn't the public have a right to know who they are, what their connections are and what potential conflicts of interest they might have?

Earlier this year we saw the consequences of providing Harry Thomasson with the wide roaming access that he had with his White House pass. Now we have individuals such as corporate attorney, Susan Thomases, providing regular services on a volunteer basis and Harold Ickes who recently lobbied successfully to get the White House to switch positions on a Puerto Rican tax break and has been put on retainer by the Puerto Ricans to instruct them on "how best to deal with the Clinton administration" (WSJ 9/21/93). Prior to the vote on the Clinton budget, Mr. Ickes met with freshman lawmakers who in turn made personal pleas to the President on June 10 which were said by Clinton aides to have been critical to his decision to bend on the issue. Yet Mr. Ickes insists he doesn't have to register as a lobbyist because he is serving as a strategist and adviser to the Puerto Ricans in dealing with the Democratic Party. And all this from a President who campaigned on ending the clout of Washington influence peddlers. So much for change in the ethics arena.

Mr. Ickes, who is under investigation for his role in representing a union in New York that is alleged to be dominated by organized crime, bragged to The Wall Street Journal: "Many people get access to the White House; I am one of those, I see nothing improper about it." Mr. Ickes was also involved with questionable legal dealings on behalf of New York Mayor David Dinkins

in the past. It was these very reasons that the President decided not to name Mr. Ickes as Deputy Chief of Staff as he had originally planned. If he could not pass White House muster and go through financial disclosure procedures and clearance procedures for a White House job, why is he known as, Mr. Access? In an ironic twist, Newsday reports that Mr. Ickes was the transition official who drafted this administration's ethics rules. Talk about the fox guarding the henhouse.

In Mr. McLarty's letter to me, he stated that, "A limited number of non-Government persons who, for the most part, have rendered regular services to the administration, also have White House passes." Given that these individuals are providing regular services to the White House while some or many continue to hold high paying outside jobs, we should know:

First. Who are these non-Government persons who have rendered regular services to the administration? (Regardless of whether they have White House passes or not.)

Second. Have these individuals obtained White House clearance and have they filed financial disclosure?

Third. Since I would assume these non-Government persons are unpaid, what kind of efforts have been made to determine potential conflicts of interest?

Fourth. For whom do these individuals providing regular services work or who pays their salaries? From whom do they receive outside contracts or consulting fees?

Fifth. What types of positions are these non-Government persons serving in on a regular basis? Do they have use of office and secretarial services? Do they have limited or unlimited passes throughout the White House?

Sixth. If these individuals are providing services to the administration on a regular basis in what way, if any, are they considered different than Government employees?

Seventh. How are the various war rooms being staffed and paid for? Are there nonpaid staff who are paid from other sources on the outside working these war rooms?

Eighth. Is the Democratic National Committee, labor organizations, lobbying groups, for example, Families USA which paid for the families who attended the White House health care event to discuss their health care situations, or other groups paying the salaries of any of these volunteers?

I have been told that many of the staff and volunteers continue to hold temporary passes with many clearances pending and being held in the White House Counsel's office for further review. I am told that information on many individuals is of a nature that would in previous administrations make them ineligible for clearance. What is the status of these pending clearances? We need to know more. Mr. Chairman, I ask that you join me in requesting from the White House a list of all people who have White House passes and a justification for their holding these passes. Taxpayers deserve to know if the people inside the White House are there to help America or to help themselves.

Further, I am told that earlier this year, White House Administrator David Watkins made inquiries as to whether it would be possible to put privately donated transition money or other private donations into some kind of nonprofit fund that could then be used to hire individuals and pay them on that payroll while allowing them to be volunteers in the White House. Has this been done?

Mr. Speaker, the conference report before us provides more than $150 million for the operation of the White House and the Executive Office of the President. This is taxpayers money and should be scrutinized as closely as any other Federal program. With serious questions still unanswered regarding the travel office and unlimited White House access by influence peddlers, I believe the White House has a lot of explaining to do.

I want to publicly state to the chairman that I intend to get to the bottom of each of these issues. I will not let up until I am satisfied that tax dollars are being spent in a prudent and ethical manner. This administration is calling on us to reinvent Government and reinvent health care, but for starters, they need to get their own house in order first.

HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
September 22, 1993.

Mr. THOMAS MCLARTY III,
Chief of Staff, The White House, Washington, DC.

DEAR MR. MCLARTY: I am writing in regard to your response to my letter concerning the issuance of White House passes.

While you declined to provide information on individuals who hold White House passes, I continue to remain concerned given that at least some of the non-government persons known to have White House passes are highly paid lawyers, consultants and lobbyists who are not subject to any kind of oversight or disclosure requirements that are routine for regular White House employees. As a member of the Treasury/Postal Appropriations subcommittee, I am concerned with this situation. Serious ethical and conflict of interest problems abound with this kind of loose operation.

In your letter you stated that, "A limited number of non-government persons who, for the most part, have rendered regular services to the Administration, also have White House passes." Given that these individuals are providing "regular services" to the White House while some or many continue to hold high paying outside jobs, I would like to know the following:

1. Who are these non-government persons who have rendered regular services to the Administration? (Regardless of whether they have White House passes or not)

2. Have these individuals obtained White House clearance and have they filed financial disclosure?

3. Since I would assume these non-government persons are unpaid, what kind of efforts have been made to determine potential conflicts of interest?

4. For whom do these individuals providing "regular services" work or who pays their salaries? From whom do they receive outside contracts or consulting fees?

5. What types of positions are these non-government persons serving in on a regular basis? Do they have office space such as was made available to Harry Thomasson earlier this year? Do they have use of office and secretarial services? Do they have limited or unlimited passes throughout the White House?

6. If these individuals are providing services to the Administration on a "regular basis" in what way, if any, are they considered different than government employees?

7. How are the various "war rooms" being staffed and paid for? Are there non-paid staff who are paid from other sources on the outside working these "war" rooms?

8. Is the Democratic National Committee, labor organizations, lobbying groups (for example, Families USA which paid for the families who attended the White House health care event to discuss their health care situations) or other groups paying the salaries of any of these "volunteers"?

I also understand that many of the staff and volunteers continue to hold "temporary" passes with many clearances pending and being held in the White House Counsel's office for further review. I am told that information on many individuals is of a nature that would in previous Administrations make them ineligible for clearance. What is the status of these pending clearances?

I am concerned that this White House seems to be developing a pattern of having highly paid (from outside sources) "volunteers" working on a regular basis in the White House with potentially unknown dubious connections. What outside group or corporation wouldn't mind "paying" an employee to go "volunteer" at the White House if that "volunteer" could promote their cause or have the White House access?

Furthermore, many of these "volunteers" have the best of both worlds: They don't have to give up their outside salaries or subject themselves to financial disclosure or limits on outside income yet they have the access and the cache of working from the White House.

Your letter declining to disclose who holds these passes at least admitted that these individuals who are holding passes are providing "regular services" and as such virtually operate as employees of the White House. If these individuals are providing "regular services" doesn't the public have a right to know who they are, what their connections are and what potential conflicts of interest they might have?

Earlier this year we saw the consequences of providing Harry Thomasson with the wide roaming access that he has with his White House pass. Now we have individuals such as corporate attorney, Susan Thomases, who I understand will be doing the President's scheduling until November 1 on a "volunteer" basis. In addition, Harold Ickes who recently lobbied successfully to get the White House to switch positions on a Puerto Rican tax break and has been put on retainer by the Puerto Ricans to instruct them on "how best to deal with the Clinton administration" (WSJ, 9/21/92) bragged to The Wall

Street Journal: "Many people get access to the White House; I am one of those. I see nothing improper about it." The scrutiny of Michael Deaver during the Reagan Administration was for conduct very much like that of Mr. Ickes. It was wrong when Michael Deaver did it; it is wrong now.

Further, I am told that earlier this year White House Administrator David Watkins made inquiries as to whether it would be possible to put privately donated transition money or other private donations into some kind of nonprofit fund that could then be used to hire individuals and pay them on that payroll while allowing them to be "volunteers" in the White House. I would like to know if this has been done in any capacity.

I would appreciate your response to this matter as soon as possible.

Sincerely,

FRANK R. WOLF,
Member of Congress.

THE WHITE HOUSE,
Washington, DC, August 19, 1993.

Hon. FRANK R. WOLF,
U.S. House of Representatives, Washington, DC.

DEAR CONGRESSMAN WOLF: Thank you for your letter of July 29.

To our knowledge, there have been no material changes in security procedures at the White House when compared to those of previous administrations. The security function as to personnel rests primarily with the Office of White House Personnel Security, which is under the direction of the Office of Counsel to the President. Other security functions regarding the White House are provided by the Secret Service and other agencies, such as the Department of Defense. The Office of White House Personnel Security originates the necessary paperwork for security clearances.

The vast majority of the holders of White House passes are employees or detailees. Certain administration officials employed by various agencies of the Executive Branch, whose duties require regular White House access, possess White House passes. A limited number of non-government persons who, for the most part, have rendered regular services to the Administration, also have White House passes. The list of these persons is confidential. As a result of a review being conducted by my office, in conjunction with the Office of Counsel to the President, there may be some modification of our pass policy with respect to non-government persons.

Personally,

MACK MCLARTY.

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

ICKES, CLINTON INSIDER AND PUERTO RICO ADVOCATE, SHOWS NOT ALL WHO LOBBY MUST WAIT IN THE HALL

(By Jeffrey H. Birnbaum)

WASHINGTON.—When New York lawyer Harold Ickes visited the Capitol in early June, a senator's aide asked him quizzically, "Are you here on behalf of the White House or Puerto Rico?"

The confusion was understandable. Mr. Ickes, the son of Franklin D. Roosevelt's Interior secretary, is widely known as an influential friend of President Clinton, has often been mentioned for a top White House job and even has the kind of Secret Service-issued pass that is issued to presidential aides, allowing him to roam the White House corridors at will.

But Mr. Ickes was hardly representing the president that day on Capitol Hill. Rather, he was lobbying for Puerto Rico and working to defeat one of Mr. Clinton's most important tax proposals, the severe curtailment of a generous subsidy to U.S. manufacturers, especially pharmaceutical makers, with operations in the Island commonwealth. In the end, the president relented, and Mr. Ickes's side won, when most of the tax break was preserved.

MANY HATS

During his election campaign, Mr. Clinton insisted that he wouldn't tolerate special access for narrow interests, and promised to "take away power from the entrenched bureaucracies and special interests that dominate Washington." As Mr. Ickes's example shows, however, not only have special interests continued to flourish, but people close to the president are participating in the bazaar.

The Puerto Ricans placed the 54-year-old Mr. Ickes on retainer starting in mid-April, at a fee that lobbyists put at $10,000 a month. Mr. Ickes won't discuss how much he is being paid. He began meeting with prominent lawmakers and their staffs; he also attended numerous strategy sessionswith lobbyists and Puerto Rican officials, helping to plot how to beat the president's proposal. Participants say he gave advice on a variety of matters, including how best to deal with the Clinton administration.

Mr. Ickes's roles as White House adviser and Puerto Rico lobbyist sometimes blurred. The chief of staff of the Senate Finance Committee, Lawrence O'Donnell, talked to Mr. Ickes as if he were the Puerto Rican's conduit to the White House, and even admonished Mr. Ickes for failing to lobby the White House harder.

"It struck me as something of a waste of time being in my office when all the resistance was coming from the administration," Mr. O'Donnell says. "I made it clear that anyone who has access to the White House on this should be lobbying the White House."

Mr. Ickes, whose practice is based in Mineola, N.Y., contends he wasn't lobbying the White House at all at the time. In fact, after serving as the chief operating officer of the Clinton transition in Little Rock, Ark., he had agreed not to lobby any government agency for six months after the start of the new administration. He insists that the advice he gave to lobbyists didn't violate that agreement, and adds that "I certainly had no information and did not attempt to obtain any information about where different people in the White House stood" on the issue.

But he did meet with several Democratic lawmakers whose influence proved to be pivotal. These included such tax writers as House Ways and Means Chairman Dan Rostenkowski of Illinois, New Jersey Sen. Bill Bradley, New York Rep. Charles Rangel and Connecticut Rep. Barbara Kennelly. Mr. Ickes' also met with twofreshman lawmakers of Puerto Rican descent, Reps. Nydia Velazquez of New York and Luis Gutierrez of Illinois, whose personal pleas to the president on June 10 were said by Clinton aides to have been critical to his decision to bend on the issue.

Despite those meetings, Mr. Ickes insists that he doesn't have to register as a lobbyist because he is serving as a strategist and adviser to the Puerto Ricans in dealing with the Democratic Party. The current lobbying-registration laws are so loosely worded that he appears to be correct.

REDUCING THE CUT

But his work produced results nonetheless. The original Clinton proposal would have cut the Puerto Rican tax subsidy by $6.8 billion over five years. The final tax change reduced the break by $3.7 billion over the period.

Mr. Ickes is continuing to represent Puerto Rican interests, and has been meeting with the White House officials on their behalf since the six-month ban on contacts by former transition staffers lapsed in July. He arranged a meeting for himself and the governor of Puerto Rico with senior White House aide Marcia Hale at the National Governors Association meeting in Tulsa, Okla., last month. He also arranged, and stayed for the start of, a meeting between the governor and Hillary Rodham Clinton at the same Tulsa event.

Meanwhile, he continues to use his White House pass to come and go at 1600 Pennsylvania Ave. "Many people get access to the White House; I am one of those," Mr. Ickes says. "I see nothing improper about it."

And clearly he is still welcome there. "His work with the government of Puerto Rico involved a whole wide range of issues; the tax issue is just one aspect of it," says White House Communications Director Mark Gearan. "Harold is a valued friend of the administration."

[From the Washington Post, Sept. 21, 1993]

SHEEEEEEEEEEEEE'S BAAAAAAACCK . . .

(By Keith Jenkins)

It's kind of hard to imagine, but White House scheduling is obviously in such disarray right now that staffers are actually hoping that Susan Thomases will temporarily step into her old campaign job.

Several aides yesterday expressed relief—even enthusiasm—that the Clintons' controversial friend will likely fill the scheduling job on a volunteer basis until about Nov. 1. Marcia Hale recently vacated the post to head the White House intergovernmental affairs office, and it's slated to be filled permanently by Ricki Seidman, who's on an extended R&R leave. Lately, the president's schedule has been handled seat of the pants.

We hate to rehash old stuff, but we will: Thomases, a New York lawyer and one of Hillary Clinton's closest pals, drove the campaign staff nuts with her abrupt, controlling and often autocratic handling of the campaign schedule last year. There was even a time when aides went into shock just thinking she might get a White House job.

But time apparently heals old wounds. "She's organized, to the point and she understands the Clintons," said one staffer. "Doing the president of the United States' schedule by committee just isn't making it."

As for Thomases, a call to her New York office went unreturned.

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

Mr. Speaker and my colleagues, I know the gentleman from Virginia feels very strongly about these two issues. In particular, of course, he talked on this issue when we passed this bill in the House, the issue of the five employees in the White House Travel Office who were removed from the Travel Office. In part because of his interest and the interests of others, I have worked closely with Mr. McLarty in the White House on this issue. I am pleased that all five of these employees have, in fact, been offered jobs at comparable levels and with their seniority intact. I think that was appropriate to do. The gentleman from Virginia [Mr. WOLF] thought that was appropriate as well.

I want to tell the gentleman from Virginia that, as he knows we are still working on the issue of the attorneys' fees, which is also of serious concern, and I think he raises a good point.

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

Mr. HOYER. I yield to the gentleman from Virginia.

Mr. WOLF. Mr. Speaker, I just want to say and acknowledge publicly that I think of the reason they have been taken care of is because of the good offices of the gentleman from Maryland. I know of the work, and I publicly want to say that one has been a constituent of mine. He has been very, very concerned. I am not sure any have been the gentleman's constituents, but I do appreciate the good work that the gentleman has done in helping them at least find employment.

Mr. HOYER. Mr. Speaker, I thank the gentleman from Virginia [Mr. WOLF] for his remarks, but I would point out at no time did the White House indicate any objections to doing that and, in fact, felt that that ought to be done, and I think there was an agreement on that. But the gentleman from Virginia has made that point very clear.

On the second point, Mr. Speaker, I do not know whether the gentleman had an opportunity to read the Wall Street Journal today. The gentleman has had an impact already and made at least one point. Harold Ickes, a New York lawyer who represented the Puerto Rican government, has had his White House pass revoked, so the gentleman's concerns have been heard, and I am sure that this matter obviously is being reviewed in the light of the fact that they have already taken one action.

So, I think the White House is sensitive to the issue that the gentleman raises.

I would urge the Members, however, to remember that those are only two messages. I understand that, but this conference report, after all, does fund the Department of the Treasury, the General Services Administration, the Secret Service, Customs, and many others. I think the message has been sent. We have taken care of the five employees, Mr. Ickes' pass has been taken back, and I presume this matter is under review.

Mr. Speaker, I urge the Members to support the conference report.

Mr. DARDEN. Mr. Speaker, I rise in strong support of the conference report on H.R. 2403. I commend Chairman HOYER, the ranking member, Mr. LIGHTFOOT, the other subcommittee members and staff for their hard work and efforts in bringing this balanced bill to the floor today.

Mr. Speaker, while the chairman has outlined the contents of this conference report, I would like to highlight several of its important provisions. First, this measure appropriates $170 million less than the Treasury, Postal Service, general government bill approved by this body in June of this year. The final appropriations contained in this bill are the result of many hard choices.

Second, this conference report contains funds important to law enforcement including drug interdiction efforts, drug treatment and prevention programs, the U.S. Customs Service, the Secret Service, and BATF. This bill also continues the programs and development of the Federal law enforcement training center which provides most of the training for Federal law enforcement personnel.

Finally, Mr. Speaker, several difficult issues are addressed in this conference report including Federal employee salary adjustments, reductions in the number of Federal employees, and subsidized mailing rates for nonprofit organizations.

Mr. Speaker, I again commend the chairman and other members of the conference committee for their diligent efforts and urge my colleagues to support this measure.

Mr. HOYER. Mr. Speaker, we have no further requests for time, I yield back the balance of my time, and I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER pro tempore (Mr. MCNULTY). The question is on the conference report.

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

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

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 207, nays 206, not voting 20, as follows:

[Roll No. 476]

YEAS—207

Abercrombie
Ackerman
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Bacchus (FL)
Baesler
Barca
Barrett (WI)
Bateman
Becerra
Beilenson
Berman
Bevill
Bilbray
Bishop
Blackwell
Bonior
Borski
Brooks
Brown (CA)
Brown (FL)
Brown (OH)
Byrne
Cantwell
Cardin
Carr
Chapman
Clayton
Clement
Clyburn
Coleman
Collins (IL)
Collins (MI)
Condit
Conyers
Cooper
Coppersmith
Coyne
Cramer
Darden
DeFazio
DeLauro
Dellums
Derrick
Deutsch
Dingell
Dixon
Dooley
Durbin
Engel
English (AZ)
English (OK)
Eshoo
Evans
Farr
Fazio
Fields (LA)
Filner
Fingerhut
Flake
Foglietta
Ford (MI)
Ford (TN)
Frost
Furse
Gallo
Gejdenson
Gephardt
Gibbons
Gilman
Glickman
Gonzalez
Gordon
Green
Greenwood
Gutierrez
Hamburg
Hamilton
Harman
Hastings
Hefner
Hilliard
Hinchey
Hoagland
Hochbrueckner
Houghton
Hoyer
Hughes
Inslee
Jefferson
Johnson (CT)
Johnson (GA)
Johnson (SD)
Johnson, E. B.
Johnston
Kennedy
Kennelly
Kleczka
Klein
Kolbe
Kopetski
Kreidler
Lambert
Lancaster
Lantos
LaRocco
Leach
Lehman
Levin
Lewis (GA)
Lightfoot
Long
Lowey
Maloney
Mann
Manton
Margolies-Mezvinsky
Markey
Matsui
McCloskey
McCurdy
McDermott
McHale
McKinney
McNulty
Meehan
Meek
Menendez
Meyers
Mfume
Miller (CA)
Mineta
Mink
Moakley
Moran
Morella
Nadler
Natcher
Neal (MA)
Neal (NC)
Obey
Olver
Owens
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Pickett
Pickle
Pomeroy
Price (NC)
Rangel
Reed
Reynolds
Richardson
Rose
Rostenkowski
Rowland
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Schenk
Schumer
Scott
Serrano
Sharp
Shepherd
Sisisky
Skaggs
Slaughter
Smith (IA)
Spratt
Stokes
Strickland
Studds
Swett
Swift
Synar
Tanner
Thompson
Thornton
Thurman
Torres
Towns
Traficant
Tucker
Unsoeld
Valentine
Velazquez
Vento
Visclosky
Washington
Waters
Watt
Waxman
Wheat
Whitten
Williams
Wilson
Wise
Woolsey
Wyden
Wynn

NAYS—206

Allard
Applegate
Archer
Armey
Bachus (AL)
Baker (CA)
Baker (LA)
Ballenger
Barcia
Barlow
Barrett (NE)
Bartlett
Barton
Bentley
Bereuter
Bilirakis
Bliley
Blute
Boehlert
Boehner
Bonilla
Browder
Bunning
Burton
Buyer
Callahan
Calvert
Camp
Canady
Castle
Clinger
Coble
Collins (GA)
Combest
Costello
Cox
Crane
Crapo
Cunningham
Danner
de la Garza
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Dornan
Dreier
Duncan
Dunn
Edwards (TX)
Emerson
Everett
Ewing
Fawell
Fields (TX)
Fish
Fowler
Franks (CT)
Franks (NJ)
Gallegly
Gekas
Geren
Gilchrest
Gillmor
Gingrich
Goodlatte
Goodling
Goss
Grandy
Gunderson
Hall (TX)
Hancock
Hansen
Hastert
Hayes
Hefley
Herger
Hobson
Hoekstra
Hoke
Holden
Horn
Huffington
Hunter
Hutchinson
Hutto
Hyde
Inglis
Inhofe
Istook
Jacobs
Johnson, Sam
Kanjorski
Kaptur
Kasich
Kildee
Kim
King
Kingston
Klink
Klug
Knollenberg
Kyl
LaFalce
Laughlin
Lazio
Levy
Lewis (CA)
Linder
Lipinski
Livingston
Lloyd
Machtley
Manzullo
Mazzoli
McCandless
McCollum
McCrery
McHugh
McInnis
McKeon
McMillan
Mica
Michel
Miller (FL)
Minge
Molinari
Mollohan
Montgomery
Moorhead
Murphy
Myers
Nussle
Oberstar
Ortiz
Orton
Packard
Pallone
Parker
Paxon
Penny
Peterson (MN)
Petri
Pombo
Portman
Poshard
Pryce (OH)
Quillen
Quinn
Rahall
Ramstad
Ravenel
Regula
Ridge
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Royce
Sangmeister
Santorum
Sarpalius
Saxton
Schaefer
Schiff
Sensenbrenner
Shaw
Shays
Shuster
Skeen
Skelton
Slattery
Smith (MI)
Smith (NJ)
Smith (TX)
Snowe
Solomon
Spence
Stearns
Stenholm
Stump
Stupak
Sundquist
Talent
Tauzin

Taylor (MS)	Upton	Wolf
Taylor (NC)	Volkmer	Young (AK)
Tejeda	Vucanovich	Young (FL)
Thomas (CA)	Walker	Zeliff
Thomas (WY)	Walsh	Zimmer
Torkildsen	Weldon	

NOT VOTING—20

Boucher	Grams	Porter
Brewster	Hall (OH)	Schroeder
Bryant	Lewis (FL)	Smith (OR)
Clay	Martinez	Stark
Dicks	McDade	Torricelli
Edwards (CA)	Murtha	Yates
Frank (MA)	Oxley	

□ 2003

Mr. DE LA GARZA changed his vote from "yea" to "nay."

Mr. NEAL of Massachusetts and Mr. VALENTINE changed their votes from "nay" to "yea."

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. HOYER. 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 therein extraneous material on H.R. 2403, the conference report just agreed to.

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

There was no objection.

PERSONAL EXPLANATION

Mr. LEWIS of Florida. Mr. Speaker, due to a health concern in my family, and the fact that today's session was not scheduled to run past 6 p.m., I was unable to cast my vote on H.R. 2403: a bill making appropriations for the Treasury Department, the U.S. Postal Service, the Executive Office of the President, and certain independent agencies, for the fiscal year ending September 30, 1994, and for other purposes.

Had I been here, I would have voted "no," as I did on this bill as it originally passed the House.

PERSONAL EXPLANATION

Mr. PORTER. Mr. Speaker, I was not recorded as voting on Rollcall No. 476. Had I voted, I would have voted "aye."

PERSONAL EXPLANATION

Mr. GRAMS. Mr. Speaker, I was unable to cast my vote on H.R. 2403, the Treasury, Postal Service, General Government appropriations conference report.

Had I been present in the Chamber at the time of the vote, I would have voted "no" on Rollcall Vote No. 476.

PERSONAL EXPLANATION

Mr. OXLEY. Mr. Speaker, I was unavoidably absent from the House Chamber during Rollcall Vote No. 476. Had I been present, I would have voted "nay."

AUTHORIZING PERMANENT AUTHORITY OF SECRETARY OF COMMERCE TO CONDUCT QUARTERLY FINANCIAL REPORT PROGRAM

Mr. SAWYER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 2608) to make permanent the authority of the Secretary of Commerce to conduct the Quarterly Financial Report Program, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments as follows:

Senate amendments:

Strike out all after the enacting clause and insert:

SECTION 1. REAUTHORIZATION OF COLLECTION AND PUBLICATION OF QUARTERLY FINANCIAL STATISTICS BY THE SECRETARY OF COMMERCE.

(a) IN GENERAL.—Section 4(b) of the Act entitled "An Act to amend title 13, United States Code, to transfer responsibility for the quarterly financial report from the Federal Trade Commission to the Secretary of Commerce, and for other purposes", approved January 12, 1983 (Public Law 97-454; 96 Stat. 2494; 13 U.S.C. 91 note) is amended by striking out "September 30, 1993" and inserting in lieu thereof "September 30, 1998".

(b) EFFECTIVE DATE.—The amendment made under subsection (a) shall take effect on September 30, 1993.

Amend the title so as to read: "An Act to provide for the reauthorization of the collection and publication of quarterly financial statistics by the Secretary of Commerce through fiscal year 1998, and for other purposes.".

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

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

There was no objection.

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

Mrs. MORELLA. Mr. Speaker, reserving the right to object, I rise in support of H.R. 2608 as amended by the other body and would like to thank my friend and colleague from Ohio, TOM SAWYER for his diligent work on this measure.

H.R. 2608 as passed by the House would have permanently authorized the Secretary of Commerce to conduct the Quarterly Financial Report Program. H.R. 2608 as amended by the other body would authorize the QFR Program for a 5-year period until 1998. The other body was concerned with permanently authorizing the QFR Program at this point until they could consult with experts to learn more about the QFR statistical collection process.

The QFR Program originally conducted by the Federal Trade Commission was established 45 years ago to provide on an ongoing basis needed statistics on the financial performance of manufacturing, mining, and trading operations. Today, the QFR Program provides financial data for essential calculation of key Government measures of the national economy. The QFR is the principal economic indicator of the U.S. economic performance and the primary source for estimates of the gross domestic product [GDP] and national income accounts.

Mr. Speaker, H.R. 2608 is noncontroversial and recognizes the critical role of the QFR Program. The QFR Program is wholeheartedly supported by the U.S. corporations which supply the information and I urge my colleagues to support this legislation.

Mr. Speaker, further reserving the right to object, I yield to the gentleman from Ohio [Mr. SAWYER].

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Mr. SAWYER. Mr. Speaker, I thank my friend, the gentlewoman from Maryland. Frankly, I was going to explain the content of the measure, but the gentlewoman from Maryland has done such a marvelous job.

Mr. Speaker, H.R. 2608 reauthorizes the collection and publication of quarterly financial statistics by the Secretary of Commerce through fiscal year 1998. I am pleased to be the sponsor of this legislation, along with the ranking minority member of the Committee on Post Office and Civil Service, the gentleman from Indiana, JOHN MYERS.

I also want to thank the gentleman from Wisconsin [Mr. PETRI] for his support and cooperation in bringing this bill to the floor in a timely way.

The Quarterly Financial Report [QFR] Program is the Nation's most current and comprehensive source of data on corporate financial activity. QFR data are essential for calculating key measures of the national economy.

As Members may recall, the House approved H.R. 2608 on September 21 under Suspension of the Rules. The following day, the Senate passed H.R. 2608 with an amendment that reauthorizes the QFR Program for 5 years, through September 30, 1998.

The Senate wanted to have the opportunity to review the QFR Program again in the future. I understand their concerns and am happy to accept the amendments.

H.R. 2608 will ensure the accuracy and continuity of principal economic indicators. I urge my colleagues to support H.R. 2608, as amended.

Mrs. MORELLA. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

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 the bill, H.R. 2608, and the Senate amendments thereto.

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

There was no objection.

RELATING TO CONSIDERATION OF SENATE AMENDMENTS TO HOUSE AMENDMENTS TO SENATE AMENDMENTS TO H.R. 2493, AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 1994

Mr. GORDON. Mr. Speaker, by direction of the Committee on Rules I call up House Resolution 260 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 260

Resolved, That upon the adoption of this resolution it shall be in order, any rule of the House to the contrary notwithstanding, to take from the Speaker's table the bill (H.R. 2493) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 1994, and for other purposes, with the Senate amendments to the House amendments to the Senate amendments numbered 29 and 164 thereto, and to consider: (1) a motion that the House concur in the Senate amendment to the House amendment to the Senate amendment numbered 29 with the amendment printed in section 2 of this resolution; and (2) a motion that the House concur in the Senate amendment to the House amendment to the Senate amendment numbered 164 with the amendment printed in section 3 of this resolution. Each Senate amendment shall be considered as read. Each motion shall be debatable for one hour, equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. The previous question shall be considered as ordered on each motion to final adoption without intervening motion.

SEC. 2. The House amendment to the Senate amendment to the House amendment to the Senate amendment numbered 29 is as follows: In the matter proposed to be added by the Senate amendment, insert after the word "operations" the following: ", except for marketing year 1993".

SEC. 3. The House amendment to the Senate amendment to the House amendment to the Senate amendment numbered 164 is as follows: In the matter proposed to be added by the Senate amendment, insert before the period at the end of section 731 the following: ", except in the case of the Food and Drug Administration".

The SPEAKER pro tempore. The gentleman from Tennessee [Mr. GORDON] is recognized for one hour.

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

For purposes of debate only, I yield the customary 30 minutes, Mr. Speaker, to the gentleman from Florida [Mr. GOSS], pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 260 provides for the consideration of the Senate amendments to the House amendments to the Senate amendments to the Agriculture, Rural Development, Food and Drug Administration and related agencies appropriations bill for fiscal year 1994.

House Resolution 260 makes it in order, any rule of the House notwithstanding, to consider the motions printed in sections 2 and 3 of the rule.

The resolution provides for 1 hour of general debate on each motion which is to be equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. Each motion shall be considered as read.

Finally, the rule provides that the previous question shall be considered as ordered on each motion without intervening motion.

Mr. Speaker, each of the two motions in the rule contain a technical amendment to the Senate amendments to the conference report. The first House amendment would make clear that the termination of the Wool and Mohair Program would become effective beginning with fiscal year 1994. The second amendment would restore the floor on the level of full-time employees permitted at the Food and Drug Administration. This amendment would in no way affect the Senate language relating to the limitation on funds for Honey Program payments.

I urge my colleagues to adopt this resolution.

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

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

Mr. Speaker, folks who are into C-SPAN have been following the incredible back and forth on this 1994 Agriculture appropriations bill. We have seen just how hard it is to actually shut down obsolete and low-priority Federal programs. Americans want us to cut spending—they want us to cut programs that we do not need and can no longer afford. But in this town cutting a program is infinitely more difficult than creating new ones. And so here we are, round three in the effort to actually shut down two Federal Agriculture subsidy programs that simply have outlived their national significance. The honey price support subsidy has been identified by a whole host of independent taxpayer watchdog groups as an unnecessary and costly boondoggle for the Nation's 2,000 beekeepers. We thought we had killed the Honey Program last month—only to wake up and find out that bees have more than one life and the thing just would not die. The Wool and Mohair Program, created in the 1950's for strategic purposes to ensure adequate clothing for our troops, was targeted for elimination in Vice President GORE's reinventing Government report. Both of these programs were among the 50 specific spending cuts I offered for debate earlier this year in response to President Clinton's challence to provide specific spending cuts. So I am pleased to support this rule, which finally brings the tortuous debate to a close and provides that these cuts will, in fact, be made. For once, the taxpayers could come out the winners. Specifically, we were asked for this rule to ensure three things: First, we had to deal with a technicality in House rules that limits the number of times we can bounce an issue back and forth from here to the other body. Second, in the interest of fairness, we were asked to make sure that we not penalize those participating in the Wool and Mohair Program by killing it retroactively. These seem to be reasonable requests, though there is some difference of opinion about retroactivity. But let us be very clear, once this legislation is signed into law, we will have made sure that, as of 1994, the honey subsidy and the Wool and Mohair Program will finally and permanently be put out to pasture. Third, we were asked to help bring this bill into compliance with administration concerns about Congress establishing fixed personnel floors for certain Federal agencies. I applaud the chairman for complying with this request. I only wish he would have gone all the way and not asked for an exception for the FDA—one agency that I think many Americans believe should be reined in, not expanded. A top issue in my mailbag these days is the question of FDA interference in Americans' lives and their ability to buy vitamins. But this is a debate that will have to be resolved another day. For now, I urge support for this rule so we can get on with cutting spending.

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

Mr. GORDON. Mr. Speaker, I yield such time as he may consume to the gentleman from Illinois [Mr. DURBIN] the chairman of the Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and related agencies of the Committee on Appropriations.

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

Mr. Speaker, the honey program was abolished by House floor action, but the amendment offered by my colleague, the gentleman from Illinois, has a flaw in it which we are correcting with our effort tomorrow in the passage of the Senate amendment. The message, of course, is that the program is to be eliminated, and our language tomorrow will clarify that.

Second, under the wool and mohair program, the Senate has spoken and the House sentiment appears to be in concert. What we will attempt to do tomorrow with the passage of an amendment is to make certain that all of those Americans currently enrolled in the wool and mohair program for this marketing year, marketing year 1993, will be paid as promised. This is absolutely essential for the families and businesses involved in the program.

□ 2020

Over the past several days my office has been inundated by telephone calls from across the United States, from farmers and ranchers and producers who have enrolled in the program in good faith, in an attempt to conduct their business consistent with our Federal mandate and guidelines. This effort by the Senate to eliminate the program retroactively would have been totally unfair.

Our effort tomorrow to make certain that the marketing year of 1993 is protected is I think fair, whether you support the program or oppose it. It is clear that the program for the marketing year 1994 will not be funded. If any further action is to be taken on the wool and mohair program, it will require further action in the Congress.

The final point I would like to make is this: The President, Vice President, and Cabinet have promised the American people they will reduce the number of Federal employees. All of us support that. In fact, when the Office of Management and Budget asked us to eliminate a provision in this bill which set a floor, that is a minimum for the number of employees in various agencies, we agreed to do so, with one exception. The exception is the Food and Drug Administration, and I think it is a critically important exception.

We know that this small agency is responsible for the approval of new drugs and medical devices that will create medical breakthroughs for Americans from one coast to the other. And we want to make certain they have the professionals on hand to do the job. We are working now with the administration. I am confident that we will reach an agreement with them where we will have the necessary men and women doing the professional job at the Food and Drug Administration to make sure that new drugs, new medical devices are brought online as quickly as possible and in a professional manner.

In addition, this Congress passed several years ago a law creating the regulation and inspection of mammography clinics. If your daughter, your wife, your mother, or your friend goes to a mammography clinic in America, she should be confident that the technician and the equipment are the best, and that they are accurate. It is a matter of life and death. This program has been so slow to start that the subcommittee decided to work to put more resources to make sure that it happened. That is why we are also asking for additional money so that we can make the inspections required by law.

The same is true for nutrition labeling as well as the approval of generic drugs and many other areas such as clinical laboratory inspection. These efforts by the Federal Government for health and safety of our people are consistent with what Americans expect for their tax dollars, and consistent with the message delivered by the President in this Chamber last week. And I am confident by tomorrow we will have worked out an agreement so that the necessary professional personnel will be on hand at the Food and Drug Administration to perform these valuable functions.

Mr. GOSS. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Picacho, NM, Mr. SKEEN, the ranking Republican Member.

Mr. SKEEN. Mr. Speaker, I thank the gentleman for the time and thank him for pronouncing Picacho correctly. You have learned your Spanish very well, and very quickly.

I want to say that it has been a very dramatic few days, because those of us who know what agricultural programs are specifically associated with some of them always wonder at people who have no reason to really give a damn what happens, so long as we are going to save the taxpayers, and that is great. That is wonderful, we are going to save the taxpayers. But you also have commitments that you have made to citizens of this country who happen to be agricultural producers, and you may or may not like the program, but you have a lot of people who have become dependent on these programs because these margins in agriculture are very, very small.

There are no rich people that I know of that make their living strictly from the practice of agriculture. None that I am aware of. It is not a very remunerative type of business. Yet you have the greatest agricultural producers anywhere in the world in the United States because of some of the programs that we have.

I have the feeling that we are going to transport ourselves into a system of doing away with all agricultural subsidies, and it is going to be a mistake, because I do not think we are going to find the quality of agriculture we have today.

But nevertheless, let us go back to what has happened to the wool program. I am more associated with it because I have been in the wool-growing business, I and my family have. I am fourth generation and my son is fifth.

The way the Senate has spoken, I have no argument with it, because it was a fair test. But to make it retroactive because of their absolute nonacquaintance, or to say ignorance of how the program works was I think something that had to be remedied. And I do appreciate the cooperation of the people on the floor of this House and over in the Senate as well to make them understand that if you made it retroactive right in the middle of this marketing season, because the wool has already been shorn last spring, the lambs are now being delivered, and those prices and those markets are shaking at their very foundations because of the situation that we have introduced here in the House and the Senate or in the Congress of the United States.

So that amendment I think is absolutely essential and necessary to at least give some stability to this market year, and make this transaction go a whole lot easier for people who really need the help that we are going to offer them by removing the retroactivity.

Now in the Food and Drug Administration, I agree with the chairman. The Food and Drug Administration was absolutely and correctly characterized by the chairman, and I want to say that we have taken this on as a cause of great need and seriousconsequences, that is keeping the FDA with the kind of personnel that they need to do the work that they need to do in an expeditious manner because of the situation in the health spectrum in this country and all of the rest of the world. It is a good amendment. I approve of it and I hope that we will pass it. And I thank the gentleman from the Rules Committee, the gentleman from Florida [Mr. GOSS], from Sanibel Island, another Spanish name.

Mr. GOSS. Mr. Speaker, I thank the gentleman for pronouncing Sanibel properly.

Mr. Speaker, I am delighted to yield 3 minutes to my colleague and good friend, the distinguished gentleman from Wyoming [Mr. THOMAS].

Mr. THOMAS of Wyoming. Mr. Speaker, I thank the gentleman for yielding and appreciate the opportunity to talk a little bit about this rule. I rise in support of the rule, and I want to thank the Rules Committee and the gentleman from the Agriculture Committee for supporting this rule. I find that there is support even from those who do not necessarily support the program.

So we are talking about two different things here. And this rule is, it seems to me, very important because it allows us to make a change in an amendment that was passed in the Senate, an amendment that would have a devastating effect on an industry, and particularly in the West. And I am very pleased that my friend from Florida supports the rule. I do not agree with his characterization of the industry. Nevertheless, I do agree with the rule.

Let me talk just a minute about the wool industry. It is one that not many

people are familiar with. Most people think of the wool industry as a farm flock, a small number of sheep on a farm that sort of graze around the fences, and pick up the weeds, and keep things mowed, and that is good, and there are lots of them, because there are lots of very small farms. As a matter of fact, I had a list today that was put out about the number of pounds of wool that were produced in each congressional district, I think many Members would be surprised at the amount of wool production there is. There were 300-some congressional districts in which there is a substantial amount of wool.

But the unique things, of course, are the range flocks, and the range herds that we have in the West. And these are herds, frankly, that use a resource, a public resource, that is almost unusable for any other kind of animal. It is one that supports small communities. It is one that supports ranchers that are almost entirely dependent on their sheep operations. They are not hobby people who go out and buy ranches and have income from other sources. These are people who make a living raising sheep.

I also want to mention just in passing that this is not one that has been spending tax dollars. This is one that is supported by a tariff import fee.

So I am very pleased that we have this rule. I think tomorrow we can talk about the program. But certainly if this rule were to be denied, we would have a program where people have borrowed money for operations, which is very ordinary for ranchers in Wyoming and other places, borrow the operating money for this year's operation. The operation is over, depending on participating in this program, and without this amendment we would find that program cut off for the year that has passed, and folks would have bank notes due with the program failing at the end of the program.

So, Mr. Speaker, I urge our colleagues to support this rule and support the passage of this proposition.

Mr. GOSS. Mr. Speaker, I wish to assure my friend and colleague, the gentleman from Wyoming, that I would not mischaracterize an industry which I think is very important. It was the subsidy that I perhaps overcharacterized in my opening remarks, and I hope he accepts those comments in that spirit.

I also feel the gentleman from New Mexico made a very valid point about the distinction between crop years, and fiscal years, and calendar years, which will come out in the debate tomorrow. And I think it is excellent that we have a rule that is going to allow that distinction to come forward for the edification of the Members of this body. I learned about them yesterday in the Rules Committee for the first time, and I think they are important, and I think they are part of a very legitimate concern about fair play.

□ 2030

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

Mr. GORDON. Mr. Speaker, I have no further requests for time. Let me just conclude by giving my congratulations to the chairman, the gentleman from Illinois [Mr. DURBIN] and the ranking minority member, the gentleman from New Mexico [Mr. SKEEN], their committee and staff, for bringing these technical corrections to us in such a professional way to conclude this bill.

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

The previous question was ordered.

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

The resolution was agreed to.

A motion to reconsider was laid on the table.

THE 27TH ANNUAL COUNTRY MUSIC AWARDS

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

Mr. CLEMENT. Mr. Speaker, tonight the eyes of the Nation will be focused on Nashville, TN, site of the 27th Annual Country Music Awards.

Broadcast from the stage of the Grand Old Opry on CBS tonight, the CMA Awards each year bring out the best and the brightest in today's country music scene.

Country music is one of the most popular forms of music in the Nation today. It has a rich tradition, deriving its roots from the folk songs of our workers, capturing the spirit of our religious hymns, reflecting the sorrow and joy of our ballads, and echoing the drive and soulfulness of rhythm and blues.

Over 2,500 stations nationwide broadcast country music, a listening audience of 30 million, and annual sales of country music records now surpass $700 million.

Tonight, awards for best records, songs, and artists in a multiple of categories will be awarded. The awards will be combined with live performances from some of the top artists around the world. But whoever receives these awards, it will be the audience who wins.

I am proud to represent the country music industry here in the Congress and, Mr. Speaker, I invite my friends and colleagues to join in celebrating the month of October as Country Music Month, beginning with tonight's broadcast of the CMA Awards Show.

Mr. Speaker, I hope all my colleagues will join me as cosponsors of my Country Music Month resolution (H.J. Res. 106).

Mr. Speaker, I include the following list of finalists:

NASHVILLE, TN.—Finalists for the 27th annual Country Music Association awards:

Entertainer of the Year: Brooks & Dunn; Garth Brooks; Vince Gill; Alan Jackson; Reba McEntire.

Male Vocalist of the Year: John Anderson; Garth Brooks; Vince Gill; Alan Jackson; George Strait.

Female Vocalist of the Year: Mary-Chapin Carpenter; Wynonna Judd; Reba McEntire; Pam Tillis; Tanya Tucker.

Single of the Year: "Ain't That Lonely Yet," Dwight Yoakam; "Chattahoochee," Alan Jackson; "Don't Let Our Love Start Slippin' Away," Vince Gill; "I Don't Need Your Rockin' Chair," George Jones; "Two Sparrows in a Hurricane," Tanya Tucker.

Album of the Year: "A Lot About Livin' (And a Little 'Bout Love)," Alan Jackson; "The Chase," Garth Brooks; "Come On Come On," Mary-Chapin Carpenter; "Hard Workin' Man," Brooks & Dunn; "I Still Believe in You," Vince Gill.

Vocal Group of the Year: Alabama; Confederate Railroad; Diamond Rio; Restless Heart; Sawyer Brown.

Vocal Duo of the Year: Bellamy Brothers; Brooks & Dunn; Darryl and Don Ellis; Sweethearts of the Rodeo.

Music Video of the Year: "Chattahoochee," Alan Jackson; "Cleopatra Queen of Denial," Pam Tillis; "Don't Let Our Love Start Slippin' Away," Vince Gill; "I Don't Need Your Rockin' Chair," George Jones; "Seminole Wind," John Anderson.

Horizon Award: Mark Chesnutt; Sammy Kershaw; Tracy Lawrence; John Michael Montgomery; Trisha Yearwood.

Song of the Year (award to songwriter): "Ain't That Lonely Yet," Kostas, James House; "Boot Scootin' Boogie," Ronnie Dunn; "Chattahoochee," Alan Jackson and Jim McBride; "I Still Believe in You," Vince Gill and John Barlow Jarvis; "Seminole Wind," John Anderson.

Vocal Event of the Year: Clint Black with Wynonna Judd, "A Bad Goodbye;" George Jones with Vince Gill, Mark Chesnutt, Garth Brooks, Travis Tritt, Joe Diffie, Alan Jackson, Pam Tillis, T. Graham Brown, Patty Loveless and Clint Black, "I Don't Need Your Rockin' Chair;" Reba McEntire and Vince Gill, "The Heart Won't Lie;" Tanya Tucker with Delbert McClinton, "Tell Me About It;" Trisha Yearwood with Don Henley, "Walkaway Joe."

Musician of the Year: Paul Franklin; John Barlow Jarvis; Brent Mason; Mark O'Connor; Matt Rollings.

H.R. 830, THE REGULATORY FLEXIBILITY AMENDMENTS ACT

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

Mr. EWING. Mr. Speaker, I take this special order to discuss H.R. 830, the Regulatory Flexibility Amendments Act. This bill will help reduce costly regulations on small businesses and local governments. We all know how important small businesses are to the American economy.

In a time where we have seen the Fortune 500 companies cut back their

employment by 30 percent and, we know, even more, that new jobs are created through small businesses, that most of our job opportunities come from small businesses.

As I travel around my central Illinois district, one of the things that is made very clear to me in visiting small-business people is their unhappiness with what they consider to be excessive Government regulations.

I am constantly reminded by them that they feel terribly burdened, that their costs are greatly increased and, yes, their profitability and their ability to hire new employees is adversely affected by excessive Government regulations.

I hope that my colleagues will take a close look at H.R. 830 and will join the 203 Members of this body who have already cosponsored this piece of legislation.

What is the Regulatory Flexibility Act? Well, the RFA, as it is known, was passed in 1980 and signed by then-President Carter. It requires Federal regulators to review the costs of proposed new regulations by preparing a regulatory flexibility analysis. Regulators must then seek ways to minimize these costs on the small businesses that are being regulated, to find ways to make their regulations effective without being overburdensome. But the agencies were provided in the original act passed in 1980 with an escape hatch, which they have learned to use very effectively. They may approve a certification which states that the rule will not have a substantial effect on a sufficient number of small entities to require an analysis be done. They use this escape hatch almost routinely, and rules and regulations promulgated by the some 5,000 regulators in this country and put into effect without ever analyzing this burden, the effect or the cost in jobs to the businesses being regulated.

Because the Regulatory Flexibility Act, when passed, was flawed, it did not allow for judicial review of theagencies' compliance. The agencies are free to do as they wish without any fear that anyone will challenge their authority.

What then will H.R. 830 do? H.R. 830 will remove the prohibition on judicial review. Yes, I believe H.R. 830 will restore what I think would be a constitutional right on the small businesses and the people who own and operate them in this country.

It will remove the prohibition on judicial review and allow small businesses to take legal actions if the agencies fail to comply with the law, if they fail to analyze their regulations, if they fail to realize and to analyze whether these regulations are overly burdensome.

This will literally put some teeth into the Regulatory Flexibility Act and, I think, will meet the demands and the requests of my constituents and those, I believe, of every Member in this body.

This small change will do a lot to reduce the cost of new regulations on small businesses and local governments.

While regulators are currently judge, jury, and enforcers, this will level the playing field. H.R. 830 is moving quickly, with over 203 cosponsors. We have bipartisan support, including the chairman and ranking member of the Committee on Small Business. H.R. 830 is endorsed by 50 small-business groups, such as National Small Business United, National Association for the Self-Employed, National Federation of Independent Business.

The administration of William Clinton, under Vice President AL GORE, in their Reinventing Government Program, called for the No. 1 action in the section dealing with small business, with the adding of judicial review to the Regulatory Flexibility Act. I am pleased with that, I am pleased with the bipartisan support for this good legislation.

Ladies and gentlemen, I hope that all the Members who have not joined as cosponsors of H.R. 830 will contact us so that their names may be added to this fine legislation.

□ 2040

$284 MILLION A YEAR FOR FOREIGNERS WHO LIKE THE CANADIAN HEALTH CARE SYSTEM

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

Mr. STARK. Mr. Speaker, lots of conservative commentators and their supporters in Congress love to yak about long lines for health care service in Canada and how Canadian doctors are fleeing to the United States. They are wrong on both counts: There are no lines for emergency care and in one recent year, more United States doctors moved to Canada than came here.

But the really embarrassing news is contained in the September 23, 1993 The Globe and Mail of Toronto: "U.S. President Bill Clinton's plan to provide health insurance for all Americans, paid for partly with cigarette taxes, offers two accidental benefits for Canadian government finances: First, Americans would no longer be tempted to slip across the border for free Canadian health care; and second, smuggling of cigarettes from the United States would become somewhat less lucrative, and perhaps less widespread.

"No one knows how many U.S. free riders use Canada's health system, but a leaked report by Ontario Health Insurance Plan investigators earlier this year estimated that use of health cards by ineligible people, some from the United States, costs as much as $284 million a year.

"There is evidence that Americans cross the border to have babies and get treatment for AIDS, among other things, the investigators said.

"This past summer, Ontario officials charged a woman from Rochester, NY, with impersonation and attempted fraud, and an Arkansas man with conspiracy to defraud, in connection with use of health cards."

Once again, I hate to bother the ideologues who bad-mouth Canada, but I hope that an occasional fact or two could slip into their brains. I would hope these facts would help shame them into supporting a true reform of our Nation's health care system.

HEALTH CARE REFORM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan [Mr. BONIOR] is recognized for 60 minutes.

Mr. BONIOR. Mr. Speaker, I appreciate the recognition and the opportunity to address the House this evening and my colleagues who are listening. I am here tonight to talk about an issue that all America is talking about today, an issue that touches the lives of more Americans in a more personal way than any other, an that issue, of course, is health care.

To be honest, Mr. Speaker, I think anybody who was watching CNN today will tell you that we had a pretty tough act to follow, because over the past 2 days the First Lady has appeared before no less than five congressional committees. She has articulated our health care challenge and the administration's solution I think more eloquently and more forcefully than anybody I know, and anybody who has seen her talk about this issue, the over 300 Members of Congress who had this plan unveiled and introduced to them by her over a week ago knows who well she is prepared and how committed she is to making sure we do this well and right. Her testimony has kept the momentum for reform going that started a week ago tonight, and I want to commend her publicly for it.

Mr. Speaker, it was exactly 1 week ago today, actually 1 week ago and 15 minutes, that the President came into this Chamber, to this podium behind me and asked Congress to take up the challenge of providing health security for all Americans. It was a passionate speech. It was an eloquent speech. He outlined his plan to fix what is wrong with our health care system while preserving what is right with it, the good parts of it, to build upon and improve the system we have now to make it fair, to make it better, and to make everybody who participates, and everybody will, to be responsible and above all to guarantee that each American has comprehensive health benefits that never, never can be taken away.

While I was listening to the speech, I could not help but think about history. I could not help but think about a similar speech delivered in this Chamber by a President some 58 years ago,

when President Franklin Roosevelt also stood up and challenged Congress to provide security for all Americans, security in the form of Social Security.

It was 30 years later or thereabouts that Lyndon Johnson came to the Congress of the United States, stood behind us and said we have got to provide Medicare for our elderly so they are covered.

When FDR introduced Social Security back in 1935 he called it a sacred trust between the Government and the people that could never be broken and that trust was symbolized by the Social Security card that we all have.

I think the same can be said about the President's health care plan. If you remember during his speech, the President held up this card, a health security card, a card that guarantees to each American a comprehensive package of benefits equal to or better than the benefits provided by most Fortune 500 companies.

This card, too, will represent a sacred trust between the Government and the people. As the President said in his speech:

> With this card, if you lose your job or you switch a job, you are covered. If you leave your job to start a small business, you are covered. It you retire early, you are covered. If you or someone in your family has a preexisting medical condition, a heart problem or perhaps cancer, you are covered. If you get sick or a member of your family gets sick, even if it is a life-threatening illness, you are covered, and if an insurance company tries to drop you for any reason, you will still be covered because that will be illegal.

The President's health care plan guarantees a comprehensive package of benefits and with this card, you will never leave home without it. It will be with you. It will be the security you need, the security that has been missing on the health care front in this country.

That is the ultimate goal of health care reform, to give every American the peace of mind to know that no matter what happens, health care will be always there for them.

As the First Lady said yesterday:

> I hope we can agree on one thing at the outset, that when our work is done every American will receive a health security card guaranteeing a comprehensive package of benefits that can never be taken away under any circumstances.

Because we all know that certainly is not the case today. Every single month, think about this, every single month 2 million people who work hard, who play by the rules, lose their coverage, and over the next 2 years one out of four Americans is expected to be without insurance at some point during that period.

This problem is unraveling the social fabric of our society. It is unraveling the economic competitive advantage we have had for so many years. It is reducing our productivity. It is affecting our competitiveness. It is draining our Federal and our State budgets and driving down the wages and the living standards of our workforce.

This problem affects us all and we have got to work together to solve it. A national consensus for health care reform is now building. It is forming, and for the first time ever leaders from both the Democratic Party and the Republican Party have embraced comprehensive reform.

The question we will spend the coming months trying to answer is simply this. What is the best way to get there from here?

It is not an easy question. As someone once said, "Gravity isn't easy, but it's the law."

Well, health care reform will not be easy, but it is the law that will most profoundly affect the future of America, and we together, Independents, Democrats and Republicans, have to make it happen. We are on the cusp of making it happens. We are on the verge of making history. We are on the verge of doing something that each and every one of us in this legislative body will be proud of the rest of our lives.

Last week the President's speech started the ball rolling. His plan has shaped the parameters of the debate, and in the coming months we in Congress are going to work with the White House and the public to hammer out all the choices that confront us, and there are a lot of issues before us, believe me; but I hope we can put aside our partisan and our ideological differences that have been conducted in a way that we wish we could move beyond in this Chamber and come up with a final plan that is fair, that is compassionate and that works, a plan that remains wedded to the six principles and basic values on health care reform that the President outlined last week: Security, simplicity, savings, choice, quality, and responsibility. I think they are worth repeating here this evening.

First, security, to provide all Americans with the security of knowing that no matter what happens, whether you switch jobs, you lose your job, you get laid off, you have a preexisting condition, you and your family will never lose your health care coverage. People need to have that sense of security. They have it in Germany. They have it in France. They have it in Canada. I could go on and on. We need it here for the American people.

□ 2050

Second, savings, to control the costs that are crippling American businesses, American families, exploding our deficit here in this Federal Government, as well as in our State Governments.

In 1980, Mr. Speaker, a family of four, the cost of health insurance was about $2,500 a year. Today it is in the neighborhood of $6,500, and, if we do nothing, if we let this system drift and unravel the way it has been, it will be $14,000 a year by the end of the decade.

The plan will stop the escalating costs of health care premiums and provide discounts to small businesses so they can afford health care for their employees and for their families. It will provide that is needed to help those small, independent businesses provide their employees with a security that they need to perform well, to have confidence in their bosses, to be healthy, to be there at work, on the job, and to be able to be retained so there is not the turnover in our small business system that there presently is today.

Third, simplicity. Everybody has horror stories about the paperwork. We need to reduce paperwork, cut redtape, reduce the regulations that are keeping doctors and nurses and other health care practitioners from giving us the health care they were trained to give us and that they want to give us.

Today there are 1,500 insurance companies, all with a form of their own. This plan, the President's plan, will reduce that to one form, one form, and it will free up our medical practitioners to do what is best, and that is provide health care for us.

Fourth, choice. We have got to, and we will under this plan, preserve your right to choose your doctor and your health plan. There are literally tens of millions of people in this country today who do not have that choice. Under the plans that they have at work they have to have a certain doctor or they have to have a certain plan. This will free up the opportunity to make the choice that you want on the doctor you want, on the health plan you want, so that we all will have a doctor our family has confidence in.

Fifth, quality, to make what is best about American health care even better, and there is a lot of good in the system today. The plan will provide for free preventative care so we can catch things early, so we can keep people healthy, so that the costs will not rise when they get ill. The plan will invest more in training, more family doctors, and will make medical research a priority, and for seniors it will preserve Medicare. I want to repeat that. It will preserve Medicare and cover, in addition, prescription drugs and expand long-term care for the first time.

Mr. Speaker, everyone knows someone in their family, in their work, in their neighborhood, who is spending an enormous amount of money, an inordinate amount of money, for prescription drugs. We must ensure that America continues to have the best doctors and the most advanced treatment in the world, and we are with the quality that is going to be built into this system.

Sixth, responsibility, to make sure that everyone pays their part and contributes to health care. Right now we

all pay for those who do not take responsibility, and everybody knows who I am talking about. There are folks out there that do not have insurance. They end up in the emergency room where it is inefficient and particularly costly. That cost gets passed on to us, those who have insurance. It shows up in the bills that we get when we leave the hospital. It shows up in doctor bills.

Every one of us have had that experience. We get home. We see the bills. We want to know why such an inordinate, high amount for this drug or that drug while we were in the hospital this day. That is because we are picking up the costs of the 37 million Americans who do not have health insurance, who end up getting it anyway, and it has got to be paid for.

Responsibility also means changing the behavior that drives the cost and causes suffering like violence from handguns. By God, we are going to do something about that in this Congress this time. And smoking, and excessive drinking. All of these things have to be reined in, and we need to restore the sense that we are all in this together. That is what responsibility means, that we are all in this together. Working together we are going to drive the costs down, and we are going to provide health care for all of us.

Through it all there will be those who will say, and you can hear them now, that we do not need any change, we cannot afford change, that the present system is working fine, that the insurance companies and the drug companies will make changes on their own. We cannot let the special interests dictate this debate. This debate is too important and too powerful for our country. America has been at the mercy, at the mercy, of some of these people for far too long, and it is time we recognize in this country that health care is a right, not a privilege. It is a right.

Mr. Speaker, if every other major industrial country in the world can provide health coverage for its people, we can, too. Germany has been doing it since 1870. Think about that.

In the months to come, Mr. Speaker, we are going to hear a lot of statistics, and we are going to hear a lot of numbers to dramatize the health care crisis, but we have got to remember that health care is more than just numbers and more than statistics.

Mr. Speaker, it is real lives, real people. We have to be able to put ourselves into the stories of the people we hear from to give this debate some meaning, some texture, some emotion, people like that man from Michigan who wrote me to say that 14 years ago he was diagnosed with Hodgkin's disease, and, with the help of a strong will, and some good doctors, and a caring family, he fought it, and by 1985 he was pronounced cured, cured by everyone but his employer's insurance company who refused to cover him because he was, quote unquote, a bad risk. So, after 15 years on the job, his boss was forced to lay him off just because the insurance company would not cover him, and now he has no job, and he and his wife and his two children have no health insurance.

We have all heard these stories before, Mr. Speaker. I have. A couple of years ago I remember going back to my district and meeting with a man who said to me, "You know, Congressman, I'm not quite ready for Medicare. I'm not 65. I'm in my late fifties. But I worked 40 years at this plant." And this guy worked at a job where he worked a tough job, where he came home dirty and sweaty, and all he wanted to do when he got home was just catch his breath, and let some time pass, and feel the peace of being out of the factory. Forty years; felt he earned himself a pension; was getting a pension of $500 a month, not a lot of money, but certainly a big comfort to him, $500 a month.

Mr. Speaker, he went to the mailbox to get his pension check a week before he saw me. He said, "You know, Congressman, there was a check there, but it was for 32 bucks, and there was a note that said that's all you're going to get from now on because your health insurance has gone up so much that we have to deduct it from your pension." His life, his dream, what he had worked for, was gone, and I come across people like that each and every day in my congressional district. It is happening all over America.

A group of women came to see me at my office. They were health care workers. They worked at a nursing home. They bathed and took care of our mothers, and fathers, and our grandparents. They made a little more than the minimum wage, $5½ to $6 an hour. They had no health insurance themselves, and yet they were taking care of our families, and one woman broke down and told me, "You know, Congressman, I go to bed every night and say a prayer that my son doesn't get sick because I don't have the wherewithal to take care of him."

The choice for her could have been very easy. I mean she could have gotten health care by staying on Medicaid or going on Medicaid. She did not. She had too much feel for the dignity of work, and she went to work.

Should we be penalizing people like this? That is not the way I think this country wants to move.

So, Mr. Speaker, these people come from all walks of life, people who are frustrated. They are frightened, and they are fed up with a system that makes no sense, that provides no coverage at a crucial time and does nothing that protects them from the price gouging and the rising costs of health care today. They come from people whose very idea of security is being shattered before their eyes. It is time to provide people with the security and the peace of mind to know that no matter where they go, no matter what they do, that health care will always be there for them.

I see that in the eyes, and in the faces, and in the hearts of the people who live across the river from my district in Ontario in Canada. Now, you can say what you will about the Canadian system, but there is a serenity there, a peace of mind. There is a good feeling by Canadians about what their country has done in providing health care for them.

Our ultimate goal here then is health security for all Americans, and the only way to get there is to keep what is right with our system, the best doctors, the best medical technology, the best medical research, while fixing what is wrong.

□ 2100

Nothing we do in this Congress will be as important. Nothing we do will be more longlasting. Nothing we do will touch the lives of more people, than health care reform.

Mr. Speaker, I hope we all have the courage to do what is right, because the future of our children and the future of our country will depend on how we act, how we conduct ourselves, and how expeditiously we move to provide at this most propitious moment, health care for the American people.

STATEHOOD FOR THE DISTRICT OF COLUMBIA

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from the District of Columbia [Ms. NORTON], is recognized for 60 minutes.

Ms. NORTON. Mr. Speaker, I appreciate the opportunity to address the House this evening on a subject of overriding importance to the people of the District of Columbia whom I represent.

Members of this House and of the other body over the past several weeks cannot but have noticed that residents of my district have allowed themselves to be arrested in order to protest their political and civic condition. Each Thursday, and I am told that tomorrow once again they will come to Independence Avenue, before the Cannon and Longworth Buildings, they come, and some of them submit themselves to arrest in the tradition of civil disobedience of Mahatma Gandhi and Martin Luther King.

Mr. Speaker, I feel an obligation to address the House concerning what they have told me about their effort. First let me indicate that this is an effort born and bred in the District. It is not an effort of mine nor an effort that I have participated in. But it is an effort that anyone who represents the

residents of the District of Columbia must surely endorse, even as I hope that my efforts as a young student in the Student Nonviolent Coordinating Committee were endorsed when we engaged in similar civil disobedience against injustice.

As we were successful in the civil rights movement more than 30 years ago, I have the faith to believe that with multiple actions, especially actions on this floor, the residents of the District of Columbia will be regarded in their full citizenship.

The number of people arrested thus far is 96. One person has been arrested 12 times. The total number of arrests is 165. There have been 12 weekly demonstrations. Mr. Speaker, perhaps it says something about the nature of this process that among those arrested has been the Mayor of the city, Sharon Pratt Kelly; Rev. Jesse Jackson, who is the statehood lobbyist; Dick Gregory, the famous wit; and two members of the City Council, Mr. Kevin Shavers and Mr. Frank Smith.

The weekly total reads much like that I remember in the early 1960's. On July 1 there were 32 arrested; on July 8, 3; on July 15, there were 6 arrested; on July 22, there were 8; on July 29, 9 people were arrested; on August 5, 11; on August 12, 11; on August 19, 5; on August 26, Mr. Speaker, 38 people were arrested; on September 2, 10 were arrested; on September 9, 22 were arrested; on September 16, 10 were arrested. And so it goes, Mr. Speaker.

They volunteer. Sometimes they come in groups. There will be a group of senior citizens on October 7. There will be religious groups on September 30, tomorrow. There will be a group from the D.C. Public Schools on November 4.

Why would people submit themselves to arrest in the streets adjacent to the free world? They do so, Mr. Speaker, because alone, among the residents of the 50 States and the four territories, they are treated with insidious discrimination based on citizenship.

My constituents alone, among the 50 States and 4 Territories, pay Federal income taxes to the Federal Treasury and have no vote on final passage in this Chamber, and neither voice nor vote in the Chamber of the Senate.

The four Territories have a similar status. There is a large difference between those residents and my own, however. That difference is that the four Territories pay no Federal income tax to the Federal Treasury, and thus the initial promise that created the compact of the United States of America has been kept as to them, no taxation without representation. They are not taxed, and they are not fully represented.

Mr. Speaker, we are taxed, and we are not fully represented. We are third per capital in Federal taxes paid to the Federal Treasury. The word "tax" has become an evil word in this Chamber. Imagine what my residents feel, what my constituents endure when they pay taxes—not to the crown, which the Founders finally refused to pay taxes to, but to their native land, without full representation.

We are 600,000 strong, larger than three States. We have a productive economy. We have business services higher than 30 States, legal services higher than 41 States, hotel and lodging higher than 27 States, finance, insurance and real estate higher than 14 States. We have 20 million tourists every year.

My constituents do not seek, of course, jurisdiction over Federal territory. If, as we pray, the District of Columbia becomes the State of New Columbia, most of Washington that Members know and that their constituents know will remain Washington, DC, the Capital of the country. The great and expansive Federal enclave created by the great L'Enfant will remain under Federal jurisdiction. This House, all of the territory along Constitution Avenue and Independence Avenue and Pennsylvania Avenue, much of Washington, will remain Washington, DC, and that will be called Washington, DC.

But, Mr. Speaker, Washington, DC does not need to be the eight wards of the District of Columbia. The far Northwest and the far Southeast are not now necessary and have never been necessary to the Federal presence. We ask for the liberation of that part of this territory.

□ 2110

This very House has shown that it is within its power to do just that. In the middle of the 19th century, the State of Virginia, which had given some of its land to create this great city, approached this body and demanded back its land, because the District of Columbia, through this House and the Senate, was going to abolish slavery.

To retain the institution of slavery, they told the Members of this body. "We demand back the land we gave you to form the District of Columbia." And what did this body do?

This body gave the land back to Virginia and made the District of Columbia smaller by that amount of land, and it is now in Alexandria and across the other side of the river. And so the part of the Constitution that says that there shall be Federal territory no more than 10 miles square was preserved.

It is less than 10 miles square today, because this body honored the request of the Commonwealth of Virginia in the name of slavery.

My constituents, Mr. Speaker, ask that in the name of freedom you reduce the size of the District of Columbia yet again, leaving the great expanse of the Federal territory and creating the State of New Columbia, this time in the name of liberating the neighborhoods of the District of Columbia to govern themselves as every community in the territory called the United States does. In American Samoa, in Guam, in Puerto Rico, in the Virgin Islands, there is self-government, Mr. Speaker. Self-government is a travesty in the District of Columbia.

To be sure, we have a Mayor and a City Council. And, Mr. Speaker, as we have seen this very session, at whim any Member may call forth any law passed by my democratically elected council and demand a vote to overturn that law. And if the truth be told, Mr. Speaker, at whim this body could overturn each and every law passed in the 20 years since there has been home rule for the District of Columbia. That is what the Home Rule Act has amounted to.

We have served in our wars, including fifth per capita in the Persian Gulf. When I walked into this House last term, the first item of consequence to be debated was the Persian Gulf war. I got to speak to that question, Mr. Speaker.

At the very time that I rose to speak, we were then fourth per capita. But when the time came, Mr. Speaker, to register one's vote up in the corner there, there was no place for the District of Columbia to vote aye or nay. Yet, we were there in greater measure than almost all who are already represented, free and equally, in this body.

Perhaps you are coming to understand, Mr. Speaker, why there is some consternation among those I represent this day and this evening.

The constitutional qualifications to become a State have all been met. Majority vote of the residents, that was done more than 10 years ago. Requisite population and resources, I have just reiterated our resources, a very productive economy. Commitment to democracy, I dare say, Mr. Speaker, a greater commitment demonstrated than most Americans have had the opportunity to demonstrate.

We carry each and every burden of citizenship willfully, without complaint. And yet, most of the most precious, many of the most precious advantages of citizenship are kept from us.

Mr. Speaker, only the United States of America, as it turns out, denies its Capital City full and equal representation in its national body. How could it be that in countries with names like Albania and Argentina and countries with names like Botswana and China, in countries with names like Gabon and Haiti, in countries with names like Malta and Nigeria, in countries with names like Russia and Ukraine, the residents of the capital city enjoy equal rights with the residents of every part of the nation?

We stand alone, Mr. Speaker, in this regard. And it is a lonely, ignominous place to stand.

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Put yourself in the position of the District of Columbia and ask yourself what action you would now take. The action I seek, I seek on this floor alone.

I seek a vote for statehood for the State of New Columbia. I seek a vote to make the 51st State of the United States of America. I seek to wipe from our body politic 600,000 citizens stateless and disenfranchised. I seek to eliminate inequality of citizenship.

Mr. Speaker, I am a fourth-generation Washingtonian. My great grandfather walked across the District line from Virginia before the Civil War. My grandfather entered the D.C. Fire Department in 1902. No member of my family has enjoyed full and equal rights in the United States of America, because we are Washingtonians.

People of my race, who did not enjoy full rights, have managed to get them through the largesse of this House and the Senate of the United States. And the great civil rights bills of the 1960's, the equality legislation we continue to pass, has enfranchised those least enfranchised. And so there remains one small place, one small group of people treated invidiously. I represent those people, Mr. Speaker. We can no longer live with this distinction.

"There must be some alternative," I am told, "Truly, there is some other way."

I believe I am told this out of tradition. People cannot imagine that this territory would become something else. I wonder if one would ask, therefore, ask us to hold with this tradition out of some romantic sentimentality somewhere in the country. It is partly tradition and, perhaps, mainly the failure of imagination, the failure to conceive that something that for 200 years has been the Nation's Capital might indeed be something else in order to bring equality of citizenship to the residents of the District.

□ 2120

So people search for other alternatives. Fair enough. Fair enough. We have tried them all. Let me dispose of them tonight so the Members can understand why I stand here with the alternative I propose.

In the 1970's the residents of the District of Columbia put before this body and the Senate an amendment that would have, indeed, given us full representation in the House and the Senate. It was voted out of this body. If you please, Mr. Speaker, it got all of 16 States out of the 38 needed for ratification. Thank you very much, Mr. and Mrs. America, if you please, Mr. Speaker.

Even had we prevailed, look at the anomaly with which we would have been left, Mr. Speaker. We would have had a full voting Representative on final passage in the House, and not merely in the Committee on the Whole, as I now vote. We would have had two Senators, and these three people would have been put in the position of seeing the budget of their city come to be heard here as if the Congress were the City Council of the District of Columbia.

Yes, that is how it works, Mr. Speaker. When the city council finishes the $3 billion budget, most of it raised in the District of Columbia, instead of it going into effect, and here I am talking about money raised exclusively in the District of Columbia, the budget then goes to the President of the United States. He sends it to the Congress of the United States, and then it goes to a subcommittee of the Committee on Appropriations, as if the District of Columbia, instead of being a jurisdiction of 600,000 Americans, were the HHS or the State Department.

Then a subcommittee sits down and literally repeats the hearings of the Budget Committee of the Council of the District of Columbia. It goes through it, step-by-step, because, of course, that is what you have to do if the budget resides here.

Then it comes here and it is voted up or down. Members regularly get up and attach to our budget matters that are of interest and concern to their constituents. Members completely unaccountable to the residents of the District of Columbia, elected by none of them, rise up and decide whether we shall have X or whether we shall have Y, and put that in our budget.

Let me try, Mr. Speaker, going into the district of any one of my colleagues to dare to propose what their city council should do. I would not dare to, and I wish that my colleagues would not dare do, but they shall do, until we are no longer subject to congressional jurisdiction.

When the Council of the District of Columbia passes a law, even if that law is, let us say, an alley closing, Mr. Speaker, that law cannot be final until it rests here for 30 legislative days. Considering our recesses and when that law might come, that 30 days could last for several months. If it is a criminal law, it has to be 60 days. When it has rested long enough and no Member has put in a disapproval resolution, and any Member may, it may, indeed, become law if we are fortunate.

Is that any way to run a democracy, Mr. Speaker? Is the hypocrisy of this process not clear enough to those of us fortunate enough to be born in this country and to have observed its most basic principles?

Mr. Speaker, we are told that, "Well, if that is not quite good enough, if it failed in the 1970's, if it would have been half a loaf, anyway, because you would have had representation but your budget still would have come here and your laws still would have come here, if that is not good enough, here is another one for you, District of Columbia residents. Try this one on: why don't you retrocede to Maryland? After all, Virginia gave part of the land, they took theirs, Maryland gave part of the land. Why does the District of Columbia not become part of the State of Maryland?"

The first answer is one of democracy and impossibility. Both the District of Columbia and the State of Maryland would have to agree. The only mandate I have is for statehood. My residents have voted by a decisive margin for statehood. Let us look at the State of Maryland. The State of Maryland has not had a chance to vote one way or another, but if you have had a chance to follow the politics and the legislative activity of the State of Maryland, you will understand that it is probably easier to get statehood in this body than it is to get the District retroceded to the State of Maryland.

The State of Maryland has one large city, it is called Baltimore, one and only one large city. If you were to follow the way Baltimore is treated, perhaps you would understand what I mean when I say that I don't think there is any chance that Maryland is going to wish to accept the District of Columbia as a city of the State of Maryland.

There are those who think that it will dilute their power. I suppose it would. There would be more of us, relative—there would be a new jurisdiction, making it larger, but also reconfiguring the politics and the political culture itself of Maryland. We have had no takers for that proposition. I might add, Mr. Speaker, no one from Maryland has stepped forward with any serious proposition that this might be a good thing to do.

Voila, there goes the half a loaf, voting representation, and the impossible loaf, retrocession to Maryland.

What is left, Mr. Speaker, under our laws and Constitution? Statehood and only statehood. I defy the Members to come forward with a good reason, other than it is the way it always has been, for denying statehood and thereby denying citizenship rights to the residents of the District of Columbia.

Our country has proudly challenged undemocratic practice throughout the world. I am proud of what my country has done throughout the world. I believe that the democracy movement that has flown around the world many times over now, seizing virtually every continent, has imitated the practices of this country. Everywhere in the world people want to come to this country. We must make ourselves worthy for that emulation.

Most people in the world, most people in this country, do not realize the condition, the political condition, of the capital city of this country. Most Americans simply would not endorse it.

I am not alone in supporting statehood for the District of Columbia, Mr.

Speaker. The President of the United States, Bill Clinton, even before he was elected and sent, has unequivocally supported statehood for the District of Columbia.

He came to testify before the Committee on the District of Columbia before he became President, and did so eloquently on this question. Since becoming President, he has not hesitated to continue to indicate his endorsement of statehood for the District of Columbia, and to indicate that he would sign a bill if this House would pass one, and if the Senate of the United States would pass one.

On May 27 in the Rose Garden, televised for the American people at a town meeting, the President made a statement in response to a question about whether he supported statehood for the District of Columbia from someone in the audience.

□ 2130

I quote his words:

Well, I think frankly, I think having the Senators and the Members of Congress is not as important as having control over your own destiny. The District of Columbia has more people than 5 other States, pays more taxes than 10 other States, and sent more soldiers to fight in the Persian Gulf than 20 other States, and yet every time they turn around Congress can overturn anything they do through their elected officials. If they become a State, yes, it's true, they would get two Senators and a Member of Congress, just like the other small States. But the main thing is they would have more control over their own destiny. It's very frustrating for the people of the District to know that Congress can do or not do anything. Just like this fellow said, they can say no, you can't have $2 million for police, and you can't do it on your own because they don't have independence. So that's why I've always supported statehood. Once I saw the facts about the size, the taxes, the contribution to the national interest, I thought they ought to have the right to be independent.

End of quote from the President of the United States. Those who have had occasion to study this matter most deeply have also supported statehood for the District of Columbia. The statehood movement is almost 15 years old. Our own hometown newspaper, the Washington Post, did not support statehood for many years.

In a historic breakthrough on January 13 of this year the Washington Post endorsed statehood for the District of Columbia. The Post has thought long and hard. My own view is that it did not support statehood earlier because it was thinking about questions that have begun to be answered, questions about what would happen to the District of Columbia financially, questions about alternatives, questions about the rest of a Federal enclave.

May I quote, Mr. Speaker, from what the Washington Post said in this historic editorial, breaking its silence on this issue. I quote from only part of the editorial:

It is time to right a great historic wrong. Since 1800 the residents of Washington, DC have been the only taxpaying U.S. citizens denied representation in Congress. With the election of Bill Clinton, it has become politically possible to give them the status that is their due. We believe now is the time to begin defining and then putting in place an arrangement that puts District residents on an equal footing with all Americans. As a step toward that end, Congress passed a proposed constitutional amendment 15 years ago that would have given the city full congressional representation. Only 16 of the required 38 States ratified the proposal, mostly for partisan reasons. Republican lawmakers wanted no more Democrats in the Congress, and as some suspect, many legislators wanted no more blacks there as well. The only achievable alternative, if citizens here are to enjoy their full political participation that is their due is statehood.

That is my hometown newspaper, one of America's great national newspapers, and one that came to statehood thoughtfully, quietly, incrementally. I believe this editorial has significant credibility because it was so long in coming, because it is so thoughtful a position.

But if I may say so, Mr. Speaker, before my hometown newspaper arrived at its conclusion concerning statehood, the newspaper said to be America's greatest newspaper had three times written editorials endorsing statehood for the District of Columbia, and I refer to none other, Mr. Speaker, than the New York Times. In three editorials the New York Times, in a space of little more than a year, has said that statehood for the District of Columbia is the appropriate remedy for the denial of full citizenship for the residents that surround this place this evening.

The first editorial was entitled "Free the Government's Plantation." If I may quote one sentence from that editorial, Mr. Speaker, "The current arrangement is more suited to a dictatorship than a democracy." That is the New York Times.

The second editorial was entitled "The D.C. Plantation: Freedom Soon?" The third editorial was entitled "The State of Misgovernment."

Mr. Speaker, I recognize that I have been discussing a structural change in government. I recognize that it is a departure of a most unusual kind.

May I say to you, Mr. Speaker, that in some ways the request I make for statehood in this House is no different from the request of virtually every State that has entered the Union. We know that it takes only the vote of the House, the vote of the Senate, and the signature of the President of the United States. But, Mr. Speaker, even for those territories that were in the middle of our country, where as it were Manifest Destiny would seem to have said that those places had to be included in the United States of America, even for such States it has always been difficult to become a State of the United States of America.

Before the Civil War, if a slave State wanted to get in, a free State had to get in, and then it was a wash, and then they both got in. This has always been a profoundly political question, Mr. Speaker. It has not been objectively about whether or not California should come in. They came in quickly, Mr. Speaker, because there was a gold rush at the time.

It has not been about whether or not Utah should enter or Illinois should come in. Underneath those debates, as with this, were questions of politics. I accept that, Mr. Speaker.

But in each and every one of those instances, including the last, Hawaii and Alaska, American principles finally overcame American politics. It must happen this time as well. We cannot leave 600,000 people much longer in the netherland of democracy, in the twilight between real democracy and pseudodemocracy, pretending that there is equality of citizenship here with our fellow Americans everywhere else. We must stop the pretense.

There is a way to do it, and the time has come to do it, Mr. Speaker. As some would say, "Try it, you might like it." Mr. Speaker, what I say is try it, you will not know much difference. Washington, DC, will still be the Washington, DC, we most know, the downtown Federal enclave. The residents who live in the far Northeast, those who live in Southwest, those who live in Northwest and Southeast will have, in reality, the same relationship to this Federal place as they have now, except for one difference. There will be one person here who stands and votes on everything as every American who pays taxes should and must. And there will be two people in the other body who as the Founders would have it will express the wishes and vote them for their constituents.

□ 2140

I ask my colleagues, especially those who are new to this body—and there are 110 of you, you are said to come here for a change, and for many of you change means democracy and democratization of this body—the most significant act you and the rest of us could take to democratize this body would be to admit the last colony of the United States of America.

In their name, in the name of the Mayor of the city called the District of Columbia now, in the name of the 13 members of the city council, in the name of the 600,000 residents who, in virtually every respect, are like each and every one of those you represent, I ask this body to finally deliver to my constituents what, through the good graces of the Congress of the United States, has been delivered to all others, all others who live under the American flag.

Mr. Speaker, I ask that before this session has ended, that this body votes to make Washington, DC, the present Federal enclave, and the eight wards of

the District of Columbia, the State of New Columbia, the 51st State of the United States of America.

THE CRISIS IN SOMALIA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan [Mr. CONYERS], is recognized for 60 minutes.

Mr. CONYERS. Mr. Speaker, I am deeply troubled by those who want to prematurely withdraw United States forces from Somalia.

It would be a profound mistake to put a time limit on United States peacekeeping in Somalia. We would undo all the good we have done if we give the warlords and bandits the exact hour they can retrieve their guns and reassert their reign of terror.

It would set a terrible precedent if the U.S. military could be bullied out of its commitments. We cannot allow understandable concern for the protection of United States lives to push us out of Somalia, leaving a larger mess than when we arrived.

I support President Clinton's twin efforts to stabilize the crisis in Somalia and develop a sound policy that will help the Somalians establish peace and tranquility in their strife-torn nation. We should all listen carefully to the words of Gen. Colin Powell who yesterday warned us against an untimely withdrawal of United States forces from Somalia.

General Powell was quite clear:

> In the case of places like Somalia—where the mission was nice and clear cut when we went in, but it's becoming a little more difficult now—we will have to continue our calculus of political objectives, means applied to that objective, and sort them out. But because things get difficult, you don't cut and run. You work the problem and try to find a correct solution.

The U.N. Security Council adopted a resolution committing the United Nations to remain in Somalia until March 1995. This includes a program to set up district and national political counsels and reconstruct the collapsed police force, judiciary, and civilian administration. we should not act in a manner that undercuts that position.

I support the Clinton policy efforts in Somalia. In August, Secretary of Defense Aspin listed several objectives that still must be achieved if Somalia is ever to recover. According to Aspin, these include: Credible police forces must be established; warlords must give up their heavy weapons; the United Nations and the Organization of African Unity should try to restart the internal reconciliation process; and there must be an economic recovery plan.

I share the anguish of the families and loved ones of those who have suffered trying to keep and enforce the peace in Somalia. But it is clear that the casualties are being shared by several nations. This is not a case of the United States being asked to fight alone.

The current cycle of violence began in June 1993, when 34 Pakistani troops were killed by General Aideed's forces. In August, four U.S. soldiers were killed by a remote-controlled bomb. InSeptember, seven Nigerians were killed. Last week, a U.S. Blackhawk helicopter was shot down, killing three of our soldiers.

The United States currently has about 4,700 personnel in support of the U.N. forces. This is about a fifth of the 25,800 troops we have deployed last year. The total U.N. force today is about 25,000 and is expected to reach its authorized level of 28,000 in October. The United Nation estimates that the hardcore guerrillas in Somali warlord Aideed's employ is only 200 follows:

Much remains to be done before Somalia can be said to be secure. Weapons are still in abundance throughout the country, and the various tribal and fractional leaders are still poised waiting to see what will happen next as the United Nation attempts to bring about reconciliation and recovery in the face of the Aideed challenge.

Most experts and foreign governments have praised the U.S. effort. Local leaders who have been fighting each other have been brought together for the first time under U.S. auspices, even if final agreement still eludes us.

There is peace and adequate food supplies throughout most of the country. The attacks on United States and U.N. forces in Mogadishu are the exception. For example, in Kismayu, a formerly troubled city, U.N. peacekeepers have organized negotiations among clan elders, who have publicly thanked the United Nations for its efforts.

The United Nation is also assisting in the following key efforts: The reestablishment of the Somali police force; the development of a program for removing mines; creation of 13 district councils of local representation, with additional councils expected soon; establishment of public information activities; and other activities to provide for the public health, jobs training, and farming and livestock recovery.

I applaud the efforts of majority leader RICHARD GEPHARDT. He has tried to reconcile the U.S. peacekeeping operations with the requirements of the War Powers Resolution. Of course, the Congress must discharge its constitutional responsibilities. The Congress must approve any decision to continue risking the lives of brave Americans in combat.

But, I hope the public debate on this complex issue will not in any way intimidate the President. He now faces some of the great difficulties that often arise when the United States offers its assistance to developing countries. We cannot shrink from this humanitarian challenge.

We cannot abandon the Somali people. We cannot succumb to isolationist idiocy. We cannot let the United States be intimidated by warlords or gangsters.

We must stay the course.

□ 2150

EARMARKING IN APPROPRIATIONS BILLS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. BROWN] is recognized for 60 minutes.

Mr. BROWN of California. Mr. Speaker, let me assure those remaining that I will not take the full 60 minutes.

Mr. Speaker, I take this time this evening to continue with a minor crusade that I have been carrying on for the last couple of years aimed at reducing the amount of earmarks in appropriation bills. I do so because tomorrow when we take up the appropriations bill for the Defense Department, I intend to offer a motion which will to a small degree alleviate some of the problems of earmarking in that bill.

Let me say in a prefatory way that the bill we have before us tomorrow is one of the best bills emanating from the Appropriations Committee and the Defense Subcommittee that I have seen in this body during my service here. I think the chairman of that committee, the gentleman from Pennsylvania [Mr. MURTHA] and the ranking member, the gentleman from Pennsylvania [Mr. MCDADE], have brought us a bill which really is exceptional in many ways. I fully intend to support that bill.

I feel somewhat reluctant to bring up what I consider to be minor flaws in the overall content of the bill, but a major issue in terms of the way the Congress itself operates.

This bill tomorrow will expend almost a quarter-of-a-trillion dollars of the taxpayers' money. It represents a substantial reduction from the prior year and a major move in the direction of focusing substantial resources on the problems of defense conversion and on technology reinvestment, two very important issues which the Armed Services Committee in the military authorization bill has dealt with very well.

As I will point out in my remarks, the funds for these programs have been increased substantially to meet the needs of the country, which is undergoing a very rapid downsizing of the military and the military-industrial base and is seeking to develop in place of that a new and vital advanced technology-industrial structure.

In all the good points of this bill, there are still a few items which I think deserve attention and which I will try to deal with.

Technically, none of the programs in this bill are authorized, because the authorizing committee, on whose bill we

just completed action today, has not yet seen that bill adopted and sent to the President, so we are technically without an authorizing bill. For that reason, the Appropriations bill would be subject to multiple points of order for funding unauthorized programs. That has been dealt with in the rule which waives the points of order, except in a very few cases, and this is appropriate. I think the Rules Committee has acted wisely and the Appropriations Committee has acted wisely in requesting this waiver.

There were a few cases where waivers were not asked, the most important of which was a $1 billion item for a new defense weapons system. Under our rules, of course, that item can be and will be stricken from the bill tomorrow on a point of order.

The problem from my standpoint is not that there are earmarks in the bill, and again I would compliment the chairman on there not being very many, and those earmarks contained within the bill I would be inclined to support and not to raise a point of order against because they are worthy.

The problem that I am going to focus on is the problem of earmarks contained in the language of the report. This is a practice which has been growing exponentially over the last few years. I have been dealing with it in those matters involving the jurisdiction of my committee, the committee that I chair, the Committee on Science, Space, and Technology.

I have brought these issues to the floor before, including the closing days of last year.

It is not my general intention or practice to intervene in the activities of other authorizing committees. I have great faith and confidence in the distinguished chairman of the Armed Services Committee, the gentleman from California [Mr. DELLUMS] to raise any necessary points of order with regard to the Appropriations bill as he sees fit, and as I have already indicated he proposes to deal with the issue of an unauthorized weapons system through the normal process of the rule tomorrow; however, I want to point out, and this is partly to salve my own conscience, that this bill contains in the Defense reinvestment program and some of the Defense conversion items a number of issues which are germane to the jurisdiction of the Committee on Science, Space, and Technology.

As a matter of fact, there will be members of our committee who will be conferees on the Defense authorization bill. It is only in that rather small area that I propose to express my views and to express them as politely and as circumspectly as I can.

Within the language of the report on the Defense appropriations bill, there are several dozen earmarks designating specific projects to which money will be allocated which under our rules cannot be reached in any way by Members of the House on this floor. They cannot be amended. They cannot be subject to a point of order.There is literally nothing that can be done to approach this particular problem.

Now, in what I am saying, I am not trying to derogate the contents of these earmarks. It is sometimes pointed out that these earmarks tend to be beneficial to a relatively few Members of Congress or to one or more small regions of the country. I do not make that criticism of these earmarks contained in the report language of the bill that will be before us tomorrow. I have looked at them very carefully. Although there is inadequate information in the report for me to make a judgment, I notice that they are distributed widely around the country.

As a matter of fact, I note with satisfaction that California gets a full share of these earmarks, along with a dozen or more other States.

□ 2200

So, I have no basis to object to the earmarks on the basis of the quality of the projects, which I cannot judge without any information, or its distribution. It benefits California, although not my own particular district, as much as it does any other State, and, from what I can tell, the intent of these earmarks is to fully carry out the intent of the technology reinvestment program, with one exception. That one exception is that the law which established the technology reinvestment program specifically states that the projects will be allocated, will be selected, on the basis of a competitive system in which applicants will be allowed to submit projects. They will be reviewed, and the best projects will be selected from the standpoint of what will contribute to the national welfare. In the case of the earmarks in the report, in this area there is no such competitive process. In fact, it is specifically precluded.

And this is the point that gives me pause. The total amount of these earmarks amounts to, depending upon how you figure it, at least a quarter of the entire allocation.

Now I have already pointed out that the Committee on Appropriations has increased the amount of funding for this program by more than a quarter. So, in effect you could say, "Well, they have added the additional money, and they, therefore, should have some voice in how that additional money is to be distributed."

There are all kinds of arguments that one could use to defend this process, but I have been taking the point of view, and I will continue to take this point of view, that the taxpayers of this country are entitled to a process in the allocation of the tax money which they contribute to the Government which will produce the very best return. Such a process does not exist for programs which are not requested by anyone, not the President, not the Defense Department, not any other department; and which are not reviewed by any of the authorizing committees of the Congress, whose role it is to determine whether these projects are meritorious and to recommend in the form of legislation that they be funded. None of these processes have been gone through.

Now, even though I am making this point, and I will continue to make it, and I will seek to get the Members of the House to join with me tomorrow in an amendment to restate the necessity for competition in this process of awarding grants, I am still pleased that the funding has been as generous as it has been. I still think that the program is going to be of great value to the country, and, as I have already said, I feel that this is one of the best bills that has come before us, and I intend to support it.

But I would like to point out what I consider to be the most pernicious effect of this, and I pointed this out last year at a similar time in the cycle when there were earmarks on another bill. In that case it was the energy and water appropriation bill, and through good fortune, more than anything else, I was able to procedurally bring the issue of these earmarks, which were within the bill itself, not in the report, which made it somewhat easier to do, bring it to a vote on the floor of the House, and these projects, which involved a relatively modest sum of about $100 million, were overwhelmingly rejected by the Members of the House. They had no opportunity to see them, to vote on them, previously in committee, to review them. They had apparently appeared by magic during the closing moments of the conference between the House and Senate, and the mood of the House was to reject them. A week later these exact same earmarks appeared in this bill that we will have up tomorrow; or last year's version of it, the defense appropriations bill. The same identical projects appeared, and this time protected by a rule which made it impossible to do anything about it.

Now the pernicious aspect of this that I am pointing out is very simply this:

About 85 percent of the Members of the House of Representatives are deprived of the opportunity to have an equal voice with their colleagues on the Committee on Appropriations in the determination of those projects and those programs which are best for the American people. They are told, in effect, by our dear friends on the Committee on Appropriations, "Trust us. We know what's best for the United States, and we will pick and choose those programs and those projects which are in our opinion best for the

country, and we will allocate the money, or a substantial portion of it, for those projects."

Now that is bound to create in the eyes of a large majority of the Members of the House the feeling that we have two classes of Members of Congress, one class with the power, and the ability and the wisdom to make wise choices about the allocation of the taxpayers' resources; the second class, lacking that wisdom and lacking that power, are relegated to the role of taking it or leaving it, in effect.

Now in a good bill like this in which the earmarks in the bill are relatively minimal, aside from the $1 billion which will be stricken, and the earmarks inthe report are only a billion dollars or so in a quarter of a trillion dollar bill, many Members of Congress are likely to say it is not worth worrying about. But let me tell all of those Members who think it is not worth worrying about that I used to think it was not worth worrying about, and in the more limited sphere or earmarks for academic research facilities and programs, which is within the jurisdiction of the Committee on Science, Space, and Technology which I chair, I have seen those earmarks grow from about $10 million a year in the early 1980's up to more than three-quarters of a billion dollars last year.

In other words, Mr. Speaker, what is happening is a very natural human reaction. The members of the Committee on Appropriations, having seen that they can get away with $10 million, go for $50 million the next year, and $150 million the following year, and they keep increasing it, and they will continue to keep increasing it until all Members of Congress who are not members of the Committee on Appropriations finally decide that perhaps the situation is getting too far out of balance.

Now this has happened before. It was a little before my service in the Congress, nearly 100 years ago, as a matter of fact. But at that time the situation got out of balance, and the Congress abolished the Committee on Appropriations.

Now it is not my intention to try and act tomorrow to abolish the Committee on Appropriations. I think that committee does a valuable service, but it is composed of fallible human beings who do what most fallible human beings do, and they try to go as far as they can in probing the limits of what they can do to achieve their own personal goals. Being a fallible human being myself, Mr. Speaker, I expect I might even follow that path if I were a member of the Committee on Appropriations. But I am too old to switch, and I am so deeply concerned about the future of this institution that I want to see it operate in accordance with normal procedures, orderly process, fair sharing of responsibility and the right to serve their constituents so that we can achieve, through the processes of the Congress and the rules of the Congress, the best welfare for the people of this country and the most harmonious workings of this great institution.

Now I should not refer to the workings of the other body, but I have to point out that the sins that I am referring to are not confined to the House of Representatives. The Members of the other body are equally adept at using the power and influence that comes with being a senior member of the Committee on Appropriations and they do their own set of earmarking. So, I have to point out that on top of the approximately, say, $1 billion of earmarks, of which perhaps a quarter are in the program that I referred to, the technology reinvestment program, on top of that our distinguished colleagues in the other body, when it comes to conference with the House on this particular appropriation bill, are going to want to have their $1 billion.

□ 2210

We operate with appropriation caps around here. You can only stretch those so far. But one of the things that we will do tomorrow is to eliminate $1 billion in this bill for that weapons system that I referred to. That will leave us $1 billion under the 602(b) allocation, more or less, and that vacuum will be filled by $1 billion worth of earmarks coming from the other body.

That process has been going on and on at an accelerating rate. Now, in the other body, they are somewhat more proud of their prowess in this situation than we are. It is I think a more acceptable practice. Their rules are more flexible and they are able to accommodate this in a more collegial way than we are in the House.

The distinguished Senator from West Virginia who chairs the Appropriations Committee has publicly stated many times that he feels that this process of earmarking is reasonable and necessary and desirable, and that he feels that the Members of that body, the other body, should not be required to go through the processes of authorizing committee reviews and the other methods by which we seek to get additional input into the process of making wise decisions on the expenditure of the taxpayers' money.

I am not saying this to criticize the Members of the other body. They, like other human beings, are using their opportunities, their influence, their power, to achieve their goals in the most effective and least onerous way that they can. This is normal. I am just pointing out the pernicious nature of this process when carried to extremes. I am going to, in saying this, of course, make it clear to all of my colleagues in both the House and the Senate that I have the greatest respect for them. In no way am I trying to belittle or defame them.

As I have said, it ill behooves me to throw rocks at them, when I would perhaps be doing the same thing if I were in their shoes. But I am not in their shoes, and I have another motive. That motive, which is forced upon me by the nature of my own responsibilities, is to protect the prerogatives of those Members of the House who are not on the Appropriations Committee, and, if necessary, to fight with the Senators who would use their rules and their power to make it more difficult for those Members of the House to be treated as full equals in this process of allocating funds for the benefit of the people of this country.

Now, I want the junior Members of this body, who now number 115 or so, to particularly understand this process. They were elected to come here and make the system better. They were elected to reduce the vestiges of special privilege that exist, to make the Members of this body and the other body responsive to the wishes of the American people. And it is fairly clear that the American people do not want those of us elected to serve them to take it upon ourselves to assume that we have some special wisdom.

We are a collective body, and it is from the wisdom of the collective body that the people of this country expect to benefit. So I am asking these junior Members of Congress, who have not been through this process, even the one last November to which I referred, to take special note of what happens tomorrow.

We have already had one or two examples in early appropriations bills in which the authorizing committee chairman and the appropriations subcommittee chairman became engaged in a contest over the appropriation of funds which had not been authorized. In that contest so far, it seems that the authorizing committee has enjoyed both the predominant support of the Members of the House, and, in their effort to fully implement and abide by the rules of the House, they have enjoyed the support of those who interpretthe rules.

What will happen tomorrow is difficult to ascertain. It is my intention to offer a motion to amend the bill. The amendment that I am going to offer is in the form of a restriction on obligating the funds in that bill.

Under the rules, I will be precluded from offering that amendment if the chairman of the subcommittee moves that the Committee rise, and it will be necessary to defeat that motion before I can offer an amendment.

The amendment that I will offer is the most innocuous amendment that I could think of offering. It is a restatement of existing law that requires that the funding for the Technology Reinvestment Program be subjected to a competitive review. That is the existing law. It is contained in the Defense

authorization bill from last year and it is contained in the Defense authorization bill that we passed today.

Now, why do I take the trouble to merely restate existing law on the appropriation bill? Well, I wonder about that myself. Because it is my view that if the administration officials to whom these funds are appropriated to spend are willing to spend them today in violation of the law, as they are, they will be willing to spend them tomorrow in violation of the law, even though I restate that law on the bill.

The problem here goes beyond the law. The appropriators say, "We tell you to spend the money for these projects which we have selected." They are not authorized. But the order to spend it occurs in the language of the report, which cannot be attacked for failing to deal with authorized projects.

The implication is that if they do not spend the money as directed by the Appropriations Committee, despite the fact that the law says that they will not spend it for those projects, but only on projects which have been reviewed on a competitive basis, the implication is that if they do not go ahead and fund those projects their funding may be cut in the next appropriations bill.

This is a powerful, powerful tool to use on those dedicated public servants who may lose their jobs if their appropriations get cut in the next round. So I do not fault them for obeying the language of the committee report, which is not binding in law, because they know that behind the directives contained in that report is the possibility of very severe action which they will not like in the next round of appropriations.

There are other ways in which this problem can be addressed. I have, for example, after last year's fiasco in which I was thoroughly beaten over the head, sought to make some minor changes in the rules of the House and the rules of the caucus.

Last year I was not even notified that these earmarked projects would appear. We changed the rules to require that notification be given to the authorizing committee chairmen so that they would be aware of it. That is contained in changes in the rules of the Democratic caucus which were made. Then in the rules of the House there were changes made to allow for the authorizing committee chairmen to be in control of a certain amount of debate time to offer a motion to refuse to go along with these earmarks, in effect.

□ 2220

Obviously, these changes in the rules did not seem to give a very strong signal to those members of the Committee on Appropriations who continued to earmark. We said at the time that we are not trying to overturn the orderly processes of the House. We are trying to make them work. And if we are not able to make them work through modest changes in the rules, we will look toward less modest changes in the rules. Of course, one of those changes might be to make any earmarking in committee reports subject to the same points of order and adherence to the rules that that same language would be exposed to if it were in the bill. I do not know how difficult that would be.

I suspect a lot of Members would resist it. But that would be the next step in the orderly procedure for trying to bring this situation under control.

Another step might be for the administration, the President, to give the dedicated public servants, who now spend this money in violation of the law, instructions not to violate the law. And the President and the Vice President have indicated, in statements that they have made, that they do not approve of earmarking. They would like to see it curtailed.

We have written to the Vice President, calling his attention to the situation and suggesting that the administration take some action to deal with this problem through instructions to the Federal bureaucracy.

I have no way of knowing whether the administration will take kindly to that. As a matter of practical fact, the administration itself does not like to tangle with powerful members of the House and Senate Appropriations Committees, because so much of their program depends upon favorable action by these distinguished gentlemen.

Of course, the court of last resort is the people of this country. I have not hesitated, in my own small way, to let the people of this country know that I think that there is a flaw in the way the system works here. In my own committee, we have had exhaustive oversight investigations; we have had hearings. We have called before us both the members of the executive branch, who have been charged with the responsibility of spending this money for earmarked funds, and representatives of the institutions and organizations which received it. And we have asked them to explain why it is that they have acted in the way that they have.

We have compiled an interesting history of this process. We intend to compile an even more interesting history. It may be that because these actions of the Committee on Appropriations which curtail the responsibility of the authorizing committee, these authorizing committees will feel more and more compelled to use their oversight responsibility, which cannot be curtailed by the Committee on Appropriations.

As a matter of fact, my own committee has very broad oversight responsibility. It includes oversight of all civilian research, development and demonstration. I think I might enjoy using all the spare time that I am going to have by not being able to authorize by conducting a more vigorous oversight of these projects which are earmarked. I am not implying that any of these projects would be subject to public criticism, if their genesis and their operations were thoroughly laid out in the public record. My own suspicion is that most of them are good projects. But would it do any harm if we got a second opinion from the authorizing committees before we fund them? I do not think it would. And since we cannot get that second opinion before we fund them, we are forced into the posture of getting that second opinion after they are funded.

It is my intention to pursue that course vigorously over the coming months.

Now, I am not trying to be a crusader. I have said this before. I am very fond of my friends on the Appropriations Committee. I want merely to be treated as an equal, as I am in terms of my responsibility to my constituents. I will not argue the case that they may all be smarter than I am.

The course that I am taking, I think, is eminently reasonable. I do not intend to change it in the near future. I will resort to whatever methods are necessary to begin to remedy this situation that I see.

This is grandiose talk, as far as one individual is concerned. I am humbly going to avoid being grandiose and try and bring this matter to my colleagues in the most logical and rational way that I can and beg for their support. If they disagree with me, if they feel that they are better served and their constituencies are better served by abdicating their own responsibilities to a few select members of the Appropriations Committee, then I say God bless them. I will probably not belabor the issue all that much. But I am going to seek, as I did last year, to enable an expression of views by the Members of this body. And based upon the experience of last year, I think that the large majority of the Members of this body would rather have a system in which they have some input and in which they have a voice, in which their responsibilities as members of authorizing committees are fully implemented. And they will have a more satisfying and satisfactory service here in this great body in which we are all so proud to serve.

Mr. Speaker, we will continue this discussion tomorrow when I get the opportunity to offer my amendment, assuming that I do get that opportunity. I am looking forward to what happens on that occasion.

I will close merely by expressing my hope that all of the Members of this body will understand the importance of the principles which are at stake here and not be diverted by the fact that the

individuals involved are all good friends and highly respected colleagues. There is nothing in any way, shape or form intended to cast any other light on this. I have been particularly pleased, as a matter of fact, over the last year to work with the gentleman from Pennsylvania, Chairman MURTHA, on a number of issues and find that he is, as I have always known, a genial, able, very understanding person. I hope that he will understand that whatever I am doing tomorrow was not intended in any way to reflect on the excellent work that he has been doing.

Mr. Speaker, I include for the RECORD the letter to which I referred:

COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY,
Washington, DC, September 27, 1993.

Hon. ALBERT GORE, Jr.,
Vice President of the United States of America, The White House, Washington, DC.

DEAR MR. VICE PRESIDENT: I want to congratulate you on your report, "Creating a Government that Works Better and Costs Less." You have outlined an ambitious and much needed program. Among your many recommendations, one in particular caught my attention: "Minimize congressional restrictions such as line items, earmarks, and eliminate FTE floors." As you may remember, eliminating earmarks for academic research projects and facilities has long been one of my priorities.

During the past year, the Committee on Science, Space, and Technology has been investigating the scope of academic earmarks and their effects on U.S. government priority-setting and budgeting. We found that in the past ten years, earmarking has increased seventy-fold and now totals three-quarters of a billion dollars per year. This explosion in earmarking has come at a time when fiscal constraints imposed by budget deficits have limited the ability of federal departments to fully fund research programs that meet established national needs. The result is that more and more of those scarce research dollars are being fenced off by a handful of Members of the Appropriations Committees determined to ensure that pet projects for institutions in their states are funded, usually without regard to merit or national priorities.

I do not question the goals of most earmarked projects, but rather the method by which the funds are awarded. Dollars are allocated to particular institutions for particular purposes based on nothing more than that school's ability to approach a member of the Appropriations Committees (a process often facilitated by a high-priced lobbyist) to ask for a favor. The projects themselves rarely undergo even the quick scrutiny of public testimony before Congress; the vast majority of these earmarks are written into report language in House-Senate Conferences by staffers.

More than ninety percent of earmarks appear in the report language that accompanies legislation. These reports are neither legally binding on an agency nor subject to review or amendment by either the House or Senate. Just as importantly, these reports are not signed by the President. Although report language is in effect nothing more than the studied opinions of those members of the Appropriations Committees that were a party to the Conference, agencies in the executive branch testified before the Science Committee earlier this month that they treat such language as if it represented the legally binding will of Congress.

I want to work with you to develop a mechanism which would give agencies a greater voice in determining which (if any) earmarks they will follow and which they should reject. One possibility is an Executive Order which would give agencies guidance on how to respond to earmarks in appropriations report language. The Executive Order could clarify the notion that report language is merely advice, not legally binding instruction. The strongest approach would be to require agencies to disregard earmarks appearing in report language that are not also explicitly delineated in the appropriations legislation.

If you feel that such an approach is too severe, I offer two more moderate alternatives.

1. Require agencies to seek the approval of the relevant authorizing and appropriating committees before obligating the funds for an earmarked project. If the committees cannot come to any agreement during the current fiscal year, the funds would be returned to the Department of the Treasury.

2. Subject to the approval of the relevant authorization and appropriations committees, require agencies to transfer any funding for earmarks to existing authorized programs which have the general programmatic goals embodied in the earmarked project. If the committees cannot come to any agreement during the current fiscal year, the funds would be returned to the Department of the Treasury.

At three-quarters of a billion dollars annually, academic earmarks have clearly grown out of control. An Executive Order that places Appropriations Reports in their proper perspective in the eyes of executive departments and agencies would serve as an important and immediate check on this practice. So long as agencies continue to treat such report language as the law of the land, more and more of our research dollars will be directed through these reports, which are neither voted upon by Congress nor agreed to by the President. From the perspective of our economic vitality and the integrity of Constitutional government, this is a dangerous situation.

With your support, I and like-minded Members of Congress would be able to work more effectively to eliminate earmarks in appropriations legislation. I would appreciate hearing your views on my suggestions and look forward to working with you on this issue, as well as the many other worthwhile ideas that you have articulated for "reinventing government."

Sincerely,

GEORGE E. BROWN, Jr.,
Chairman.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. MCDADE (at the request of Mr. MICHEL), for today, on account of illness.

SPECIAL ORDERS GRANTED

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

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

Mr. KENNEDY, for 5 minutes today.
Mr. STARK, for 5 minutes today.
Mr. CONYERS, for 60 minutes today.
Mr. BROWN of California, for 60 minutes each day, on September 29 and 30.
Mrs. MALONEY, for 60 minutes, on September 30.

EXTENSION OF REMARKS

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

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

Mr. YOUNG of Alaska, in two instances.
Mr. SCHAEFER.
Mr. SOLOMON.
Mr. SANTORUM.
Mr. SAM JOHNSON of Texas.
Mr. FISH.
Mr. BAKER of California.
Mr. SCHIFF.
Mr. WELDON.
Mr. RIDGE.
Mr. GEKAS, in two instances.
Mr. SMITH of Michigan.
Mr. HASTERT.
Mr. CAMP, in two instances.
Mr. GINGRICH.

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

Mr. HAMILTON.
Mr. STARK.
Mr. BONIOR in three instances.
Mr. HOYER in two instances.
Mr. MOLLOHAN.
Mr. SWETT.
Mr. MATSUI.
Mr. JACOBS.
Mr. ROSTENKOWSKI.
Mr. KANJORSKI.
Mr. CLEMENT.
Mr. LEVIN.
Mr. CLYBURN in two instances.
Mr. STUDDS.
Mr. TRAFICANT in two instances.
Mr. GEPHARDT.
Mr. NEAL of Massachusetts.
Ms. VELAZQUEZ.
Mr. PASTOR.
Mr. FARR of California.
Mr. FILNER.
Mr. TUCKER in two instances.
Ms. EDDIE BERNICE JOHNSON of Texas.
Mr. COSTELLO.
Mr. TAUZIN.
Mr. MINETA.

ADJOURNMENT

Mr. BROWN of California. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to, accordingly (at 10 o'clock and 30 minutes p.m.) the House adjourned until tomorrow, Thursday, September 30, 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:

1956. A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation entitled "Department of Agriculture Reorganization Act of 1993"; to the Committee on Agriculture.

1957. A letter from the Secretary of the Treasury, transmitting the annual report on the operations of the Exchange Stabilization Fund [ESF] for fiscal year 1992, pursuant to 31 U.S.C. 5302(c)(2); to the Committee on Banking, Finance and Urban Affairs.

1958. A letter from the Secretary of Education, transmitting Final Regulations—Training Program for Federal TRIO Programs, Upward Bound Program, and the Student Support Services Program, pursuant to 20 U.S.C. 1232(d)(1); to the Committee on Education and Labor.

1959. A letter from the Director, Office of Management and Budget, transmitting OMB estimate of the amount of change in outlays or receipts, as the case may be, in each fiscal year through fiscal year 1998 resulting from passage of H.R. 2010, pursuant to Public Law 101-508, section 13101(a) (104 Stat. 1388-582); to the Committee on Government Operations.

1960. A letter from the U.S. Commissioner, Susquehanna River Basin Commission, transmitting the annual report under the Federal Managers' Financial Integrity Act for fiscal year 1992, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Operations.

1961. A letter from the Director, Administrative Office of the U.S. Courts, transmitting the 1992 annual report of the Director of the Administrative Office of the United States Courts together with the March and September proceedings of the Judicial Conference of the United States held during 1992, pursuant to 28 U.S.C. 604(a)(4), (h)(2), 2412(d)(5); to the Committee on the Judiciary.

1962. A letter from the Secretary of Transportation, transmitting the annual report for 1992 on the relative cost of shipbuilding in the various coastal districts of the United States, pursuant to 46 U.S.C. app. 1123(c); to the Committee on Merchant Marine and Fisheries.

1963. A letter from the Deputy Administrator, General Services Administration, transmitting informational copies of Reports of Building Project Survey for Jacksonville, FL, and Greeneville, TN, pursuant to 40 U.S.C. 606(a); to the Committee on Public Works and Transportation.

1964. A letter from the Assistant Secretary for Environmental Restoration and Waste Management, Department of Energy, transmitting a business plan; transfer of Hanford's extrusion press and other selected metalworking equipment to city of Richland; jointly, to the Committees on Energy and Commerce and Armed Services.

1965. A letter from the Administrator, Environmental Protection Agency, transmitting a draft of proposed legislation entitled "United States-Mexico Border Water Pollution Control Act"; jointly, to the Committees on Public Works and Transportation 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. ROSTENKOWSKI: Committee on Ways and Means. H.R. 3167. A bill to extend the Emergency Unemployment Compensation Program, to establish a system of worker profiling, and for other purposes; with amendments (Rept. 103-268). Referred to the Committee of the Whole House on the State of the Union.

Mr. BONIOR: Committee on Rules. House Resolution 265. Resolution providing for consideration of the bill (H.R. 3167) to extend the Emergency Unemployment Compensation Program, to establish a system of worker profiling, and for other purposes (Rept. 103-269). Referred to the House Calendar.

Mr. DINGELL: Committee on Energy and Commerce. H.R. 1188. A bill to provide for disclosures for insurance in interstate commerce; with an amendment (Rept. 103-270). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ROSTENKOWSKI:

H.R. 3167. A bill to extend the emergency unemployment compensation program, to establish a system of worker profiling, and for other purposes; to the Committee on Ways and Means.

By Mr. TAUZIN (for himself, Mr. LIPINSKI, Mr. ORTIZ, and Mr. MANTON):

H.R. 3168. A bill to amend title 46, United States Code, to establish requirements to ensure safe operation of recreational vessels, and to improve State recreational boating safety programs; to the Committee on Merchant Marine and Fisheries.

By Mr. KENNEDY (for himself and Mr. GONZALEZ):

H.R. 3169. A bill to provide for public access to information regarding the availability of insurance, and for other purposes; to the Committee on Banking, Finance and Urban Affairs.

By Mr. CHAPMAN:

H.R. 3170. A bill to amend title XVIII of the Social Security Act to require the Secretary of Health and Human Services to consult with representatives of physicians and to use the most recent available data in making geographic adjustments to the payment rates for physicians' services under part B of the Medicare Program, and for other purposes; jointly, to the Committees on Energy and Commerce and Ways and Means.

By Mr. DE LA GARZA (for himself (by request), Mr. STENHOLM, Mr. PENNY, Mr. VOLKMER, Mr. ENGLISH of Oklahoma, Mr. GLICKMAN, Mr. JOHNSON of South Dakota, Mr. DOOLEY, Mr. THOMPSON, Mrs. CLAYTON, Mr. SARPALIUS, Mr. HILLIARD, Ms. MCKINNEY, Mr. POMEROY, Mr. MINGE, Ms. LONG, and Mr. HOLDEN):

H.R. 3171. A bill to authorize the Secretary of Agriculture to reorganize the Department of Agriculture, and for other purposes; to the Committee on Agriculture.

By Mr. DEFAZIO (for himself, Mr. INSLEE, and Mr. SMITH of Oregon):

H.R. 3172. A bill to amend the definition of rural community to expand eligibility for economic recovery funds; to the Committee on Agriculture.

By Mr. LIVINGSTON:

H.R. 3173. A bill to prohibit the admission to the United States as refugees of individuals who served in the armed forces of Iraq during the Persian Gulf conflict; to the Committee on the Judiciary.

By Ms. MARGOLIES-MEZVINSKY:

H.R. 3174. A bill to suspend until January 1, 1997, the duty on finasteride and finasteride tablets; to the Committee on Way and Means.

H.R. 3175. A bill to extend retroactively until January 1, 1996, the prior suspension of duty on L-alanyl-L-proline, also known as Ala Pro; to the Committee on Ways and Means.

H.R. 3176. A bill to extend retroactively until January 1, 1996, the prior suspension of duty on diflunisal; to the Committee on Ways and Means.

H.R. 3177. A bill to suspend until January 1, 1997, the duty on levodopa; to the Committee on Ways and Means.

H.R. 3178. A bill to extend retroactively until January 1, 1996, the prior suspension of duty on amiloride hydrochloride; to the Committee on Ways and Means.

By Mr. MCCRERY:

H.R. 3179. A bill to amend the Internal Revenue Code of 1986 to allow a deduction for contributions to individual investment accounts, and for other purposes; to the Committee on Ways and Means.

By Mr. MONTGOMERY:

H.R. 3180. A bill to amend title 10, United States Code, to provide a charter for the National Guard Bureau, and for other purposes; to the Committee on Armed Services.

By Mr. MORAN:

H.R. 3181. A bill to redesignate the J. Edgar Hoover Federal Bureau of Investigation Building located at Ninth and Pennsylvania Avenue, NW., Washington, DC, as the Federal Bureau of Investigation Building; to the Committee on Public Works and Transportation.

By Mr. PALLONE:

H.R. 3182. A bill to amend the Immigration and Nationality Act to permit the admission to the United States of nonimmigrant students and visitors who are the spouses and children of United States permanent resident aliens, and for other purposes; to the Committee on the Judiciary.

By Mr. PORTER:

H.R. 3183. A bill to assure that tax increases contained in the Omnibus Budget Reconciliation Act of 1993 are used solely for deficit reduction; to the Committee on Ways and Means.

By Mr. REYNOLDS:

H.R. 3184. A bill to prohibit the transfer or possession of semiautomatic assault weapons, and for other purposes; to the Committee on the Judiciary.

By Mr. TALENT:

H.R. 3185. A bill to amend the National Flood Insurance Act of 1968 to provide insurance benefits for elevating structures incurring serious damage from floods and increase the maximum coverage amounts under the national flood insurance program, and for other purposes; to the Committee on Banking, Finance and Urban Affairs.

By Mr. TAUZIN (for himself, Mr. HAYES, Mr. JEFFERSON, Mr. FIELDS of Louisiana, Mr. LIVINGSTON, Mr. MCCRERY, and Mr. BAKER of Louisiana):

H.R. 3186. A bill to designate the U.S. courthouse located in Houma, LA, as the "George Arceneaux, Jr., United States Courthouse"; to the Committee on Public Works and Transportation.

By Mr. YOUNG of Alaska:

H.R. 3187. A bill to amend the Aleutian and Pribilof Islands Restitution Act to increase authorization for appropriation to compensate Aleut villages for church property lost, damaged, or destroyed during World War II; to the Committee on the Judiciary.

By Mr. YOUNG of Alaska (for himself, Mr. STUDDS, Mr. MANTON, and Mr. FIELDS of Texas):

H.R. 3188. A bill to amend the Central Bering Sea Fisheries Enforcement Act of 1992; to the Committee on Merchant Marine and Fisheries.

By Mr. YOUNG of Alaska:

H.R. 3189. A bill to amend the Internal Revenue Code of 1986 to allow a charitable contribution deduction for certain expenses incurred by whaling captains in support of Native Alaskan subsistence whaling: to the Committee on Ways and Means.

By Mr. FILNER:

H.R. 3190. A bill to amend the Federal Water Pollution Control Act to direct the Administrator of the Environmental Protection Agency to issue a discharge permit which modifies certain requirements with respect to the discharge of pollutants into the ocean from a publicly owned treatment works where an aggressive water reclamation program is being implemented jointly to the Committee on Public Works and Transportation and Merchant Marine and Fisheries.

By Mr. STARK:

H.J. Res. 270. Joint resolution to ensure all residents equal access to quality health care services if a managed competition health plan is enacted by requiring Members of Congress to enroll in the lowest cost health care plan offered in a health alliance area, and to impose an excise tax on Members of Congress equal to three times any amount the Member pays in health care premiums above the amount paid by enrollees in the lowest cost health care plan in the health alliance area; jointly, to the Committees on House Administration and Ways and Means.

ADDITIONAL SPONSORS

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

H.R. 66: Mr. BARCA of Wisconsin.
H.R. 68: Mr. KOPETSKI and Mr. WYNN.
H.R. 70: Mr. QUINN.
H.R. 108: Mrs. FOWLER.
H.R. 166: Mr. ROYCE.
H.R. 290: Mrs. SCHROEDER.
H.R. 411: Mr. PARKER.
H.R. 466: Mr. BACHUS of Alabama.
H.R. 790: Mr. MEEHAN.
H.R. 799: Mr. KASICH.
H.R. 823: Mr. SCHIFF.
H.R. 830: Mr. BARRETT of Wisconsin, Mr. HOKE, Mrs. BENTLEY, Mr. HASTERT, Mr. HORN, and Ms. SNOWE.
H.R. 892: Mr. BAKER of Louisiana.
H.R. 1181: Mr. TAYLOR of North Carolina, Mr. QUILLEN, Mr. CUNNINGHAM, Mr. JACOBS, Mr. HAMBURG, Mr. DEUTSCH, Mr. DELLUMS, and Mrs. MORELLA.
H.R. 1277: Mr. KOPETSKI, Mr. PACKARD, and Mr. KING.
H.R. 1295: Mr. SMITH of Texas, Mrs. JOHNSON of Connecticut, Mr. KNOLLENBERG, Mr. MCDADE, Mr. LEWIS of California, Mr. CALVERT, Mr. ROHRABACHER, Mr. YOUNG of Florida, Mrs. FOWLER, Mr. BILIRAKIS, Mr. KING, Mr. QUINN, Ms. PRYCE of Ohio, Ms. SNOWE, Mr. BEVILL, Mr. RICHARDSON, Mr. MURTHA, Mr. DICKEY, and Mr. SCOTT.
H.R. 1314: Mr. REED, Mr. KOPETSKI, Mr. DUNCAN, Mr. PASTOR, Mr. MANN, and Mr. RAMSTAD.
H.R. 1442: Mr. KOPETSKI.
H.R. 1490: Mr. KYL, Mr. CLYBURN, Mr. HOUGHTON, Mr. CANADY, Mr. SCHAEFER, and Mr. BACHUS of Alabama.
H.R. 1494: Mr. SANDERS.
H.R. 1534: Mr. OBERSTAR and Mr. APPLEGATE.
H.R. 1546: Mr. CAMP.
H.R. 1552: Mr. QUINN.
H.R. 1604: Mr. FRANKS of New Jersey.
H.R. 1605: Mr. QUINN.
H.R. 1687: Mr. DIXON, Mr. PENNY, Mr. BONIOR, Mr. TOWNS, Mr. MARTINEZ, and Mr. SARPALIUS.
H.R. 1738: Mr. EWING.
H.R. 1786: Mr. DICKS and Mr. KOPETSKI.
H.R. 1900: Mr. DOOLEY, Mr. SMITH of New Jersey, Mr. TORRICELLI, Mr. LANTOS, and Ms. DELAURO.
H.R. 1922: Mr. PORTER.
H.R. 1933: Mr. THOMPSON, Mr. MCCLOSKEY, Ms. BROWN of Florida, Mr. FIELDS of Louisiana, Mr. HUGHES, and Mr. WASHINGTON.
H.R. 2043: Mr. RANGEL.
H.R. 2171: Mr. HINCHEY and Mr. DELLUMS.
H.R. 2173: Mr. GILMAN.
H.R. 2238: Mr. CLINGER and Mr. KLECZKA.
H.R. 2286: Mr. MINGE, Mr. DEAL, Mr. KNOLLENBERG, Mr. SKELTON, and Mr. STUMP.
H.R. 2305: Mr. PICKLE and Mr. STARK.
H.R. 2376: Mr. UPTON.
H.R. 2441: Mr. SANDERS and Ms. LOWEY.
H.R. 2612: Mr. DELLUMS.
H.R. 2641: Mr. KAPTUR.
H.R. 2644: Mr. POMEROY.
H.R. 2736: Mr. WILSON, Mr. EVANS, Mr. HINCHEY, and Mr. GUTIERREZ.
H.R. 2769: Mr. FRANK of Massachusetts.
H.R. 2786: Mr. UPTON.
H.R. 2830: Mr. TORRES, Mr. FILNER, Mr. STARK, Mr. DELLUMS, Mr. SERRANO, and Mr. MILLER of California.
H.R. 2837: Mr. MAZZOLI, Mr. FROST, Mr. LANCASTER, Mr. BEREUTER, Mr. BEILENSON, Mr. MENENDEZ, and Mr. VALENTINE.
H.R. 2878: Mr. HUGHES.
H.R. 2884: Mr. GIBBONS.
H.R. 2898: Mr. DELLUMS.
H.R. 3029: Mr. PACKARD and Ms. FURSE.
H.R. 3030: Mr. KYL.
H.R. 3039: Mr. ROTH.
H.R. 3098: Mrs. MALONEY, Mr. FRANK of Massachusetts, Mr. FOGLIETTA, Ms. BYRNE, Mr. FILNER, Mr. BACCHUS of Florida, and Mr. MANN.
H.R. 3125: Mr. POMBO and Mr. DELAY.
H.R. 3138: Mr. SCHIFF.
H.R. 3146: Mr. ARCHER and Mr. COX.
H.J. Res. 113: Mr. COLLINS of Georgia, Mr. HUTCHINSON, and Mr. ROTH.
H.J. Res. 171: Mr. BACHUS of Alabama, Mr. BARRETT of Nebraska, Mr. DORNAN, and Mr. MOORHEAD.
H.J. Res. 178: Mr. ABERCROMBIE, Mr. BATEMAN, Mrs. BENTLEY, Mr. BROWDER, Mr. COSTELLO, Mr. DE LA GARZA, Mr. DELLUMS, Mr. EWING, Mr. HOYER, Mr. HUGHES, Ms. KAPTUR, Mr. LANTOS, Mr. LEWIS of Georgia, Ms. LOWEY, Mr. MANTON, Mr. MILLER of California, Ms. MOLINARI, Mr. MURPHY, Mr. OWENS, Mr. PASTOR, Mr. SAXTON, Mr. SKEEN, Mr. SISISKY, and Mrs. THURMAN.
H.J. Res. 197: Mr. ANDREWS of New Jersey, Mr. ABERCROMBIE, Ms. BROWN of Florida, Ms. BYRNE, Mr. ENGEL, Mr. TORKILDSEN, and Mr. ANDREWS of Maine.
H.J. Res. 212: Mr. COX, Mrs. LLOYD, Mr. WELDON, Mr. SABO, and Mr. GORDON.
H.J. Res. 234: Mr. WAXMAN, Mr. FROST, Mr. SHAYS, Mr. KASICH, Mr. TUCKER, Mr. SAWYER, Mr. ENGEL, and Mr. EWING.
H.J. Res. 257: Ms. FURSE.
H.J. Res. 265: Mr. REED and Mr. PASTOR.
H. Con. Res. 59: Ms. PELOSI and Mr. WYNN.
H. Con. Res. 140: Mr. CARDIN.
H. Con. Res. 141: Mr. CONDIT, Mr. HAYES, Mr. SPENCE, and Mr. TEJEDA.
H. Con. Res. 153: Mr. PENNY, Mr. GALLO, Mrs. MEYERS of Kansas, Mr. MCCURDY, Mr. HOEKSTRA, Mr. DELAY, and Mr. FROST.
H. Con. Res. 156: Mr. BARRETT of Wisconsin, Ms. SHEPHERD, Mr. MANN, Mr. KREIDLER, Mr. TRAFICANT, and Mr. CLEMENT.
H. Res. 165: Mr. PACKARD, Ms. LAMBERT, Mr. WYNN, Mr. DEUTSCH, and Mr. TANNER.
H. Res. 234: Mr. MCKEON, Mr. BOEHLERT, Mr. GREENWOOD, Mr. SPRATT, Mr. SMITH of Texas, Mr. LEVY, Mr. TOWNS, Mr. CLYBURN, Mr. DERRICK, Mr. SCOTT, and Mr. SPENCE.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

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

H.R. 1734: Mr. SKAGGS.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

59. The SPEAKER presented a petition of the Common Council of the City of Buffalo, NY, relative to Federal funding for the D.A.R.E. Program; which was referred to the Committee on Education and Labor.

EXTENSIONS OF REMARKS

ENLARGING DEMOCRACY

HON. RICHARD A. GEPHARDT
OF MISSOURI
HON. NEWT GINGRICH
OF GEORGIA
IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 29, 1993

Mr. GEPHARDT. Mr. Speaker, we would like to encourage all of our colleagues to read the following address by Special Assistant to the President for National Security Affairs Anthony Lake. We believe that Mr. Lake's speech provides a basis for an active U.S. foreign policy by enlarging democracy and free markets throughout the post-cold war world.

FROM CONTAINMENT TO ENLARGEMENT

(By Anthony Lake)

I have come to speak with you today because I believe our nation's policies toward the world stand at an historic crossroads. For half a century America's engagement in the world revolved around containment of a hostile Soviet Union. Our efforts helped block Soviet expansionism, topple Communist repression and secure a great victory for human freedom.

Clearly, the Soviet Union's collapse enhances our security. But it also requires us to think anew because the world is new.

In particular, with the end of the Cold War, there is no longer a consensus among the American people around why, and even whether our nation should remain actively engaged in the world. Geography and history always have made Americans wary of foreign entanglements. Now economic anxiety fans that wariness. Calls from the left and right to stay at home rather than engage abroad are re-enforced by the rhetoric of Neo-Know-Nothings.

Those of us who believe in the imperative of our international engagement must push back. For that reason, as President Clinton sought the Presidency, he not only pledged a domestic renaissance, but also vowed to engage actively in the world in order to increase our prosperity, update our security arrangements and promote democracy abroad.

PURSUING AMERICAN INTERESTS ABROAD

In the eight months since he took office, President Clinton has pursued those goals vigorously. We have completed a sweeping review of our military strategy and forces. We have led a global effort to support the historic reforms in Russia and the other new states. We have helped defend democracy in Haiti and Guatemala and secured important side agreements that pave the way for enactment of the North American Free Trade Agreement. We have facilitated major advances in the Mideast peace process, working with our Arab partners while strengthening our bonds with Israel. We have pursued steps with our G-7 partners to stimulate world economic growth. We have placed our relations with Japan on a new foundation and set a vision of a New Pacific Community. We are putting in place practical policies to preserve the environment and to limit the spread of weapons of mass destruction. We have proceeded with sweeping reductions in nuclear arms and declared a moratorium on testing as we move toward a comprehensive test ban. We have struggled with the complex tragedy in Bosnia. And we have worked to complete our mission of ensuring lasting relief from starvation in Somalia.

But engagement itself is not enough. We also need to communicate anew why that engagement is essential. If we do not, our government's reactions to foreign events can seem disconnected; individual setbacks may appear to define the whole; pubic support for our engagement likely would wane; and America could be harmed by a rise in protectionism, unwise cuts to our military force structure or readiness, a loss of the resources necessary for our diplomacy and thus the erosion of US influence abroad.

Stating our purpose is neither academic nor rhetorical. What we do outside our borders has immediate and lasting consequences for all Americans. As the President often notes, the line between foreign and domestic policy has evaporated. Our choices about America's foreign policy will help determine:

Whether Americans' real incomes double every 26 years, as they did in the 1960s, and every 36 years, as they did during the late '70s and '80s. Whether the 25 nations with weapons of mass destruction grow in number or decline.

Whether the next quarter century will see terrorism, which injured or killed more than 2000 Americans during the last quarter century, expand or recede as a threat.

Whether the nations of the world will be more able or less able to address regional disputes, humanitarian needs and the threat of environmental degradation.

I do not presume today to define the Administration's entire foreign policy vision. But following on Secretary Christopher's speech yesterday, and anticipating the address the President will make to the United National General Assembly on Monday, I want to suggest some broad principles, as a contribution to an essential national dialogue about our purpose in the world.

AMERICA'S CORE CONCEPTS: DEMOCRACY AND MARKET ECONOMICS

Let us begin by taking stock of our new era. Four facts are salient. First, America's core concepts—democracy and market economics—are more broadly accepted than ever. Over the past ten years the number of democracies has nearly doubled. Since 1970, the number of significant command economies dropped from 10 to 3.

This victory of freedom is practical, not ideological: billions of people on every continent are simply concluding, based on decades of their own hard experience, that democracy and markets are the most productive and liberating ways to organize their lives.

Their conclusion resonates with America's core values. We see individuals as equally created with a God-given right to life, liberty and the pursuit of happiness. So we trust in the equal wisdom of free individuals to protect those rights: through democracy, as the process for best meeting shared needs in the face of competing desires; and through markets as the process for best meeting private needs in a way that expands opportunity.

Both processes strengthen each other: democracy alone can produce justice, but not the material goods necessary for individuals to thrive; markets alone can expand wealth, but not that sense of justice without which civilized societies perish.

Democracy and market economics are ascendant in this new era, but they are not everywhere triumphant. There remain vast areas in Asia, Africa, the Middle East and elsewhere where democracy and market economics are at best new arrivals—most likely unfamiliar, sometimes vilified, often fragile.

But it is wrong to assume these ideas will be embraced only by the West and rejected by the rest. Culture does shape politics and economics. But the idea of freedom has universal appeal. Thus, we have arrived at neither the end of history nor a clash of civilizations, but a moment of immense democratic and entrepreneurial opportunity. We must not waste it.

The second feature of this era is that we are its dominant power. Those who say otherwise sell America short. The fact is, we have the world's strongest military, its largest economy and its most dynamic, multiethnic society. We are setting a global example in our efforts to reinvent our democratic and market institutions. Our leadership is sought and respected in every corner of the world. As Secretary Christopher noted yesterday, that is why the parties to last week's dramatic events chose to shake hands in Washington. Around the world, America's power, authority and example provide unparalleled opportunities to lead.

Moreover, absent a reversal in Russia, there is now no credible near-term threat to America's existence. Serious threats remain: terrorism, proliferating weapons of mass destruction, ethnic conflicts and the degradation of our global environment. Above all, we are threatened by sluggish economic growth, which undermines the security of our people as well as that of allies and friends abroad. Yet none of these threats holds the same immediate dangers for us as did Nazi conquest or Soviet expansionism.

America's challenge today is to lead on the basis of opportunity more than fear.

The third notable aspect of this area is an explosion of ethnic conflicts. As Senator Moynihan and others have noted, the end of the Cold War and the collapse of various repressive regimes has removed the lid from numerous caldrons of ethnic, religious or factional hatreds. In many states of the former Soviet Union and elsewhere, there is a tension between the desire for ethnic separatism and the creation of liberal democracy, which alone can safely accommodate and even celebrate differences among citizens. A major challenge to our thinking, our policies and our international institutions in this era is the fact that most conflicts are taking place within rather than among nations.

These conflicts are typically highly complex; at the same time, their brutality will tug at our consciences. We need a

healthywariness about our ability to shape solutions for such disputes, yet at times our interests or humanitarian concerns will impel our unilateral or multilateral engagement.

The fourth feature of this new era is that the pulse of the planet has accelerated dramatically and with it the pace of change in human events. Computers, faxes, fiber optic cables and satellites all speed the flow of information. The measurement of wealth, and increasingly wealth itself, consists in bytes of data that move at the speed of light.

The accelerated pace of events is neither bad nor good. Its sharp consequences can cut either way. It means both doctors and terrorists can more quickly share their technical secrets. Both prodemocracy activists and skinhead anarchists can more broadly spread their views. Ultimately, the world's acceleration creates new and diverse ways for us to exert our influence, if we choose to do so—but increases the likelihood that, if we do not, rapid events, instantly reported may overwhelm us. As the President has suggested, we must decide whether to make change our ally or allow ourselves to become its victims.

FROM CONTAINMENT TO ENLARGEMENT

In such a world, our interests and ideals compel us not only to be engaged, but to lead. And in a real-time world of change and information, it is all the more important that our leadership be steadied around our central purpose.

That purpose can be found in the underlying rationale for our engagement throughout this century. As we fought aggressors and contained communism, our engagement abroad was animated both by calculations of power and by this belief: to the extent democracy and market economics hold sway in other nations, our own nation will be more secure, prosperous and influential, while the broader world will be more human and peaceful.

The expansion of market-based economics abroad helps expand our exports and create American jobs, while it also improves living conditions and fuels demands for political liberalization abroad. The addition of new democracies makes us more secure because democracies tend not to wage war on each other or sponsor terrorism. They are more trustworthy in diplomacy and do a better job of respecting the human rights of their people.

These dynamics lay at the heart of Woodrow Wilson's most profound insights; although his moralism sometimes weakened his argument, he understood that our own security is shaped by the character of foreign regimes. Indeed, most Presidents who followed, Republicans and Democrats alike, understood we must promote democracy and market economics in the world—because it protects our interests and security; and because it reflects values that are both American and universal.

Throughout the Cold War, we contained a global threat to market democracies; now we should seek to enlarge their reach, particularly in places of special significance to us.

The successor to a doctrine of containment must be a strategy of enlargement—enlargement of the world's free community of market democracies.

During the Cold War, even children understood America's security mission; as they looked at those maps on their schoolroom walls, they knew we were trying to contain the creeping expansion of that big, red blob. Today, at great risk of oversimplification, we might visualize our security mission as promoting the enlargement of the "blue areas" of market democracies. The difference, of course, is that we do not seek to expand the reach of our institutions by force, subversion or repression.

We must not allow this overarching goal to drive us into overreaching actions. To be successful, a strategy of enlargement must provide distinctions and set priorities. It must combine our broad goals of fostering democracy and markets with our more traditional geostrategic interests. And it must suggest how best to expend our large but nonetheless limited national security resources: financial, diplomatic and military.

In recent years, discussions about when to use force have turned on a set of vital questions, such as whether our forces match our objectives; whether; we can fight and win in the time that is acceptable; whether we have a reasonable exit if we do not, whether there is public and congressional support. But we have overlooked a prior, strategic question—the question of "where"—which sets the context for such military judgments.

I see four components to a strategy of enlargement.

First, we should strengthen the community of major market democracies—including our own—which constitutes the core from which enlargement is proceeding.

Second, we should help foster and consolidate new democracies and market economies, where possible, especially in states of special significance and opportunity.

Third, we must counter the aggression—and support the liberalization—of states hostile to democracy and markets.

Fourth, we need to pursue our humanitarian agenda not only by providing aid, but also by working to help democracy and market economics take root in regions of greatest humanitarian concern.

A host of caveats must accompany a strategy of enlargement. For one, we must be patient. As scholars observe, waves of democratic advance are often followed by reverse waves of democratic setback. We must be ready for uneven progress, even outright reversals.

Our strategy must be pragmatic. Our interests in democracy and markets do not stand alone. Other American interests at times will require us to befriend and even defend non-democratic states for mutually beneficial reasons.

Our strategy must view democracy broadly—it must envision a system that includes not only elections but also such features as an independent judiciary and protections of human rights.

Our strategy must also respect diversity. Democracy and markets can come in many legitimate variants. Freedom has many faces.

STRENGTHENING THE COMMUNITY OF MAJOR MARKET DEMOCRACIES

Let me review each of the four components of this straegy in greater detail.

It is axiomatic in electoral campaigns that you start by firming up your political base. The same is true in international politics. Thus, the highest priority in a strategy of enlargement must be to strengthen the core of major market democracies, the bonds among them and their sense of common interest.

That renewal starts at home. Our efforts to empower our people, revive our economy, reduce our deficit and re-invent our government have profound implications for our global strength and the attractiveness of democracy and markets around the world. Our domestic revival will also influence how much of their hard-earned money Americans will commit to our engagement abroad.

The imperative of strengthening the democratic core also underscores the importance of renewing the bonds among our key democratic allies. Today our relations with Europe, Canada and Japan are basically sound. But they suffer from an economic problem and a military problem.

The economic problem is shared sluggish growth and the political cost it exacts on democratic governments. For example, over the past decade, many western European nations have not created a single net job. Partly as a result, most of our key allies are now sitting atop thin treasuries and thin political majorities. Economic stagnation and its political consequences undermine the ability of the major democratic powers to act decisively on our many common challenges, from the GATT to Bosnia.

Fortunately, many of our democratic allies are undertaking searching re-examinations of government processes and domestic policies, just as we are. These efforts should proceed boldly—not only for the sake of justice and prosperity in each of our nations, but also so that our democratic community once again can act with vigor and resolve.

That is why we are leading the effort to secure a successful GATT agreement by year's end. And it is why enactment of NAFTA is one of the President's top priorities. But while these specific agreements are of enormous importance, this need for economic renewalgoes even further. We are in the early stages of as great a change in the global economy as we faced at the end of World War II. And with hard times in all our nations, we face the possibility of creating vicious rather than virtuous circles of international economic action. Unless the major market democracies act together—updating international economic institutions, coordinating macroeconomic policies and striking hard but fair bargains on the ground rules of open trade—the fierce competition of the new global economy, coupled with the end of our common purpose from the Cold War, could drive us into prolonged stagnation or even economic disaster.

The military problem involves NATO. For half a century, NATO has proved itself the most effective military alliance in human history. If NATO is to remain an anchor for European and Atlantic stability, as the President believes it must, its members must commit themselves to updating NATO's role in this new era. Unless NATO is willing over time to assume a broader role then it will lose public support, and all our nations will lose a vital bond of transatlantic and European security. That is why, at the NATO summit that the President has called for this January, we will seek to update NATO, so that there continues behind the enlargement of market democracies an essential collective security.

FOSTERING NEW DEMOCRACIES AND MARKET ECONOMIC

Beyond seeing to our base, the second imperative for our strategy must be to help democracy and markets expand and survive in other places where we have the strongest security concerns and where we can make the greatest difference. This is not a democratic crusade; it is a pragmatic commitment to see freedom take hold where that will help us most. Thus, we must target our effort to assist states that affect our strategic interests, such as those with large economies, critical locations, nuclear weapons or the potential to generate refugee flows into our own nation or into key friends and allies. We

must focus our efforts where we have the most leverage. And our efforts must be demand-driven—they must focus on nations whose people are pushing for reform or have already secured it.

The most important example is the former Soviet Union and it fits the criteria just noted. If we can support and help consolidate democratic and market reforms in Russia and the other newly independent states, we can help turn a former threat into a region of valued diplomatic and economic partners. In addition, our efforts in Russia, Ukraine and the other states raise the likelihood of continued reductions in nuclear arms and compliance with international non-proliferation accords.

The new democracies in Central and Eastern Europe are another clear example, given their proximity to the great democratic powers of Western Europe.

And since our ties across the Pacific are no less important than those across the Atlantic, pursuing enlargement in the Asian Pacific is a third example. In July, the President underscored that point in Japan and Korea with his descriptions of a New Pacific Community.

Continuing the great strides toward democracy and markets in our emerging Western Hemispheric Community of Democracies also must be a key concern. And we should be on the lookout for states whose entry into the camp of market democracies may influence the future direction of an entire region; South Africa and Nigeria now hold that potential with regard to sub-Saharan Africa.

How should the United States help consolidate and enlarge democracy and markets in these states? The answers are as varied as the nations involved, but there are common elements. We must continue to help lead the effort to mobilize international resources, as we have with Russia and the other new states. We must be willing to take immediate public positions to help staunch democratic reversals, as we have in Haiti, Guatemala and Nigeria. We must give democratic nations the fullest benefits of integration into foreign markets, which is part of why NAFTA and the GATT rank so high on our security agenda. We must link wider access to technology markets with commitments to abide by nonproliferation norms. And we must help these nations strengthen the pillars of civil society, improve their market institutions, and fight corruption and political discontent through practices of good governance.

In all these efforts, a policy of enlargement should take on a second meaning; we should pursue our goals through an enlarged circle not only of government officials but also of private and non-governmental groups. Private firms are natural allies in our efforts to strengthen market economies. Similarly, our goal of strengthening democracy and civil society has a natural ally in labor unions, human rights groups, environmental advocates, chambers of commerce, and election monitors. Just as we rely on force multipliers in defense, we should welcome these "diplomacy multipliers," such as the National Endowment for Democracy.

THE "BACKLASH" STATES

The third element of our strategy of enlargement should be to minimize the ability of states outside the circle of democracy and markets to threaten it.

Democracy and market economics have always been subversive ideas to those who rule without consent. These ideas remain subversive today. Every dictator, theocrat, kleptocrat or central planner in an unelected regime has reason to fear their subjects will suddenly demand the freedom to make their own decisions.

We should expect the advance of democracy and markets to trigger forceful reactions from those whose power is not popularly derived. The rise of Burma's democracy movement led to the jailing of its most vocal proponent, Aung San Suu Kyi. Russia's reforms have aroused the resistance of the nomenklatura.

Centralized power defends itself. It not only wields tools of state power such as military force, political imprisonment and torture, but also exploits the intolerant energies of racism, ethnic prejudice, religious persecution, xenophobia, and irredentism. Those whose power is threatened by the spread of democracy and markets willalways have a personal stake in resisting those practices with passionate intensity.

When such leaders sit atop regional powers, such as Iran and Iraq, they may engage in violence and lawlessness that threatens the United States and other democracies. Such reactionary, "backlash" states are more likely to sponsor terrorism and traffic in weapons of mass destruction and ballistic missile technologies. They are more likely to suppress their own people, foment ethnic rivalries and threaten their neighbors.

In this world of multiplying democracies, expanding markets and accelerating commerce, the rulers of backlash states face an unpleasant choice. They can seek to isolate their people from these liberating forces. If they do, however, they cut themselves off from the very forces that create wealth and social dynamism. Such states tend to rot from within, both economically and spiritually. But as they grow weaker, they also may become more desperate and dangerous.

Our policy toward such states, so long as they act as they do, must seek to isolate them diplomatically, militarily, economically and technologically. It must stress intelligence, counterterrorism, and multilateral export controls. It also must apply global norms regarding weapons of mass destruction and ensure their enforcement. While some of these efforts will be unilateral, international rules are necessary and may be particularly effective in enforcing sanctions, transparency and export controls, as the work of the IAEA in Iraq demonstrates.

When the actions of such states directly threaten our people, our forces, or our vital interests, we clearly must be prepared to strike back decisively and unilaterally, as we did when Iraq tried to assassinate former President Bush. We must always maintain the military power necessary to deter, or if necessary defeat, aggression by these regimes. Because the source of such threats will be diverse and unpredictable, we must seek to ensure that our forces are increasingly ready, mobile, flexible and smart, as the President and Secretary Aspin have stressed.

Let me take a moment to illustrate what America's armed forces are doing, right now as we meet: In South Korea, some 37,000 U.S. troops are on guard against aggression from the North. In the Persian Gulf, the "Abraham Lincoln" carrier battle group and other forces remain stationed as a follow up to Operation Desert Storm. And as we move toward new Middle East peace agreements, some 1000 US soldiers continue to help keep the peace in the Sinai Peninsula. Such forces cost money. Some people may regret our "Bottom Up Review" did not suggest a substantially smaller or cheaper force. But the fact is: these forces, the world's very best, are part of the necessary price of security and leadership in the world.

While some backlash states may seek to wall themselves off from outside influence, other anti-democratic states will opt to pursue greater wealth by liberalizing their economic rules. Sooner or later, however, these states confront the need to liberalize the flow of information into and within their nation, and to tolerate the rise of an entrepreneurial middle-class. Both developments weaken despotic rule and lead over time to rising demands for democracy. Chile's experience under General Pinochet proves market economies can thrive for a time without democracy. But both our instinct and recent history in Chile, South Korea and elsewhere tell us they cannot do so forever.

We cannot impose democracy on regimes that appear to be opting for liberalization, but we may be able to help steer some of them down that path, while providing penalties that raise the costs of repression and aggressive behavior. These efforts have special meaning for our relations with China. That relationship is one of the most important in the world, for China will increasingly be a major world power, and along with our ties to Japan and Korea, our relationship with China will strongly shape both our security and economic interests in Asia. It is in the interest of both our nations for China to continue its economic liberalization while respecting the human rights of its people and international norms regarding weapons sales. That is why we conditionally extended China's trading advantages, sanctioned its missile exports and proposed creation of a new Radio Free Asia. We seek a stronger relationship with China that reflects both our values and our interests.

Our policies toward the Islamic world provide another example. Let me emphasize this point: our nation respects the many contributions Islam has made to the world over the past 1300 years, and we appreciate the close bonds of values and history between Islam and the Judeo-Christian beliefs of most Americans. We will extend every expression of friendship to those of the Islamic faith who abide in peace and tolerance. But we will provide every resistance to militants who distort Islamic doctrines and seek to expand their influence by force.

THE HUMANITARIAN AGENDA

The fourth part of a strategy of enlargement involves our humanitarian goals, which play an important supporting role in our efforts to expand democracy and markets. Our humanitarian actions nurture the American public's support for our engagement abroad. Our humanitarian efforts also can stimulate democratic and market development in many areas of the world. Ultimately, the world trusts our leadership in that broader effort in part because it witnesses our humanitarian deeds: it knows that our responses to hunger and suffering, from Bangladesh to Somalia to Chernobyl, are an expression of who we are as a nation. Our humanitarian efforts must continue to include a broad array of programs—economic and military assistance, disaster relief, and projects to assist education, nutrition and health. Over the coming months we plan to work with Congress to reform this array of aid programs—to focus them more strategically and efficiently on the promotion of democracy and markets, environmentally sustainable development and early responses to social and economic chaos.

We face great challenges to our humanitarian instincts in this era, and far fewer barriers to action than there were during the

period of superpower competition. Public pressures for our humanitarian engagement increasingly may be driven by televisedimages, which can depend in turn on such considerations as where CNN sends its camera crews. But we must bring other considerations to bear as well: cost; feasibility; the permanence of the improvement our assistance will bring; the willingness of regional and international bodies to do their part; and the likelihood that our actions will generate broader security benefits for the people and the region in question.

While there will be increasing calls on us to help stem bloodshed and suffering in ethnic conflicts, and while we will always bring our diplomacy to bear, these criteria suggest there will be relatively few intra-national ethnic conflicts that justify our military intervention. Ultimately, on these and other humanitarian needs, we will have to pick and choose.

Where we can make a difference, as in Somalia and Northern Iraq, we should not oppose using our military forces for humanitarian purposes simply because these missions do not resemble major wars for control of territory. Such missions will never be without risk, but as in all other aspects of our security policy, our military leadership is willing to accept reasonable risks in the service of our national objectives.

Ultimately, it is through our support for democracy and sustainable development that we best enhance the dramatic new winds of change that are stirring much of the developing world. In Africa, for example, we recently have seen the birth of democracy in Namibia and multiparty elections in over a dozen African countries. These developments, combined with new efforts at regional conflict resolution and a shift away from planned economies, provide real hope that sub-Saharan Africa can at long last begin to realize her vast potential. One key to that progress will be South Africa, which has now begun its historic countdown toward a full non-racial democracy. Just as our strategy of enlargement focuses on key points of leverage, so our strategy toward Africa must focus on providing international leadership to help South Africa's transition succeed.

CURRENT FOREIGN POLICY DEBATES IN PERSPECTIVE

What does a strategy of enlargement tell us about the major foreign policy debates we hear today? Above all, it suggests many of those debates are overdrawn. The headlines are dominated by Bosnia, Somalia, and "multilateralism." A strategy of enlargement suggests our principal concerns should be strengthening our democratic core in North America, Europe and Japan; consolidating and enlarging democracy and markets in key places; and addressing backlash states such as Iran and Iraq. Our efforts in Somalia and Bosnia are important expressions of our overall engagement; but they do not by themselves define our broader strategy in the world.

The conflict in Bosnia deserves American engagement: it is a vast humanitarian tragedy; it is driven by ethnic barbarism; it stemmed from aggression against an independent state; it lies alongside the established and emerging market democracies of Europe and can all too easily explode into a wider Balkan conflict.

That is why this Administration supported lifting the arms embargo against Bosnia, led a successful effort to enforce the no-fly zone, initiated a large-scale humanitarian airlift, and pushed NATO's pledge of air strikes to stop the strangulation of Sarajevo and other Bosnian cities. It is why we remain committed to helping implement an acceptable and enforceable peace accord, and through that commitment, encourage its achievement. But while we have clear reasons to engage and persist, they do not obliterate other American interests involving Europe and Russia, and they do not justify the extreme costs of taking unilateral responsibility for imposing a solution.

In Somalia, President Bush engaged our forces to help end a murderous famine. He correctly concluded we could create a secure military environment for humanitarian relief at a reasonable cost and risk. As a result our nation helped save hundreds of thousands of lives and restored order throughout most of Somalia. As we have approached our goals, we have reduced our military presence by 80 percent and transferred lead responsibility for peacekeeping and reconstruction to the UN. The withdrawal of our remaining combat troops is only a matter of time, but it must not come in a way that undermines all the gains made in the areas beyond Mogadishu and leads, almost inexorably, to the chaos which caused the human tragedy in the first place.

Unfortunately, debates over both Bosnia and Somalia have been cast as doctrinal matters involving the role of multilateralism. This focus is misplaced. Certainly, in each case—as in Cambodia and elsewhere—our actions are making multilateral case law for the future. But we should not let the particular define the doctrinal. So let me say a word about the current doctrinal debate on multilateralism—a subject Ambassador Albright will address more fully on Thursday.

I believe strongly that our foreign policies must marry principle and pragmatism. We should be principled about our purposes but pragmatic about our means.

Today some suggest that multilateralism should be our presumptive mode of engagement. Others suggest that it is inherently flawed—dragging us into minor conflicts where we have no interest and blocking us from acting decisively where we do have an interest.

This debate is important but dangerous in the rigidity of the doctrines that are asserted. Few who bemoan multilateralism today object to NATO, the IMF, or the GATT. And it is beyond debate that multilateral action has certain advantages: it can spread the costs of action, as in our efforts to support Russian reform; it can foster global support, as with our coalition in the Gulf War; it can ensure comprehensiveness, as in our export control regimes; and it can succeed where no nation, acting alone, could have done so, as in Cambodia. I would go further and state my personal hope that the habits of multilateralism may one day enable the rule of law to play a far more civilizing role in the conduct of nations, as envisioned by the founders of the United Nations.

But for any official with responsibilities for our security policies, only one overriding factor can determine whether the USshould act multilaterally or unilaterally, and that is America's interests. We should act multilaterally where doing so advances our interests—And we should act unilaterally when that will serve our purpose. The simple question in each instance is this: what works best?

THE CASE FOR ENGAGEMENT

I believe there is a more fundamental foreign policy challenge brewing for the United States. It is a challenge over whether we will be significantly engaged abroad at all. As I suggested at the outset, in many ways, we are returning to the divisions and debates about our role in the world that are as old as our Republic. On one side is protectionism and limited foreign engagement; on the other is active American engagement abroad on behalf of democracy and expanded trade.

The last time our nation saw that classic division was just after World War II. It pitted those Democrats and Republicans whose creativity produced the architectures of post-war prosperity and security against those in both parties who would have had us retreat within the isolated shell we occupied in the 1920s and 1930s. The internationalists won those debates, in part because they could point to a unitary threat to America's interests and because the nation was entering a period of economic security.

Today's supporters of engagement abroad have neither of those advantages. The threats and opportunities are diffuse, and our people are deeply anxious about their economic fate. Rallying Americans to bear the costs and burdens of international engagement is no less important. But it is much more difficult.

For this reason, those who recognize the value of our leadership in the world should devote far more energy to making the case for sustained engagement abroad and less energy to debates over tactics. To be sure, there will be disagreements over tactics: we expect to be held accountable for our policy decisions, and our critics can expect us to respond where we disagree. But all of us who support engagement should be careful to debate tactics in a way that does not prevent us from coming together in common cause around the fundamental importance of that goal.

All of us have come out of the Cold War years having learned distinct lessons about what not to do—don't go to war without a way to win; don't underestimate the role of ideas; don't minimize the power of nationalism. Yet we have come into the new era with relatively few ways to convince a skeptical public that engagement abroad is a worthwhile investment. That is why a national dialogue over our fundamental purposes is so important.

In a world of extraordinary complexity, it would be too easy for us in the internationalist camp to become "neo-Marxists"—not after Karl, but after Groucho, who once sang, "Whatever it is, I'm against it."

It is time for those who see the value of American engagement to steady our ranks; to define our purpose; and to rally the American people. In particular, at a time of high deficits and pressing domestic needs, we need to make a convincing case for our engagement or else see drastic reductions in our military, intelligence, peacekeeping and other foreign policy accounts.

In his farewell address in January, 1953, Harry Truman predicted the collapse of Communism. "I have a deep and abiding faith in the destiny of free men," he said. "With patience and courage, we shall some day move on into a new era."

Now that era is upon us. It is a moment of unparalleled opportunity. We have the blessing of living in the world's most powerful and respected nation at a time when the world is embracing our ideals as never before. We can let this moment slip away. Or we can mobilize our nation in order to enlarge democracy, enlarge markets, and enlarge our future. I am confident that we will choose the road best travelled.

TRIBUTE TO LT. COL. JOHN P. MOORE

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 29, 1993

Mr. TRAFICANT. Mr. Speaker, I rise today in honor of Lt. Col. John P. Moore, a man of unparalleled professionalism from my 17th District on Ohio.

Mr. Speaker Lieutenant Colonel Moore is the Logistics Group Commander for the 910 Airlift Group at Youngstown Air Reserve Base. He is an air reserve technician [AFT]. But to our chagrin, he will be leaving the base to take assignment at HQ Air Force Reserve at Robins Air Force Base [AFB] GA.

Mr. Speaker Lieutenant Colonel Moore's career is peppered with awards, honors, and accomplishments. While earning his bachelor of science and master of education degrees, he complemented his learning with a military education. He attended squadron officers school, Air Command and Staff College and the Air War College at the Air University at the Maxwell AFB, AL. The Colonel received his commission through the Air Force Officers Training School at Lackland AFB. TX.

While serving on active duty Colonel Moore held numerous positions, including maintenance control officer and wing maintenance control officer at Hill AFB, UT. He then left active duty and joined the Air Force Reserve in Youngstown. By 1985, he became the deputy commander for maintenance and Commander, 910 consolidated Aircraft Maintenance Squadron. In 1992, the position was reclassified as logistice group commander. His contributions to the surrounding community have been outstanding as well. He is a member of the base-community council and has helped spearhead the drive to obtain new aircraft for the base.

Lieutenant Colonel Moore's decorations and awards are many: Air Force Meritorious Service Medal, Air Force Commendation Medal (with one Oak Leaf Cluster), Air Force Outstanding Unit Award, National Defense Service Medal (with device), Air Force Longevity Service Ribbon (with four Oak Leaf Clusters), Small Arms Expert Marksmanship Ribbon and the Air Force Training Ribbon.

Mr. Speaker, I would like to join the citizens of my district in thanking Lieutenant Colonel Moore, his wife Mary Frances and their children John David and Patricia Anne for their service to our community. I wish the Colonel well at his new assignment.

SLOVAKIA: ON ESTABLISHING DEMOCRACY

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 29, 1993

Mr. HOYER. Mr. Speaker, this week the Helsinki Commission will release a report on the human rights situation in Slovakia—a newly independent country and a new participant in the CSCE process. It constitutes one of a series of reports prepared by the Commission staff on the implementation of human rights commitments in Eastern Europe and the transition to democracy in this region. Other reports have been prepared on Bulgaria, Croatia, Estonia, Germany, and Latvia.

The Commission's first report on developments specifically in Slovakia, issued in April last year, examined the political situation in that republic as its leaders stood poised to assume both power and responsibility. Today, independent Slovakia presents a mixed picture.

On the plus side of the ledger, the worst abuses of the former Communist regime have ceased: political prisoners have been released, travel restrictions curtailing freedom of movement have ended, and religious freedom is generally respected. In addition, free and fair elections were held in Slovakia in June 1992 and a workable constitution was passed shortly after that.

Nevertheless, the transition to democracy is hardly complete and other essential elements for the rule of law have yet to be established: the independence of the judiciary remains uncertain; an accounting with former leaders of the Communist regime awaits its victims; and questions relating to the legacy of war and totalitarianism, such as property restitution, are still outstanding. In some areas of the human dimension, such as freedom of the press, a distinct hostility on the part of the ruling party has been evidenced. In addition, the government has pursued policies that suggest at best indifference toward and at worst intolerance of the rights of those belonging to minorities groups.

Regrettably, even as this report was being sent to the printer, additional human rights problems have emerged. Prime Minister Meciar has sought to bring criminal charges against a journalist for reporting on Meciar's own poorly worded speech about Roma, Gypsies. The parliament has just passed new legislation reaffirming its restrictions on the rights of individuals to names of their own choosing. Although perhaps not as restrictive as the previous regulations, the new law still discriminates on the basis of both sex and ethnicity, requiring Hungarian women to use a slavic name ending—whether they want to or not. Bilingual road signs remain banned, contrary to assurances made by Prime Minister Meciar to Congressmen TOM LANTOS this past spring regarding the fair treatment of minority communities. And just a few days ago, the Commission received information from a nongovernmental organization regarding proposed plans for administrative redistricting in Slovakia. As described, these plans appear to be specifically designed to limit the effective participation of Hungarian Slovaks in public affairs, contrary to commitments in the CSCE Copenhagen Document.

The human rights implications of these developments are, I believe, all too clear. But equally important, these issues have significance for Slovakia's transition to a free-market economy. One can only wonder how much money is spent by the central government in Bratislava to maintain a bureaucracy to ensure that peoples' names meet state-defined limitations. How much money is spent painting over the Hungarian versions of city and road names? To me, Bratislava's heavyhanded tactics not only sound shortsighted, they sound expensive.

I do not want to paint too black a picture; as I said at the outset, after all, the situation in Slovakia is mixed. I was heartened, for example, to learn that high-level Slovak officials, including President Michal Kovac, publicly denounced a recent assault on an American rabbi in Bratislava. The open condemnation of intolerance by those in positions of leadership may help curb acts of violence and foster a climate of mutual trust. I was also gratified to learn that the nongovernmental Slovak Helsinki Committee has issued a statement addressing the problem of social intolerance toward Roma, Jews, and other minorities and urging greater government initiative in redressing human rights concerns. Greater public involvement in Slovakia by all segments of society can play a critical role in facilitating the transition to democracy.

Mr. Speaker, the human dimension problems facing Slovakia today have broad implications: they raise questions for the economic well-being of the people of Slovakia, for the regional security of this country, and for Slovakia's integration into the community of nations. Independence in Slovakia may have been achieved overnight. But the establishment of democracy will take greater time and, perhaps, require even more of the people of that country.

TRIBUTE TO CHRISTINE B. ANTOSKIEWICZ

HON. DAVID E. BONIOR

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 29, 1993

Mr. BONIOR. Mr. Speaker, on this day, September 29, 1993, the southeast Michigan chapter of the March of Dimes Birth Defects Foundation will be hosting the 10th annual Alexander Macomb Citizen of the Year Award dinner. The award, instituted in 1984, is named after my home county's namesake, Gen. Alexander Macomb, a hero of the War of 1812.

This year, the March of Dimes has chosen a long-time friend, Christine B. Antoskiewicz, as a recipient of the award. Christine and I worked together at the Macomb County Juvenile Court Division where she has continually championed children's rights since 1964. A voice for children living with abuse and neglect, she is also responsible for initiating a community network that supports the children of Shelter Care.

Through advocacy, education, and community service, the March of Dimes has established itself as an organization with an impeccable reputation. And, the southeast Michigan chapter rightly recognizes Christine for her excellent service and outstanding leadership. Their recognition is an exceptional honor and I urge my colleagues to join me in saluting my friend, Christine Antoskiewicz, as a recipient of the Alexander Macomb Citizen of the Year Award.

TRIBUTE TO ARTHUR WHITFIELD STANLEY

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 29, 1993

Mr. CLYBURN. Mr. Speaker, I would like to share with my colleagues excerpts of a speech given by Attorney Mordecai C. Johnson on October 2, 1992, in honor of Mr. Arthur Whitfield Stanley, a longtime civil rights worker and civic leader in Darlington, SC.

The excerpts follow:

ARTHUR WHITFIELD STANLEY, RACE MAN

Our honoree was born on August 19, 1914, the only child of "Mopsy" Gandy and Martha Stanley. He was raised by his mother's mother, Ellen "Ma" Stanley, who called him her little "Man" and conferred upon him her family name. Because of his grandmother, he was fortunate to go to Mayo High School here, to become a star kicker on its football team and to graduate in 1933. For some 30 years, he was President of the Darlington Branch, NAACP.

Travel with me back to the early morning of the Third Wednesday in August of 1914.

At that time, there were numerous ex-slaves for "Man" to listen to. The NAACP was 5 years old. There was no Darlington Branch.

Democracy in this country meant publicly lynching a Black man every week.

Democracy meant high mortality rates. If you were a middle aged Black, you had beat the odds. The tax for being Black was about 40 percent of your life.

Woodrow Wilson's democracy meant *de jure* discrimination everywhere. It was in the schools where the Black teacher was paid about 25% as much money as her white counterpart. It was in transportation because the Supreme Court, in *Plessy vs. Ferguson*, had said it was lawful to segregate passengers by race. It was in the church, the hospital, the jail, the courts, the cemetery.

Arthur Whitfield Stanley has lived through the administrations of more than one-third of our Nation's Presidents.

When Mr. Stanley was 47 years old, his 3 children and others similarly situated got the right to attend school with white children because of a class action called *Stanley vs. The School District of Darlington County*. We took that case all the way to the United States Supreme Court. Thus, the Stanley name is indelibly stamped in the annals of jurisprudence of this nation for as long as the record of the law exists.

At the age of 50, Arthur Stanley, with the nation, witnessed the Civil Rights Act of 1964. For the first time in his life, the law said he could eat in a restaurant and sleep in a hotel without regard to race. He could walk in a public park and read in a public library without racial discrimination. What I reverently call "The Adam Clayton Powell Bill," a provision for cutting off federal money to entities that discriminate, was embodied in Title VI of the Act. And for the first time, the law said that employers couldn't discriminate against a worker because of race or sex.

The next year, Congress passed the Voting Rights Act which put old "Bubba," the literacy tester, out of a job. Twelve years later, Mr. Stanley was elected to the City Council of Darlington.

When Arthur Stanley was 53 years old, he and the rest of us witnessed something that the world had never seen: a Black man—Thurgood Marshall—took a seat on the Supreme Court of the United States.

"Man" Stanley was 69 years old when he shook hands with our State's first Black Senator in this century, his old friend, former head of the State NAACP, I. DeQuincy Newman.

Today, at age 78, "Pop" Stanley has seen the number of Blacks in the General Assembly grow from zero to 22.

Mr. Stanley, President Emeritus of the Darlington County Branch, NAACP, can look back at the days when Black men who stood up were likely to be crushed. They couldn't work on the white man's job because they'd get fired. They couldn't be sharecroppers because they'd be kicked out of their homes. For the same reason, they couldn't be renters. And if they owned a house or business, they couldn't borrow money on it because the banks put the squeeze on them. You could get shot at, your house set afire, run out of the state, like Reverend Brother J.A. DeLaine of Clarendon County; you could, like Reverend J.M. Hinton, State President of the NAACP, be chainwhipped by masked men on a dark road at midnight and, like Black newsman John McCray, jailed because of what you wrote, you could be lynched. That's what happened to you if you stood up; if you were a "race man." And Arthur Stanley stood up. He stood up, though threatened by what had happened to his friends, threatened with bankruptcy, with physical violence. Arthur Stanley often stood alone in Darlington County—like a rock. I won't say he stood fearlessly. He had to be scared sometimes. But he stood up anyway.

And today, Arthur Whitfield Stanley deserves our richest encomium and panegyric, the highest tribute, Black folks can give; today, I proclaim him a "race man!"

My friends, I would not have you believe that I believe that Mr. Stanley has solved all of our problems. You and I know that whatever our accomplishments in the past, there are problems, yes, challenges, ahead of us.

Thousands of years ago, a Black prophet named Jeremiah lamented that, "the harvest is past, the summer is ended, and we are not saved."

The long hot summers of the 60s are behind us, and "we are not saved." We have reaped the harvest of laws calling for anti-lynching and equal pay for teachers and voting rights and school integration and economic development and anti-discrimination in housing, in employment, and all the rest. Yet, "we are not saved."

With blacks being about one-third of the population of this State, 16 Black House members out of 124, six Black members of the 46 member Senate, 5% of the State's judgeships is not an apogee. We are yet far from the millennium, the promised land. "We are not saved."

In education, our little Johnnys can't read.

The Black man is still an endangered species—being shot and shot full of drugs and sent to jail in disproportionate numbers,

Dream with me a little while, as we stand on the threshold of the 21st Century.

I dream of young Blacks harnessing the energy of the sun, the strength of the ocean, the power in the lightning and the thunder, thus solving the world's energy problems.

I envision our youngsters farming the seas and deserts, teaching sick folks to heal themselves, teaching hungry folks to feed themselves—in Somalia, in Ethiopia, in Kenya, in Tanzania, in Mozambique. . . .

I close with a poem written by a civil rights lawyer named Johnson, the first Black admitted to the Bar in the State of Florida, who, in 1920, became the first Black Executive Secretary of the NAACP. I want to recite to you a poem written by James Weldon Johnson, born 43 years before Arthur Whitfield Stanley.

This 92-year-old poem has three verses. The first verse is a song of triumph. It calls for singling loudly and resoundingly and powerfully and with great faith, great hope; and it implores us to keep on marching.

The second verse is a recounting of history. It tells of a terrible darkness, from whence we came to the light.

The third verse is a prayer. It recalls God's delivery of us from darkness to light; and it invokes the blessings of the Deity, that He will keep us in the light, standing upright.

You may have heard that poem. It goes like this:

Lift every voice and sing, till earth and heaven ring,
Ring with the harmonies of liberty;
Let our rejoicing rise, high as the listening skies,
Let it resound loud as the rolling sea.
Sing a song full of the faith that the dark past has taught us;
Sing a song full of the hope that the present has brought us;
Facing the rising sun of our new day begun,
Let us march on till victory is won.
Stony the road we trod, bitter the chastening rod,
Felt in the days when hope unborn had died;
Yet with a steady beat, have not our weary feet,
Come to the place for which our fathers sighed?
We have come over a way that with tears has been watered,
We have come, treading our path through the blood of the slaughtered,
Out from the gloomy past, till now we stand at last
Where the white gleam of our bright star is cast.
God of our weary years, God of our silent tears,
Thou who hast brought us thus far on the way;
Thou who hast by Thy might, led us into the light,
Keep us forever in the path, we pray.
Lest our feet stray from the places, our God, where we met Thee,
Lest our hearts, drunk with the wine of the world, we forget Thee,
Shadowed beneath Thy hand, may we forever stand,
True to our God, true to our native land.

CONSERVATION AND MANAGEMENT OF FISHERY RESOURCES IN AN AREA IN THE SEA OF OKHOTSK KNOWN AS THE PEANUT HOLE

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 29, 1993

Mr. YOUNG of Alaska. Mr. Speaker, today I am introducing a bill to promote the conservation and management of fishery resources in an area in the Sea of Okhotsk known as the Peanut Hole. The bill amends the Central Bering Sea Fisheries Enforcement Act of 1992 (P.L. 102–582) by including the Sea of Okhotsk as a region in which fishing is

not to occur by U.S. fishermen. Fishermen found to violate the statute will be subject to penalties under U.S. law.

The Peanut Hole is a small enclave of international water in the Sea of Okhotsk which is encircled by the 200-nautical-mile exclusive economic zone [EEZ] of the Russian Federation. Fishermen have decimated the pollock stocks there resulting in the need for strong conservation measures. While the Russian Federation has controlled fishing within the boundaries of its EEZ, its regulations have not achieved the desired effect due to the overharvesting by foreign fishermen who have positioned their boats on the other, high-seas side of the line. While delegates from both the Russian Federation and United States have sought long-term, international agreements, certain fishing nations have refused such efforts.

The Peanut Hole has suffered the same difficulties as the Donut Hole, a similar enclave located in the Central Bering Sea and surrounded by the EEZ's of the United States and the Russian Federation. While the Central Bering Sea Fisheries Enforcement Act of 1992 helped to restrict fishing in the Donut Hole, the Congress did not consider the Peanut Hole. Unfortunately, fishermen who can no longer fish in the Donut Hole have consequently flocked to the Peanut Hole. It is feared that they will continue their harvest until they capture the very last fish.

The bill, as introduced, aims to foster improved conservation and management in the Peanut Hole. It is expected that the use of civil penalties will result in greater cooperation for establishing a long-term, international agreements. Such an effort may be the only means to prevent the commercial extinction of once very profitable and plentiful fisheries. I urge you to support this bill in its entirety.

CBO REPORT ON H.R. 2151—THE MARITIME SECURITY AND COMPETITIVENESS ACT OF 1993

HON. GERRY E. STUDDS

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 29, 1993

Mr. STUDDS. Mr. Speaker, on September 22, 1993, the Committee on Merchant Marine and Fisheries filed its report on H.R. 2151, the Maritime Security and Competitiveness Act of 1993—House Report 103–251.

At that time, the Congressional Budget Office had not yet completed its cost estimate of the legislation and the report was filed without the usual CBO report. Under those circumstances, and in compliance with clause 7(a) of rule XIII of the Rules of the House of Representatives, the committee included in the report its own estimate of the costs that would be incurred in carrying out H.R. 2151.

Subsequent to filing the report, the CBO cost estimate was received. To inform the Members of the House and to comply with the spirit of clause 2(l)(3)(C) of rule XI of the Rules of the House of Representatives and section 403 of the Congressional Budget Act of 1974, I am hereby inserting the full text of the CBO cost estimate on H.R. 2151:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, September 28, 1993.

Hon. GERRY E. STUDDS,
Chairman, Committee on Merchant Marine and Fisheries, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 2151, the Maritime Security and Competitiveness Act of 1993.

Enactment of H.R. 2151 would not affect direct spending or receipts. Therefore, pay-as-you-go procedures would not apply to the bill.

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

Sincerely,

ROBERT D. REISCHAUER,
Director.

Enclosure.

CONGRESSIONAL BUDGET OFFICE—COST ESTIMATE

1. Bill number: H.R. 2151.

2. Bill title: Maritime Security and Competitiveness Act of 1993.

3. Bill status: As reported by the House Committee on Merchant Marine and Fisheries on September 22, 1993.

4. Bill purpose: H.R. 2151 would establish the maritime security fleet program within the Department of Transportation (DOT). Under this program, the Secretary of Transportation would enroll eligible privately owned vessels in the Maritime Security Fleet (MSF). Each owner or operator of a vessel in the fleet would enter into a 10-year operating agreement with the department under which the carrier would agree to make its vessels available to the Department of Defense (DOD) when needed for national security. For each ship enrolled in the fleet, the company would receive $2.1 million annually ($2.3 million for 1994), subject to appropriation. All carriers would be able to sign agreements once their eligibility has been determined, but payments for vessels covered by operating differential subsidies (ODS) or Military Sealift Command (MSC) charters would not begin until these other payments ended. We expect that the new agreements would be signed in fiscal year 1995 at the earliest, based on the effective dates and implementation schedule specified in the bill.

Section 10 of the bill would authorize DOT to subsidize the construction of certain vessels built in American shipyards. Under the series transition program, DOT would enter into agreements with shipyards to subsidize the construction of a series of commercial vessels over a five-year period, provided that federal payments do not exceed 50 percent of the ship's cost and that no subsidized vessel is to be purchased for the U.S. coastwise trade. DOT could enter into a subsidy agreement, which would constitute a binding obligation of the United States, only if appropriations were available and only if the department has determined that the receiving shipyard would be able to build additional similar vessels at competitive prices after building the subsidized ships.

The bill includes a number of other amendments to the Merchant Marine Act, 1936. It also would require DOT to study the impacts of the MSF program and to report its findings to the Congress.

5. Estimated cost to the Federal Government: Assuming appropriation of the necessary sums, we estimate that implementation of the bill would cost the federal government between $1.2 billion and $2.4 billion over the period from 1995 to 2010. Of these amounts, $0.5 billion to $0.7 billion would be sent between 1995 and 1998, with annual outlays ranging between $100 million and $200 million during this period. These costs would fall within budget function 400.

BASIS OF ESTIMATE

Maritime Security Fleet Expenditures: Assuming appropriation of the necessary sums, CBO estimates that the federal government would spend between $1.1 billion and $2.2 billion between 1995 and 2010 to subsidize the operation of between 70 and 130 vessels, depending on the number of carriers that are willing to participate in the MSF program and the number of vessels that would be eligible. Because many of the eligible vessels expected to participate have existing ODS or MSC charter contracts, only about $0.1 billion would be spent the first year of the program (fiscal year 1995). We estimate that outlays over the 1995–1998 period would be between $0.4 billion and $0.5 billion.

For purposes of these estimates, CBO has assumed that the full amounts necessary for the 10-year agreements would be appropriated for fiscal year 1995, the year in which all agreements are expected to be signed, regardless of when payments begin. Estimated costs for liner vessels, which account for between $0.8 billion and $1.8 billion of the totals, are based on information obtained from industry sources regarding the number of ships that would be entered into the program. (We expect a minimum of about 40 and a maximum of close to 90.) For bulk vessels, including tankers, CBO has assumed that all ships currently receiving operating differential subsidies would join the program once their existing contracts expire; for the maximum case, we have assumed that all ships now chartered by MSC would also participate. We estimate that payments to bulk carriers, which account for between $0.2 billion and $0.3 billion of the total, would be only about 40 percent of the maximum amounts authorized because most of these carriers probably would be carrying U.S. government cargoes for more than one-half of the year and would therefore be ineligible for the entire $2.1 million annual payment.

Series Transition Payments: In order to comply with the provisions of the MSF program that would require all subsidized ships to be replaced after they reach 25 years of age, we expect that carriers would have to purchase about 10 vessels from U.S. shipyards over the life of the series transition program. Based on current cost differentials and assuming appropriation of the necessary sums, CBO estimates that it would cost the federal government between $150 million and $200 million to subsidize the construction of ten tankers. For the purpose of this estimate, we have assumed that carriers would seek to purchase newly built vessels for the MSF program and that DOT would issue a determination that participating shipyards would be able to produce competitively priced vessels of the same type after constructing the subsidized vessels.

The series transition program could be used to subsidize construction of other vessels for sale to foreign-flag or U.S.-flag carriers serving foreign markets. CBO anticipates little additional activity, however, because, even with the government subsidy, U.S. shipyards would have difficulty attracting foreign buyers, who account for most of the shipbuilding demand.

Other provisions of the bill would not affect federal spending.

6. Pay-as-you-go considerations: Section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985 sets up pay-as-

you-go procedures for legislation affecting direct spending or receipts through 1998. CBO estimates that enactment of H.R. 2151 would not affect direct spending or receipts. Therefore, pay-as-you-go procedures would not apply to the bill.

7. Estimated cost to State and local governments: None.

8. Estimate comparison: None.

9. Previous CBO estimate : None.

10. Estimate prepared by: Deborah Reis.

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

TRIBUTE TO CHARLIE MAINS

HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 29, 1993

Mr. JACOBS. Mr. Speaker, Charlie Mains was a very special person, one of God's noblemen.

He was a man with few words, always well chosen to produce wonderful wisdom often laced with scintillating humor.

At his funeral, his son, Tim, told a refreshing story. Charlie Mains had suggested that the son make a speech before an audience and the son was intimidated at such a maiden effort. Tim Mains told his father that if he went before that audience he might fall down. His father's reply: "It's not about falling down; it is about getting back up."

In losing Charles H. Mains, the world has lost far too much:

CHARLES MAINS WAS ATTORNEY

Charles H. Mains, 77, an Indianapolis attorney, died Monday at his home.

Mr. Mains was an attorney for 43 years and had been chief attorney for the Veterans Administration 21 years, retiring in 1984.

He was an Army veteran of World War II and was awarded a Purple Heart.

Mr. Mains was a member of Clermont Christian Church and Clermont Lions Club and was a past district governor of Lions District 25-f.

He also was a member of Bridgeport Masonic Lodge, Veterans of Foreign Wars Post 1120 and American Legion Post 64 and was a trustee of Lions Camp Woodsmoke and a Wayne Township Democratic ward chairman.

He was a graduate of the Indiana University Law School.

Memorial contributions may be made to Camp Woodsmoke or Lions Cancer Control Fund.

Services will be at 11:30 a.m. Thursday in Conkie Speedway Funeral Home, with calling from 2 to 9 p.m. Wednesday. Entombment will be in Crown Hill Mausoleum.

Survivors—wife Gwen Johnston Mains; sons Steve, Tim Mains; daughters Laura Canavesi, Roxie McNelly; brothers Earl, Donald Mains; five grandchildren.

CHARLES MAINS HAD BEEN TOP ATTORNEY FOR THE VETERANS ADMINISTRATION HERE

Services for Charles H. Mains, 77, Indianapolis, former chief attorney of the Veterans Administration in Indiana, will be at 11:30 a.m. Thursday in Conkie Funeral Home, Speedway Chapel, with calling from 2 p.m. to 9 p.m. today.

He died Monday.

Mr. Mains, a 1950 graduate of Indiana University School of Law, was chief attorney for the VA for 21 years, retiring in 1984.

He was a member of Clermont Christian Church. He formerly was a Wayne Township Democratic ward chairman. Mr. Mains was a 32nd degree Mason.

He was a member of Clermont Lions Club, past district governor of Lions District 25-F and trustee of Lions Camp Woodsmoke. While district governor in 1974, Mr. Mains coordinated the Marion Country Lions Clubs' participation in The Indianapolis Star's new Computerized Election Bureau.

He was an Army veteran of World War II and received a Purple Heart.

Memorial contributions may be made to Lions Camp Woodsmoke or Lions Cancer Control Fund.

Survivors: wife, Gwen Johnston Mains; sons, Steve and Tim Mains; daughters, Laura Canavesi and Roxi McNelly; brothers, Earl and Donald Mains; five grandchildren.

TRIBUTE TO CHARITY WEBB

HON. ROBERT T. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 29, 1993

Mr. MATSUI. Mr. Speaker, I rise today to pay tribute to a truly special individual who has contributed significantly to California's educational system. Charity Webb has served over the past year as president of the California School Boards Association [CSBA] and is concluding her term in December. During her tenure as president, Ms. Webb encouraged thoughtful debate and innovative approaches to dealing with the challenges faced by California's educational community. Her outstanding leadership helped achieve a better system of education for California.

Ms. Webb received her bachelor's degree in secondary education at the University of Arkansas. In 1985, she completed the School Board Members and Superintendent's Training Program at the University of Santa Clara.

Ms. Webb's dedication to improving the quality and efficiency of public education has spanned more than 20 years. In this time, she has worked as an educational researcher, substitute teacher, high school teacher and active school board member.

Since 1977 she has served on the Berryessa Union School District Board of Trustees, 6 years as president; since 1984 she has served on the Santa Clara County Board of Education Executive Committee; the Early Intervention Committee and the Nominating Committee; and since 1980 she has been active in the CSBA, serving on numerous committees and as an officer at several posts. In addition, she has been active in the California Coalition of Black School Board Members, the National Caucus of Black School Board Members, the National School Board Association and the Advisory Committee on Blacks in Education.

As a community leader, Ms. Webb has worked tirelessly for many organizations, among them Kids Are Special, the United Way Allocation Committee, Black Concerned Parents of Berryessa and the Santa Clara County Democratic Committee.

Her many honors and awards include the Santa Clara Alliance of Black Educators' Award for advancing the education of children, the Berryessa School Trustees' Award in appreciation for outstanding service to the Berryessa District, the California Coalition of Black School Board Members' Award for outstanding service for her work on the annual conference, and the Political Achievement Award given jointly by the California Black Women's Coalition and the Black Concerns Association.

Mr. Speaker, I highly commend Ms. Charity Webb for her many accomplishments and contributions to public education and I ask my colleagues to join me in congratulating her on her exceptional leadership as president of the California School Boards Association. I extend my best wishes to Ms. Webb for continued success in all of her future endeavors.

140TH ANNIVERSARY OF PINE STREET BAPTIST CHURCH IN MILFORD, MASSACHUSETTS

HON. RICHARD E. NEAL

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 29, 1993

Mr. NEAL of Massachusetts. Mr. Speaker, I am pleased to announce to my fellow members the 140th anniversary of the Pine Street Baptist Church in Milford, MA.

Many citizens in the Milford area did not want their contributions going to support other churches. As a result, several people of the Baptist community came together to form their own church.

They have been reaching out to the community ever since their founding 140 years ago. Many of the church's 110 active members have gone out and volunteered in the community. One of the places in the community that has benefited from their generosity is the local homeless shelter. Additionally, many church members have served in Baptist missions around the world.

The church was founded in 1853 and soon after that a building was found in Milford that suited their needs perfectly. The property was bought from the Italian club that occupied it at the time. It was then converted into a church. Services are still being held in that original building.

One of the church's programs that has inspired many of the church members has been the Angel Tree Program. Each Christmas, the children of the Sunday School adopt 30 or 40 children of whom one or both of their parents have been incarcerated. The children give them a Christmas. Food and presents are supplied, along with plenty of love and support.

The present pastor, Paul Traverse, brought much to the church when he arrived on their doorstep 5 years ago. The most important thing that he brought, one of the members said, was his seven gifted children, who brought with them their musical abilities and joyous sense of family that they have shared with all. This has enlightened and inspired the church members, and as a result, many inactive members have come back to the fold.

Mr. Speaker, I ask my colleagues to join me in congratulating the Pine Street Baptist Church as they celebrate their 140th anniversary and wish them continued success in their upcoming years.

TRIBUTE TO AMY BETH BROOKS

HON. ALAN B. MOLLOHAN

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 29, 1993

Mr. MOLLOHAN. Mr. Speaker, I am pleased to congratulate Ms. Amy Beth Brooks of Morgantown, WV, for her award-winning script in the Veterans of Foreign Wars' voice of democracy contest.

Ms. Brooks' script is titled "My Voice in America's Future." I would like to submit for the record the text of her script, and commend the VFW for making the Voice of Democracy Scholarship Program available to students across our Nation:

MY VOICE IN AMERICA'S FUTURE

(By Amy Brooks)

In the beginning: sound of one voice. One single voice speaking out, stating a belief, posing a question. Voice provokes thought, thought provokes action . . . another voice joins the first. With a reciprocation of ideas comes newfound power, influencing others to take up this cry, striving for change . . .

From somewhere amid this chorus comes the sound of my own voice . . . faltering at first, uncertain. How difficult, in an age of extremes, to find a true voice in America's future. And yet as I speak, I begin to realize not only the significance of what I say, but also the wonder of my freedom to say it. My inalienable right as an American citizen, that of absolute free speech, opens infinite doors to my impact on the future of our nation. Thus empowered with the potential to make myself be heard, my voice distinguishes itself from countless others, and I contribute my own personal verse with a new clarity and strength of purpose.

Such is the birthright of every American: the chance to express, with impunity, our most profound thoughts and opinions. That regardless of race, sex, or social status, the power of each person's voice is limited only by the extent of his own will and determination.

In theory, this is an illustration of the ideal society. The possibility that one voice could invoke passion and controversy from an entire nation is the first, best example of the values with which our forefathers shaped this government. In theory, that voice is the thread which binds a people governed by a document called the Constitution.

Well, the Constitution of the United States of America was written in 1787. We are currently in the year 1992; and, as an American citizen weaned on these principles of democracy, I now raise my voice in the assertion that as a culture, we must not lose sight of the intent with which our freedoms were established. Being aware of the responsibilities that accompany these freedoms, my words will help ensure a future in which the basic rights guaranteed by the Constitution are reestablished, regardless of how we may see them being violated today.

To apply purist views to the in-between shades of everyday life is no simple task. The fact is, when we attempt to translate our most fundamental laws to accommodate the values of modern society, what is ideal in theory often becomes flawed or inconvenient in practice.

But if democracy has flourished, it has done so because we are, above all else, a people ultimately committed to upholding justice. Our rights to free speech and to open expression of our individual religions . . . the music we listen to, the clothes we wear, the art we view, and the choices we make for our own bodies, are values that we cannot allow to be compromised under any circumstances.

Know that these assertions are not mine alone. More than a personal conviction, this return to our oldest doctrines is a cry taken up by my entire generation. Our determination to improve our country will indeed be the impetus for a peaceful revolution—a democratic battle, in which the soldiers wear blue jeans instead of frock coats, and carry pencils rather than bayonets.

And though the voices of my generation are as yet young, make no mistake: our words carry in them a pitch of real hope which heralds a stronger future for this nation.

Think . . . what a nation we could be. Though America is rich in history beyond its age, 216 years is a very short time span in the development of a civilization.

We have time to work towards a more ideal government. We have the intelligence and creativity to improve our standards of living. And, most importantly, because of democracy, we have the freedom to voice openly our hopes and concerns for the future of America.

So ends my own personal verse. But my voice, once part of that resounding chorus which shapes history, will never die. Find your own voice in democracy, and project it until your words are acknowledged—whether they be strong, soft, the last to join the cry . . . or those, the very first to rise, in the beginning.

GEORGIA IN TURMOIL

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 29, 1993

Mr. HOYER. Mr. Speaker, the situation in the newly independent state of Georgia is extremely alarming. Of all the former Soviet republics, Georgia has been the most unstable, violence-ridden, and violence prone. In the past year, thousands have been killed and many more have become refugees in the war with Abkhazia. Georgia's defeat this past weekend, and the fall of the Abkhaz capital, Sukhumi, to Abkhaz forces aided by Russians and North Caucasians, have inaugurated a new stage in the multiple crises that have bedeviled this beautiful country.

Since 1990, inter-ethnic, inter-necine, and inter-state conflicts have wracked Georgia. In 1991–1992, fighting ravaged the South Ossetian Autonomous Oblast, which wanted to unite with the North Ossetian Autonomous Oblast across the border in Russia.

Armed hostilities ended there in June 1992, when Russian-brokered ceasefire arrangements created peacekeeping units composed of Russians, Georgians, and Ossetians to keep the combatants apart. But the respite was brief. Only 2 months later, war erupted in Abkhazia, an autonomous republic which had been trying to negotiate a federative relationship with Georgia. It now appears that Georgia has lost Abkhazia, and it remains to be seen whether they will be able to agree on Abkhazia's status or develop normal neighborly relations.

Exacerbating these territorial and ethnic disputes has been an ongoing crisis of legitimacy in Georgia itself. Zviad Gamsakhurdia, a prominent anti-Communist dissident, came to power in October 1990 parliamentary elections. In May 1991, he was elected President by the population with a reported 87 percent of the vote. But Georgia's anti-Communist, proindependence movement was fractured, and Gamsakhurdia had made some determined personal and political enemies who boycotted the October 1990 voting and refused to acknowledge his right to govern. He, for his part referred to them as "criminals, not an opposition."

In fall 1991, the parliamentary opposition began to echo charges by Gamsakhurdia's extra-parliamentary critics. I visited Tbilisi in September 1991 and, after meeting with all sides, became convinced that a confrontation was unavoidable. It came in December 1991, when armed combat broke out between pro- and anti-Gamsakhurdia forces, forcing the President to flee in January 1992.

The military council which came to power repressed Gamsakhurdia's supporters while negotiating with Eduard Shevardnadze, former Communist Party boss of Georgia and Soviet Foreign Minister. He returned to Tbilisi in March 1992, but his efforts to establish control and stability have failed. Gamsakhurdia's backers, who are especially numerous in western Georgia, reject Shevardnadze's legitimacy. And Shevardnadze could not provide for Georgia's inhabitants the primary service of governments: a modicum of law and order. For most of 1992, various armed militias rampaged through the country, engaging in violence against each other and the civilian population, whom they robbed at will.

Georgia's economy has practically collapsed. And throughout this entire period, Georgia has also had to deal with Russian involvement in the country's ethnic territorial disputes. Though Moscow claims to recognize Georgia's territorial integrity and has denied taking sides, there is convincing evidence that Russia provided support to the South Ossetians. Since August 1992, Russian forces have manifestly backed Abkhazia. Russian planes have bombed Georgian-held Sukhumi, and Russian Defense Minister Pavel Grachev visited Abkhazia last summer, where he openly talked about Russia's strategic interests in the region. Surely, these include weakening Georgia so as to induce its reintegration into a Russian orbit, and maintaining control of the Black Sea—for military considerations and because an oil pipeline from Azerbaijan and Kazakhstan may traverse Georgia, terminating on the Black Sea.

Mr. Speaker, it would have been hard enough in the best of post-Soviet circumstances for Georgians, Ossetians, and Abkhaz to work out their differences. But Russian involvement stroked and exacerbated these disputes, making them all but unresolvable by peaceful means. I am deeply concerned about Russia's blatant interference in Georgia, not only because it has aggravated animosities and prolonged bloodshed, but because it signals the willingness of some in Moscow—especially in the Ministry of Defense—to resort to force to reestablish Russian hegemony over the former U.S.S.R.

Today, the situation has become even more complex. Zviad Gamsakhurdia has returned from exile to Georgia, and a full-fledged civil war between his backers and Shevardnadze's may now break out. Hostilities in South Ossetia, where a tenuous ceasefire has been holding, may also again erupt. Meanwhile, hundreds of thousands of refugees—Georgians, Abkhaz, and many others—have nowhere to live and little to eat.

What happens now? Zviad Gamsakhurdia clearly has support in western Georgia, where he is currently ensconced. Eduard Shevardnadze, though his reputation for having useful friends in high places all over the world has been tarnished, remains the most influential Georgian politician in the rest of the country. Perhaps more bloody conflict between these two contending forces is inevitable. But I fervently hope—as does everyone who has visited Georgia and enjoyed the legendary hospitality of its people—that Georgians will stop killing each other. Perhaps an internationally monitored election or a referendum will determine the people's choice of leader.

But whatever happens in Georgia, Russia has no business fishing in these troubled waters. The speech by Russian Foreign Minister Andrei Kozyrev at the United Nations yesterday, in which he requested not only endorsement but actual funding by international organizations for Russian peacekeeping efforts in the former U.S.S.R., shows what Moscow wants: Russian forces help stir up ethnic territorial disputes, and then appear as peacekeepers, with U.N. sanction and dollars.

Mr. Speaker, Moscow must not think that we are blind to this game or are willing to comply in its execution. Obviously, Russia has interests in the other Republics, but if we ignore the methods it uses to secure them, we will guarantee not merely Russian hegemony, but we will undermine political reform in Russia itself. Russia must pursue its interests in the former Soviet Republics in a civilized manner; if it subverts their sovereignty, it will subvert its own future and our hopes for it.

H.R. 3167, THE UNEMPLOYMENT COMPENSATION AMENDMENTS OF 1993

HON. DAN ROSTENKOWSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 29, 1993

Mr. ROSTENKOWSKI. Mr. Speaker, pursuant to the rules of the Democratic caucus, I wish to serve notice to my colleagues that I have been instructed by the Committee on Ways and Means to seek less than an open rule for the consideration by the House of Representatives of H.R. 3167, the Unemployment Compensation Amendments of 1993.

TRIBUTE TO WILLIAM B. BROWNING

HON. DAVID E. BONIOR

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 29, 1993

Mr. BONIOR. Mr. Speaker, on this day, September 29, 1993, the southeast Michigan chapter of the March of Dimes Birth Defects Foundation will be hosting the 10th annual Alexander Macomb Citizen of the Year Award dinner. The award, instituted in 1984, is named after my home county's namesake, Gen. Alexander Macomb, a hero of the War of 1812.

This year, the March of Dimes has chosen William B. Browning as a recipient of the award. Committed to improving the health of America's babies, the March of Dimes in southeast Michigan rightly recognizes Bill for his excellent service and outstanding leadership. As a board member of the Utica Community Schools, Bill has helped make the Utica schools a statewide educational leader. After 19 years on the board, 12 of which he has served as president, Bill certainly deserves much of the credit for Utica's educational success.

Through advocacy, education, and community service, the March of Dimes has established itself as an organization with an impeccable reputation. Being recognized by the March of Dimes is an exceptional honor and I urge my colleagues to join me in saluting Bill Browning as a recipient of the Alexander Macomb Citizen of the Year Award.

MARCH OF DIMES HONOREES

HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 29, 1993

Mr. LEVIN. Mr. Speaker, I rise today to pay tribute to the 1993 honorees of the March of Dimes Alexander Macomb Citizen of the Year Award. These exceptional volunteers from Macomb County, MI, are being honored for their special contributions to the fight against birth defects.

The 1993 honorees are Christine B. Antoskiewicz and Bill Browning, and the Penna family, who will be presented a Special Family Award. Their exemplary efforts in the name of children bring us closer to a world without birth defects, child abuse, and neglect.

For nearly 20 years, Christine Antoskiewicz has been a voice for the rights of abused children who may not have been able to speak for themselves. She has taken a leading role as an advocate of children's rights in both her professional and private lives. Since 1964, she has worked at the Macomb County Juvenile Court Division, rising to her present position as supervisor of the Community Provisional Release Program with the Macomb County Youth Home. Giving of her own time, Ms. Antoskiewicz has strengthened community support for ShelterCare, an outreach program for abused or neglected children.

William B. Browning has worked to provide quality education for the children of Macomb County for 19 years. As a member, and later the president, of the Utica Community Schools Board of Education, he gained a statewide reputation as a leader who cares deeply about the children in his district. Earlier this year, Sterling Elementary was given his name in recognition of his dedicated service.

The Penna family will receive a Special Family Award which recognizes their efforts as a family to help further the cause of the March of Dimes. The Pennas are well known in Macomb County for their popular family restaurant that bears their name, but their generous aid to the prevention of birth defects and infant mortality is less well known. Their quiet support over the years shows a true commitment to the children of Macomb County.

I offer my warmest congratulations to all of these deserving honorees. I hope that their example of community service inspires others to also give of themselves. Organizations such as the March of Dimes could not complete their much needed work without people like Christine Antoskiewicz, Bill Browning, and the Penna family.

MILITARY RETIREES AMENDMENT

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 29, 1993

Mr. SAM JOHNSON of Texas. Mr. Speaker, I want to express my support for an amendment Representative RALPH HALL offered yesterday to the Defense authorization bill.

I support this amendment for all of the military retirees in the Third District of Texas who were, but now are not, eligible to receive prescription drug benefits.

These retirees, ones who gave at least 20 years in our armed services, are currently being denied prescription drug benefits because they live in the wrong ZIP Code.

Last year, the Department of Defense [DOD] instituted a prescription drug demonstration project to help military retirees who were adversely impacted by the closure and realignment of many of our military bases.

However, the way DOD decided who was eligible for this program was ZIP Code. Those whose ZIP Code is within the invisible 40-mile radius around Carswell Air force Base are eligible, those who are not, tough.

I believe that this type demonstration project which only serves a selected few is unfair and wrong. Mr. Hall's amendment will allow every retiree who is eligible for medical benefits to be included in this program. That is only fair.

As we continue to draw down our Defense structure, we must find innovative and creative ways to solve problems which arise because of reductions and base closures. This amendment is one such innovative way.

I would like to commend my colleague from Texas who took the time to draft and introduce this very sensible and necessary reform.

TRIBUTE TO THE AMERICAN HEALTH FOUNDATION

HON. HAMILTON FISH, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 29, 1993

Mr. FISH. Mr. Speaker, our current health care crisis is largely a consequence of the high cost of treating illness. Statistics document that heart disease, stroke, cancer, and AIDS are the main causes of deaths in our Nation. Research during the past four decades has clearly shown that diseases are largely man-made and therefore preventable.

Much of this knowledge has been provided through the research of a unique organization whose main research center is in my Congressional District. I am referring to the American Health Foundation, whose scientists have greatly contributed to our present knowledge of the causes of manmade chronic disease, and whose mission is to urge the Nation to adopt preventive strategies toward a healthier Nation.

The American Health Foundation is a not-for-profit private health research organization and one of the Nations leading laboratory cancer centers. Since its founding in 1969, the Foundation has been dedicated to working toward the reduction of avoidable chronic disease through preventive medicine. It is internationally known for its basic disease prevention research as well as for its advocacy of comprehensive school health education and minority cancer prevention projects.

Aware of the fact that other steps toward disease prevention can and must be taken, the leaders of the foundation, and its visionary founder, Dr. Ernst L. Wynder, have included research on health promotion in the design of their disease prevention programs. The application of such programs is Dr. Wynder's chief concern.

Next Monday, October 4, has been designated National Child Health Day. It is a day designed to promote awareness that the health of children, our Nation's greatest resource, should be one of our greatest priorities. This year, Child Health Day, sponsored by the American Health Foundation, will establish the importance of education as the key element in preventive medicine.

Mr. Speaker, we are indebted to the American Health Foundation's scientists and leaders for all they have given us in return for our support through cancer prevention and health education grants. We ought to be aware of the potential for even greater collaboration with these experts that hold key knowledge toward finding the solution of our Nation's health problems.

TRIBUTE TO WYNONNA JUDD

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 29, 1993

Mr. TRAFICANT. Mr. Speaker, I rise in honor of one of the top country singers in America. Mr. Speaker, I rise in honor of Wynonna Judd.

Ms. Judd was born in 1964 in Ashland, KY. Growing up, she had no television or telephone to entertain her, so she taught herself to play the guitar. She quickly excelled on the instrument and, by the age of 15, joined a musical partnership with her mother Naomi. Four years later, the tandem reached superstardom.

The Judds became the most awarded country act of the 1980's, amassing over two dozen smash hits and 12 million in record sales. In 1991, Naomi retired, but Wynonna continued her success. She debuted as a solo act in 1992 with her album "Wynonna". One year and 3 million sold copies later, Wynonna hit the road to promote her second album "Tell Me Why". The second effort is also enjoying phenomenal popularity, as evidenced by the sellout crowds and ballooning sales totals.

Mr. Speaker, Ms. Judd has brought her unique spirit to music and for that we can be grateful. I wish her all the best as her career continues to blossom.

TAIWAN'S NATIONAL DAY AND THE UNITED NATIONS

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 29, 1993

Mr. CLYBURN. Mr. Speaker, the Republic of China will be celebrating its 82d National Day on October 10, 1993. Taiwan has much to celebrate. Taiwan's economy is strong, and it has achieved remarkable political progress in the last 5 years.

I join Taiwan's friends on the Hill in wishing Taiwan success and progress in Taiwan's bid to rejoin the United Nations. Taiwan withdrew from the United Nations in 1971. However, in the last 22 years, Taiwan has worked very hard to make itself a vital nation in the world, economically and politically. It is now time to invite Taiwan back to the United Nations. It is unfair and wrong to leave the 20.8 million peace loving people living in the Taiwan area unrepresented in the United Nations.

Taiwan Government officials have made it very clear that the issue of the representation of China was not solved in 1971 when mainland China took the seat of the ROC. The facts are that mainland China has never governed the island of Taiwan, and that the people on Taiwan have had no representation in the world body since 1971.

If readmitted to the United Nations, Taiwan would have a great deal to contribute to the world body. Taiwan would enhance the United Nation's prestige and relevance and make the United Nation a genuine representative global forum.

AGNES McCARTNEY HONORED FOR HER WORK TO PROMOTE CARBON COUNTY

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 29, 1993

Mr. KANJORSKI. Mr. Speaker, I rise today to pay tribute to a wonderful lady and a good friend, Agnes McCartney, who after 30 years has retired as the executive director of the Carbon County Tourist Promotion Agency.

She was the first and only executive director of the tourist promotion agency which was created in 1965.

Originally from Wilkes-Barre, Agnes' association with Carbon County actually began when she and her husband, Frank, moved to Lansford from Harrisburg in 1955. Her husband returned to Harrisburg in 1959 to serve as commissioner of the State police until 1963, but Agnes stayed in Lansford and became known as a fixture in her community and in Carbon County through her myriad of activities.

In 1960, Agnes was hired by the Carbon County Planning Commission. Two years later the county commissioners appointed her as temporary executive director. She performed her job so well that she was there for 11 years.

During her time at the helm of the planning commission, Agnes was instrumental in coordinating the construction of the Mauch Chunk Creek Watershed, a multipurpose flood control and recreational facility in Summit Hill and Jim Thorpe. She also was a force in the development of the Mauch Chunk Lake Park which was named "Watershed of the Year" in 1971.

In April 1974, Agnes became deputy director of the Schuylkill-Carbon Agency for Manpower. She worked to place young people in summer jobs and created the county's action committee for human services and Better Neighborhoods, Inc., in an effort to rehabilitate crumbling buildings.

Thoughout her career with the Agency for Manpower, Agnes continued her work with the county's tourist promotion organization. Late in 1981, the agency was dissolved, and Agnes went back to promoting Carbon County full time.

Due to Agnes, Carbon County, and the city of Jim Thorpe, have been put on the map. Jim Thorpe is well known for its history and architecture and has been featured nationally in many publications, including the Washington Post Magazine.

After all her successes, Agnes certainly deserves some time to herself, although we will certainly miss her. Agnes plans to spend time with her five children and their families now that she has retired. However, she has promised to be on call whenever the good folks of Carbon County need her and her priceless advice and experience. Thank you, Agnes, for your work and commitment to Carbon County. We wish you all the best.

ALASKA NATIVE SUBSISTENCE WHALING EXPENSE CHARITABLE TAX DEDUCTION

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 29, 1993

Mr. YOUNG of Alaska. Mr. Speaker, I rise to introduce a measure that would provide critically needed tax relief to a few Alaskan Native whaling captains who otherwise may not be able to continue their centuries-old tradition of subsistence whaling. In brief, this bill would provide a modest charitable deduction to those Native captains who organize and support traditional whaling hunt activities for their communities.

The Inupiat and Siberian Yupik Eskimos living in the coastal villages of northern and western Alaska have been hunting the bowhead whale for thousands of years. The International Whaling Commission [IWC] has acknowledged that "whaling, more than any other activity, fundamentally underlies the total lifeway of these communities."

Today, under the regulatory eye of the IWC and the U.S. Department of Commerce, these Natives continue a sharply restricted bowhead subsistence hunt out of 10 coastal villages. Local regulation of the hunt is vested in the Alaska Eskimo Whaling Commission [AEWC] under a cooperative agreement with the Department of Commerce, National Oceanic and Atmospheric Administration.

The entire Native whaling community participates in the hunt activities. However, Native tradition requires that the whaling captains are financially and otherwise responsible for the actual conduct of the hunt; meaning they must provide the boat, fuel, gear, weapons, ammunition, food, and special clothing for their crews and must store whale meat until used.

Each of the approximately 35 bowhead whales landed by Native communities each year provides thousands of pounds of meat and muktuk—blubber and skin. Native culture dictates that a whaling captain whose crew lands a whale is responsible for feeding the community in which the captain lives. Customarily, the whale is divided and shared by all of the people in the community free of charge.

In recent years, Native whaling captains have been treating their whaling expenses as a deduction against their personal Federal income tax, because they donate the whale meat to their community and because their expenses have skyrocketed due to the increased costs in complying with Federal requirements in outfitting a whaling crew. The IRS has refused to allow these deductions, placing an extreme financial burden on those who usepersonal funds to support their Native communities' traditional activities. Currently five whaling captains have appeals of these disallowances pending before the tax court or the IRS.

The bill I am introducing today would amend section 170 of the Internal Revenue Code to provide that the investments made by this relatively small and fixed number of subsistence Native whaling captains are fully deductible as charitable contributions against their personal Federal income tax. Such an amendment should also retroactively resolve the disallowance and assessment cases now pending within the statute of limitations.

The expenses incurred by these whaling captains are for the benefit of the entire Native community. These expenses are vital contributions whose only purposes are to provide food to the community and to perpetuate the aboriginal traditions of the Native subsistence whaling culture.

Each Alaskan Native subsistence whaling captain invests an average of $2,500 to $5,000 in whaling equipment and expenses in a given year. A charitable deduction for these expenses would translate into a maximum revenue impact of approximately $230,000 a year.

Such a charitable deduction is justified on a number of grounds. The donations of material and provisions for the purpose of carrying out subsistence whaling, in effect, are charitable contributions to the Inupiat and Siberian Yupic communities for the purpose of supporting an activity that is of considerable cultural, religious, and subsistence importance to those native people. In expending the amounts claimed, a captain is donating those amounts to the community to carry out these functions.

Similarly, the expenditures can be viewed as donations to the Inupiat Community of the North Slope [ICAS], to the AEWC and to the communities' participating churches. The ICAS is a federally recognized Indian tribe under the Indian Reorganization Act of 1934 (48 Stat. 984). Under the Indian Tax Status Act, donations to such an Indian Tribe are tax deductible (28 U.S.C., 7871(a)(1)(A)). The AEWC is a 501(c)(3) organization. Both the ICAS and the AEWC are charged with the preservation of Native Alaskan whaling rights.

It also is important to note the North Slope Borough of Alaska, on its own and through the AEWC, spends approximately $500,000 to $700,000 annually on bowhead whale and other Arctic marine research and programs in support of the United States' efforts at the International Whaling Commission. This is money that otherwise would come from the Federal budget to support the United States representation at the IWC.

Given these facts and the internationally and federally protected status of the Native Alaskan subsistence whale hunt, I believe expenditures for the hunt should be treated as charitable donations under section 170 of the Internal Revenue Code. I ask my fellow Members to join with me in clarifying the Federal Tax Code to make this a reality for these Native whaling captains.

I ask that a copy of the bill be reprinted at the close of these remarks.

H.R. —

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

SECTION 1. CHARITABLE CONTRIBUTION DEDUCTION FOR CERTAIN EXPENSES INCURRED IN SUPPORT OF NATIVE ALASKAN SUBSISTENCE WHALING.

(a) IN GENERAL.—Section 170 of the Internal Revenue Code of 1986 (relating to charitable, etc., contributions and gifts) is amended by redesignating subsection (m) as subsection (n) and by inserting after subsection (l) the following new subsection:

"(m) EXPENSES PAID BY CERTAIN WHALING CAPTAINS IN SUPPORT OF NATIVE ALASKAN SUBSISTENCE WHALING.—

"(1) IN GENERAL.—In the case of an individual who is recognized by the Alaska Eskimo Whaling Commission as a whaling captain charged with the responsibility of maintaining and carrying out sanctioned whaling activities and who engages in such activities during the taxable year, the amount described in paragraph (2) (to the extent such amount does not exceed $7,500 for the taxable year) shall be treated for purposes of this section as a charitable contribution.

"(2) AMOUNT DESCRIBED.—The amount described in this paragraph is the aggregate of the reasonable and necessary whaling expenses paid by the taxpayer during the taxable year in carrying out sanctioned whaling activities. For purposes of the preceding sentence, the term 'whaling expenses' includes expenses for—

"(A) the acquisition and maintenance of boats, weapons, and gear used in the hunt,

"(B) the supplying of food for the crew and other provisions for carrying out sanctioned whaling activities, and

"(C) Storage and distribution of the catch from such activities.

"(3) SANCTIONED WHALING ACTIVITIES.—For purposes of this subsection, the term 'sanctioned whaling activities' means subsistence bowhead whale hunting activities conducted pursuant to the management plan of the Alaska Eskimo Whaling Commission."

"(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to all taxable years beginning before, on, or after the date of the enactment of this Act.

DINER OWNER TERRY CONWAY AND TRUCK OWNER PAUL COLLINS LEAD RELIEF EFFORT TO FLOODED MIDWEST

HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 29, 1993

Mr. SOLOMON. Mr. Speaker, yesterday a trailer rig arrived in Davenport, IA, loaded with nearly 25,000 dollars' worth of supplies for Midwest flood victims.

This relief effort was spearheaded by Terry Conway, owner of Tic-Toc Diner in Kingsbury, NY, who for several months has used the truck as a drop-off station for generous people who wanted to help.

Once Conway got the idea, he contacted Paul Collins, the truck's owner. Within 15 minutes Collins arrived with the truck.

Most of the contributions came from good business neighbors like Leland Paper, which donated almost 17,000 dollars' worth of cleaning materials and detergents; Sutherland Pet Center, which donated a large supply of pet food; and Adirondack Janitorial, which supplied plenty of mops and other cleanup materials.

But at least a quarter of the items came from individuals who wanted to lend a helping hand. Cash donations totaled $500. As an incentive, Conway gave out an estimated 3,000 dollars' worth of ice cream cones this summer to contributors.

Mr. Speaker, Americans have always responded whenever anyone anywhere in the

world was suffering. This relief effort was made possible by the efforts of churches, schools, service clubs, and individuals.

But I would like to single out Terry Conway and Paul Collins for their leadership role in this effort. I'd like other Members to join me in saluting these two gentlemen, because this, Mr. Speaker, is America at its best.

BUILDING A STRONG NONPROLIFERATION POLICY

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 29, 1993

Mr. STARK. Mr. Speaker, I applaud the President for his leadership in fighting the spread of the bomb. We cannot stop proliferation until we ban all plutonium production. We need restraints from the nuclear weapon states, "no-first-use," and deep cuts in strategic arsenals.

In the post-cold war world these are reasonable and achievable goals. The President deserves credit for his efforts. I am confident that Congress will build a strong policy that will keep the world safe.

TRIBUTE TO IRENE E. DUPONT—NEW HAMPSHIRE PHOTOGRAPHER WHO BROUGHT FRANCESTOWN'S MAIN STREET TO THE NATION'S CAPITAL

HON. DICK SWETT

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 29, 1993

Mr. SWETT. Mr. Speaker, I invite my colleagues to join me today in paying tribute to Mrs. Irene E. DuPont—an outstanding professional photographer and teacher at the Nashua Senior High School for the last 24 years. An excellent exhibit of her photographs—Vistas of New Hampshire—is currently on display for the next 2 weeks in the Rotunda of the Cannon House Office Building.

Mr. Speaker, it is unusual to find such a diversity of talents in a single individual, as we find in Irene DuPont. Mrs. DuPont is an outstanding teacher who motivates and inspires her students. Perhaps she is so successful because of the great value she places on education. She worked and saved her money for 9 years in order to attend college. After graduating from Notre Dame College in Manchester, NH, she began a career in teaching. At the new Nashua Senior High School, she was asked by the principal to learn something about photography because the new building had a dark room.

That was the beginning of her unusually successful career as a high school photography teacher. She took an 8-week course in photography in Manchester, then later completed studies in photography at the Art Institute in Boston where she received a degree. Some 18 years ago, she started with one class daily of 20 students. Because of the interest in the subject and the magic of herteaching, she now devotes full-time to teaching photography—five classes with 120 students daily.

Her teaching was recognized this past year when she was 1 of only 13 teachers in America to receive the National Teacher Award given by Time-Warner Communications in recognition of classroom activity using both photography and cable television programming. It was also Time-Warner Communications whose financial support made it possible for this exhibit of her photographs to be put on display in the Rotunda of the Cannon House Office Building.

But Irene DuPont's excellence in the classroom is only one of the many facets of her professional activity. She is also a professional photographer of great skill and sensitivity. Her work has been exhibited throughout New England as well as on the west coast. Her photographs have been published in magazines, textbooks, and used as covers on a variety of pamphlets. The photographs in the Rotunda of the Cannon House Office Building are only a sampling of the excellence of her art.

Among the excellent photographs are an outstanding series of Francestown, NH. This is a small community in my congressional district whose Main Street exhibits period architecture. The homes and stores and churches along Main Street are all about a century and a half old. Irene DuPont's photographs capture the historic homes and the people who live in them. This series of photographs was done through a grant from the New Hampshire Arts Council, which covered the cost of film and paper for the photographs.

Another outstanding series of photographs are of New Hampshire's covered bridges—a picturesque part of the Granite State's historic heritage. Our State has the largest number of covered bridges per capita and in relation to the area of the State, and Irene DuPont has photographed all of them. Her photographs have been published in the book Spanning Time, New Hampshire Covered Bridges. When Irene DuPont started photographing bridges in 1982, there were 54 bridges, but four have since been burned by arson. Her work is an important historical record documenting our State's unique architectural and transportation legacy. Not only has she recorded these important landmarks, she has increased public interest in covered bridges, and our State now has tougher laws and stiffer penalties for those who burn or attempt to damage our bridges.

Mr. Speaker, Irene DuPont exemplifies the rock solid values that are typical of the people of New Hampshire. She is an inspiring and an inspired teacher, as well as a chronicler of the heritage of the Granite State. I urge my colleagues to examine her fine work in the Rotunda of the Cannon House Office Building and to join me in honoring her for her work.

TAIWAN AND THE UNITED NATIONS

HON. DAN SCHAEFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 29, 1993

Mr. SCHAEFER. Mr. Speaker, one of the most prosperous and economically dynamic places in the world is the Republic of China. One of the world's most generous donors of foreign aid is the Republic of China. The Republic of China has a population four times that of Finland.

Despite all these attributes of statehood, the Republic of China does not have any representation in the United Nations. The 21 million people living in the Taiwan area, in fact, have not been represented in the United Nations since 1971. As much as the People's Republic of China claims jurisdiction over Taiwan, the fact is that the PRC does not have any jurisdiction at all. The Government on Taiwan is the Republic of China.

I take pleasure in saluting the Republic of China for its achievements since its founding 82 years ago. The Republic of China's Government has managed to give its people one of the highest living standards in history. With its generous foreign and humanitarian aid programs, the Republic of China is definitely a giver, in every sense of the word.

The entire world community would benefit from the Republic of China's membership in the United Nations. It would only be fair to the 21 million people living in the Taiwan area and to the millions of people around the world whose jobs involve doing business with Taiwan, either directly or indirectly. The Republic of China belongs in the United Nations just as the United Nations needs the Republic of China among its members.

Mr. Speaker, as Taiwan approaches its 82d birthday, I salute its many accomplishments and call on the United Nations to return it to the United Nations.

HISPANIC HERITAGE MONTH

HON. NYDIA M. VELÁZQUEZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 29, 1993

Ms. VELÁZQUEZ. Mr. Speaker, I rise today in observance of Hispanic Heritage Month, a month-long celebration which seeks to increase national awareness of Latino culture. Over the past decade, our Hispanic-American communities have been energized by an enhanced awareness of their cultural vitality and potential for economic and political self-empowerment.

As a Puertorriqueña, I speak with pride of the contributions of my people to the varied fields of culture, entertainment, sports, business, and public service. But instead of discussing the accomplishments of our more popular entertainers and sports heroes, I would like to take this opportunity to discuss the achievements of those figures who do not receive their share of the limelight. These individuals deserve the praise and admiration that their most famous compatriots receive, yet their accomplishments often go unnoticed or are easily forgotten. By paying tribute to these pioneers of our community, we pave the way for young Latinos to follow in their footsteps.

Let me begin by paying tribute to the Puerto Rican soldiers who have lost their lives fighting for the United States of America. As American citizens, hundreds of Puerto Rican men have gone to battle to fight for the United

States. We must all pay homage to the 731 Puerto Rican soldiers who lost their lives in the Korean war, to the 345 Puerto Rican soldiers who lost their lives in Vietnam, and to the four Puerto Rican soldiers who lost their lives in Desert Storm, including Capt. Manuel Rivera, a Puerto Rican from the south Bronx, who was the first soldier to perish in Operation Desert Storm. His courage, strength, and patriotism should always remain vivid in our memory.

In light of the fighting contributions of these soldiers, let me bring to your attention the struggles and battles of a great Puerto Rican woman, Felisa Rincon de Gautier. Doña Felisa as she is popularly known, was among the first women to register to vote in Puerto Rico. She was the first woman in the Western Hemisphere to be elected mayor of a large city in the Americas, San Juan, Puerto Rico. She served as mayor for 22 years, transforming San Juan into one of the greatest capitals of Latin America. Though she is retired from elected office, Doña Felisa continues her public service through a foundation named in her honor. Doña Felisa is a source of great pride to her native Puerto Rico and to Latino women and men all across this hemisphere.

The triumphs of these figures provide select highlights of not only Puerto Rican achievement, but of Latino achievement as a whole. But for every tale of attainment, hundreds remain hidden or untold as Latinos continue to strive outside the spotlight of national awareness. These individuals make up the backbone of our legacy and culture. Their strength and their battle to find their way in American society is an example to us all. For this reason, we celebrate their accomplishments in a month, long celebration of history, community, and heritage.

I urge my colleagues and the American public to take advantage of this month to explore, learn, and better understand our people, our contributions, and our efforts.

AUTHORIZATION FOR APPROPRIATION TO COMPENSATE ALEUT VILLAGES FOR CHURCH PROPERTY LOST, DAMAGED, OR DESTROYED DURING WORLD WAR II

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 29, 1993

Mr. YOUNG of Alaska. Mr. Speaker, I am introducing legislation today to increase the authorized appropriation level of funding necessary to fully compensate the Aleut people of Alaska for church property lost, damaged, or destroyed during World War II.

Many Americans are aware of the sad chapter in U.S. history during World War II when Japanese-Americans were stripped of their property and interred for the duration of the war. Few Americans, however, are aware that the Aleut people of the Aleutian chain in Alaska were similarly treated, with even more disastrous results. In an effort to remove civilians from the war effort following the Japanese bombing of Dutch Harbor and their capture of Attu and Kiska islands in the summer of 1942, the military evacuated and relocated all of the people of the Aleut villages on the Pribilof Islands and those west of Unimak Island on the Aleutian chain. Displaced to southeast Alaska, the villagers of the islands were housed in whatever structures could be found or slapped together with little or no effect. Under the protection of the military, these Americans were simply forgotten by their Government. Squalid living conditions, inadequate housing and sanitation facilities, and nonexistent medical care combined to exact a devastating toll on the Aleut people who had placed themselves in the hands of a government sworn to protect them.

Upon their return, the survivors found their homes and buildings destroyed, and their Russian Orthodox churchesburned to the ground. Their sacred icons were destroyed, lost or stolen, and some of these dated to the days of Czarist Russia.

While the causes of the destruction of all of the churches remains unknown, it is known that some were destroyed during the United States recapture of Attu and Kiska, and others were simply looted and burned.

In an effort to acknowledge the damage perpetrated upon the Aleuts and partially compensate them for their losses, Congress passed legislation in 1988 which recognized and compensated Japanese-Americans and Aleuts. As a part of act, the Secretary of Interior was directed to determine the real and personal church property damaged and destroyed during actions taken in the Aleutian chain during World War II. Congress authorized $1.4 million for such purposes. The study results are in, and the estimated costs of replacing the property is $4.7 million. This legislation would give congressional recognition of the obligation owed the Aleuts as determined by the Department of Interior study.

Mr. Speaker, I cannot in strong enough terms detail for the Members of this body the human suffering and dislocation which the Aleut people were forced to abide at the hands of their own Government's neglect. The Aleut people are good people, who have endured much at the hands of first the Russians—when Alaska was owned by the Russians—and then the United States Government during World War II. This legislation is not intended to plow old ground through the sensitive fields of the memories of those Aleuts whose lives were changed forever by World War II. The Aleut people, aided by the inner strength of their abiding faith in their God, are not seeking retribution. I do, however, seek that to the extent that we can as a nation make them whole, we endeavor to do so. We will never be able to reproduce their homes, their churches, their icons or their loved ones. But through adoption of this legislation, we can continue to recognize their extraordinary sacrifice during World War II. I ask that the House rapidly consider and report this legislation.

PROGRAMS AND SERVICES FOR OLDER PERSONS 20TH ANNIVERSARY

HON. JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 29, 1993

Mr. COSTELLO. Mr. Speaker, I ask that my colleagues join me to congratulate Programs and Services for Older Persons of Southwestern Illinois on its 20th anniversary. In conjunction with Belleville Area College in Belleville, IL, the PSOP, organized by Mr. Gene Verdu, serves some 20,000 elderly people throughout much of southern Illinois. By providing home-delivered meals, transportation services, part-time jobs, medical assistance, and recreational opportunities, Gene Verdu and the PSOP have extended a welcome hand to the elderly of our community and improved many neighboring communities.

I urge my colleagues to help me extend a hearty congratulations to Gene Verdu and the Programs and Services for Older Persons on their 20th anniversary. Their contributions to the elderly and their efforts to improve the quality of life for hundreds of older Americans in southern Illinois, are worthy of our highest praise.

JOBS IN A COMPETITIVE WORLD ECONOMY

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 29, 1993

Mr. HAMILTON. Mr. Speaker, I would like to insert my Washington Report for Wednesday, September 29, 1993 into the CONGRESSINAL RECORD:

JOBS IN A COMPETITIVE WORLD ECONOMY

Although the economic recovery from the 1990–91 recession is now more than two years old, Americans continue to worry about their jobs. Trouble companies are eliminating jobs by the tens of thousands, and even profitable companies with booming sales are shedding jobs. Many people wonder whether they will be able to keep or find good jobs in the face of all the changes that seem to be taking place in the economy. I have noticed a steady erosion in the security of average Americans, and that has led to a lot of quiet anxiety. People wonder whether the U.S. economy can deliver jobs with reasonable pay in this competitive world economy.

The U.S. economy is in the midst of a major restructuring. Technological change and international competition are forcing American workers and businesses to be more flexible and adaptable to changing market conditions. In the long run, these changes should be good for the economy—they increase efficiency, raise productivity, and encourage faster growth and a rising standard of living. But they are also disruptive and increase worker uncertainty. We need to pursue policies that will reassure workers that there will be plenty of good jobs available as these changes take place.

TRENDS

The sluggish performance thus far in the 1990s has obscured the fact that the United

States has been the envy of other industrial countries in its ability to generate jobs over the past two decades. Almost 20 million jobs were created in the 1970s and another 18 million were created in the 1980s. Despite our current problems, the number of people with jobs has reached an alltime high in the past few months.

But many worry about the quality of the jobs being generated. One concern is that too many workers looking for full-time permanent jobs with good benefits have had to accept part-time work. Some evidence suggests that employers are reluctant to hire full-time workers because they do not want to pay benefits such as health insurance. And the number of parttime jobs is indeed growing. Yet the percentage of the working-age population with a full-time job is higher than it was in the 1960s and 1970s. So employers are not, on balance, eliminating full-time jobs and replacing them with part-time jobs.

A more serious concern about the quality of jobs we are creating focuses on trends in wages and earnings. Between 1948 and 1973 strong productivity growth led to strong growth in wages and earnings. After adjusting for inflation, the average worker earned about twice as much in 1973 as in 1948. But real wages have basically stagnated since 1973. Many of the new jobs created have been lower-wage jobs, and much of the growth in compensation has been for fringe benefits that do not show up in the paycheck. Family income has grown primarily because more spouses are working more hours, not because wages are rising.

Another serious concern is the widening gap between the wages of workers of different skill levels. The most skilled and best educated workers are in demand in today's international marketplace, while lesser skilled workers have faced increasing competition from workers overseas and from immigrants.

As one person put it to me the other day, "There are just too few good jobs to go around." Our big problem, it seems to me, is creating jobs for the average worker that pay well. It is not much comfort that every advanced industrial nation is wrestling with this same problem and no country has found the formula.

CAUSES AND CURES

Because this country has been growing slowly over a period of years, people press to defend their own security by seeking to discourage imports or to slow down industrial change. Those approaches only make the economy grow more slowly.

The challenge is not so much to save old jobs as it is to produce new ones based on high value work. The principal reason good jobs are threatened is that a highly competitive world economic order is emerging. The forces propelling this new order are likely to persist, making our economic lives tougher. The problem is aggravated by the fact that too many workers lack the skills employers are looking for to compete in this new order and too few employers are investing as much as they should in improving their employees' skills and training. Another factor is technology. Although it enhances productivity in the long-run, it can be threatening to some workers.

There is a better response, but it will require a lot of stamina. We simply have to make a broad range of investments in our workers' skills to increase productivity, and we need to rein in government budgets to increase savings and investment. Although not glamorous or easy, these are the right things to do.

Productivity-enhancing investment: In the long run, the key to better jobs and better wages is stronger productivity performance. This, in turn, requires an investment strategy aimed at producing more investment in machines and factories, and more research and development into new and better ways of doing things. One of the most important steps is better education and training: a good basic education for everyone, affordable college, school-to-work apprenticeships for young people, and lifetime learning in the workplace. The Clinton administration is considering many of these ideas as it develops a "workforce strategy" designed to ease the transition of Americans from the old economic order to the new. We also need further deficit reduction to encourage more private investment.

Jobless assistance: A range of policies that are good for longer-term growth and job creation could hurt some jobs in the short-run, including deficit reduction, trade liberalization, defense conversion, technological development, and health care reform. We need to carefully examine our policies toward dislocated workers. In some cases cash adjustment assistance may be appropriate. But the primary emphasis should be on providing the training and assistance needed to give less-skilled Americans a real shot at a decent job.

Short-term stimulus: If the recovery continues to be sluggish, we will be tempted to revisit the question of short-term fiscal stimulus—tax cuts or increased government spending. I continue to believe that the primary responsibility for nurturing the recovery rests with the Federal Reserve, which should keep down interest rates. The major objective of fiscal policy at this time should be lower deficits.

CONCLUSION

Most of the task of providing good jobs for American workers rests with the private sector. But government has a role to play in creating a general economic policy environment conducive to noninflationary growth. And we need to examine what government can do to encourage more training and retraining—helping citizens equip themselves to prosper in a world constantly being transformed.

TRIBUTE TO WILMER (WILLIE) SCHAEFF

HON. DAVE CAMP

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 29, 1993

Mr. CAMP. Mr. Speaker, it is with great pleasure that I rise today to recognize the induction of a fine individual into the State of Michigan Polka Music Hall of Fame. The contributions he made to music in Michigan will not be forgotten.

Mr. Wilmer Schaeff, known as Willie to his friends, was born in Saginaw, MI, on June 5, 1934. The third of seven children in his family, Willie's musical career started when his parents bought an accordion for his oldest brother. At the age of 15 he started playing publicly with various bands, eventually studying music at Delta College. In 1972 he formed his own band called the Music Chef's.

Throughout this time he spread joy to all the people who listened to his expertise. Whether it be at local clubs, halls, or taverns there was always a large crowd on hand to hear and feel his music. They truly enjoyed all that Willie gave them.

On March 23, 1957, Willie married Marie Herbin. It was because of Marie that Willie decided to learn how to play the plectrum banjo. He quickly taught himself and soon was entertaining at various events. They were the parents of four children, three girls and a boy.

Willie served in the Army for 2 years, is a 31-year member of the Pattern Makers League and also belonged to the Saginaw Musical Association. In 1991 he retired from the Advanced Development Laboratory, central foundry, General Motors.

Willie has recorded albums with Frank Feil, Andy Nester, and John Stanulis. He has also played with many great band leaders from around mid-Michigan and across the State.

Willie Schaeff has truly dedicated his life to music and all the joys it could bring. Mr. Speaker, I know that you will join with me in commending this outstanding individual for the service he provides to music enthusiasts everywhere.

CENTENNIAL OF THE BOROUGH OF NORWOOD

HON. CURT WELDON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 29, 1993

Mr. WELDON. Mr. Speaker, it is with great pleasure that I rise today to congratulate the Borough of Norwood as the community celebrates its centennial on October 2, 1993.

Norwood is a community rich in history. In 1893, a group of freeholders petitioned the court of the county of Delaware for application for a charter on behalf of the town of Norwood which was part of Ridley Township. The court allowed the incorporation of Norwood as a borough and also set up the first election of officers on November 6, 1893.

A newly incorporated borough, rich with natural resources and vast acreage, Norwood continued to prosper and major development began following our Nation's First World War.

Today, with a population of 6,000, Norwood Borough is a thriving municipality in Delaware County. It has a thriving business district, and a beautiful waterfront area.

As the Member of Congress representing Norwood, I want to call this momentous occasion to the attention of my colleagues, and urge them to join me in honoring Norwood Borough. Norwood is a fine community in which to live, with hard-working, patriotic people, many of whose families have lived in the area for generations. Any Member of Congress would be proud to represent this outstanding community, and I am pleased to offer my best wishes for another 100 years of continued success.

HOUSE RESOLUTION 134

HON. WILLIAM P. BAKER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 29, 1993

Mr. BAKER of California. Mr. Speaker, before we can bring about change in our Government, Congress must change the way it does business.

For the sake of reform, there may come a way for the many to bypass the powerful few. For the past 61 years, the discharge petition process has been kept secret. This means a House Member's constituents may never know how he really feels about a specific issue.

Let me provide an actual example: This year, only 70 out of 435 Members signed the discharge petition to force a vote on term limits. Yet 92 Members actually cosponsored the bill. Secret discharge petitions allow Members of Congress to get away with saying one thing in their districts and doing another in Washington.

Currently, when a Member of Congress claims he supports a certain bill, there is no way of knowing whether or not he signed the discharge petition to force a vote on the bill. Because the discharge petition is secret, a Congressman is able to doubletalk his constituents.

Congressional leadership and committee chairmen oppose the discharge petition because they stand to lose much of their power. When the chairman of a committee opposes a particular bill, he has the power to single-handedly kill it by never moving the proposal forward.

Today, we will vote on the discharge petition circulated by Congressman JIM INHOFE of Oklahoma. This successful petition forced a vote on whether all future discharge petitions would become part of the public record. In other words, no more secrets.

This summer, the American people let Congress know how they felt through letters, phone calls, and radio call-in shows. Several Democrats, fearing the wrath of voters more than that of their party leadership, signed the petition.

In the end, all but two Republicans signed this successful petition along with a handful of Democrats. It is significant to note that 30 of the first 36 to sign the discharge petition were Republican freshmen. We were elected on a wave of change and we have not backed down from our commitment to reforming Congress.

It's only the career Members of Congress who fear an educated electorate. They fear that the voters will continue to demand real reform in Washington, and they know that cannot stall indefinitely. Only constant pressure from the voters, and those in Congress genuinely interested in reform, will bring about true change.

MICHEL CALLS FOR ACTION THIS YEAR ON HEALTH CARE REFORM

HON. J. DENNIS HASTERT

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 29, 1993

Mr. HASTERT. Mr. Speaker, our House Republican leader, BOB MICHEL, today in a speech before the American Medical Association, outlined a course of action for health care reform which deserves the attention of all our colleagues.

In the speech, he urges that we move ahead this year with seven key health care reforms that are common to both the President's proposal and our Republican proposal, and that if we do so we will bring the benefits of these reforms to the American people at a much earlier date than otherwise would be the case.

Because this makes eminent sense, I am inserting the text of the speech at this point in the RECORD:

Standing before you this afternoon, I know there is one great over-riding question on your minds. It is a question that every American is obsessed with this week, the most important question now before the nation: Will the Atlanta Braves or the San Francisco Giants win the National league West pennant race? Since I root for the Chicago Cubs, I am ill-equipped to answer such a profound question. So, instead, I'll get right to the subject of the day, health care reform.

Today and tomorrow you will be deluged by speeches and reports and panel discussions. So let me get quickly to what House Republicans believe are the major points about this health care debate. First, there was much that was good and much that was new in the President's health care speech. But what was good was not necessarily new—and what was new was not necessarily good.

In a few minutes I'd like to outline what we think is good and why we think we can begin action now on those agreed-upon points—not next year, but immediately. You should know that we House Republicans do have a health care plan of our own. It meets all the goals of any sensible reform: it is compassionate, it is affordable, it is workable and it can be implemented—much of it immediately—without ruining a system that needs reform, not total dismantling. I've frequently been asked if Republicans will compromise or will we confront the President on health care reform? My answer to that question is: that's up to the President and his Democratic leadership in the Congress.

If they show a willingness to really sit down and get things done on a bipartisan basis, we are ready to work at the same table. In fact we are already at the table and I'd like to take the President and First Lady at their word when they say they want to work with us. But if they simply want us to become props when it comes time for an Oval Office signing ceremony, or if they want us to sign on to a plan we know is flawed, just for the sake of appearing bipartisan, then they will choose the path of confrontation.

Let me briefly outline for you how we Republicans have come to where we are. We in the House have worked independently of our counterparts in the Senate. We've been checking in with them from time to time and Senator Chafee's proposal seems to have the broadest support to date among Senate Republicans although Senator Gramm and others have differing views. In the House we Republicans have spent well over two years looking at this problem from every conceivable angle. I co-chaired our Task Force with Newt Gingrich who you are going to hear from tomorrow. The further we got into the subject the more we realized how difficult it was going to be to put the pieces together and how costly it will be to go all the way in one fell swoop.

I never criticized the Administration for the delays when they were deliberating for an extended period of time because it indicated to me they too were finding it much more difficult and complex to match reality with those grandiose campaign speeches and promises. To make a long story short, we House Republicans have come up with our bill that we call the Affordable Health Care Now Act, introduced just 2 weeks ago with 116 co-sponsors. No other plan on either side of the House has as many co-sponsors and that would of course include the Cooper and McDermott proposals from the Democratic side.

Now let me try to put this issue in some legislative context:

We've been burned on attempts at health care reform before. I was here when we enacted Medicare and Medicaid and those cost projections then were only a fraction of what they are in reality today. And you all remember our effort at crafting Catastrophic Health Care legislation during the Reagan Administration. It is a cautionary tale. I was a lead sponsor of the proposal, and to begin with, all we asked for was a measly $4.00 a month increase in Medicare premiums to pay for catastrophic coverage. But by the time the plan made its way through Congress, it became overloaded with prescription drugs, etc., so much so that we had to enact a tax on a tax to pay for it and within a year, we were humiliatingly forced to repeal it. So we learned a lesson: all our good intentions went down the tube because the Congress got too benevolent and the senior citizens rebelled at what they were going to have to pay for the coverage.

Let me now turn to the President's plan: The President's speech on Wednesday was many things. It was highly emotional in tone. It was filled with touching, if at times not quite relevant, anecdotes. Above all it was permeated with that combination of fervent idealism and lack of specific detail that marked the President's earlier effort when he told us of his plans for the budget. But there was one thing missing in that eloquent speech last Wednesday: The right questions. The tough questions. The necessary questions. They were conspicuous by their absence.

As you could see last Wednesday night, Congress is very good at quickly rising to its feet and cheering when the TV cameras are there. But what this debate demands is our capacity to stay in our seats and think—and then ask the pertinent questions. The essence of democratic government, especially in crafting legislation, is asking the right questions, asking them at the right time, and not taking rhetoric or equivocations for an answer. That is what we are expecting of all our Republican members of those committees that will be considering the various parts of the President's proposal. And bear in mind, we don't yet have the specific legislative language and probably won't for another couple of weeks.

Last week, we in the Republican Conference heard from Vice President Gore about how bad bureaucracy is and how necessary it was to re-invent government to escape bureaucracy. But last Wednesday,

President Clinton was telling us that a key to his health care reform plan was the creation of a new government bureaucracy, those state "alliances", plus a National Health Board. In fact, the Administration has admitted that federal administrative costs alone for this plan will amount to over $2 billion a year. That translates into upwards of 50,000 additional bureaucrats to meddle into our health care, and those must be the new jobs the President said would be created by his plan.

If government bureaucracy is wrong, and needs "re-invention", why invent a new one to impose on doctors and patients? And speaking of questions, have you noticed that the administration's propaganda machine, which blasts out at high decibels on the President's plan, turns down the volume to a whisper when it comes to discussing Tort Reform and Malpractice Reform? At this point, you might have a question of your own and it probably is: O.K., Bob, we know there is a lot wrong with the plan the President presented—but what do you Republicans plan to do about it?

My answer is this: We will urge the President and the Majority Leadership in the Congress to begin immediate action on seven key health care reforms, which are common to the Clinton proposal and the House and Senate Republican plans. Let's begin now. Let's get action now. Let's address the concerns of those people whose horror stories the President spoke of so eloquently—and let's do it now.

And here are those areas for immediate action:

1. Administrative Reforms.—The President says that billions can be saved by moving to a standard claims form and electronic billing. We agree, and we have included such reforms in our proposal. I am sure all of you would readily concur on the need for reduced paperwork. The sooner we move legislation in this regard, the sooner the actual implementation takes place. So, there is no reason for delay.

2. Malpractice Reform—You all know the cost of malpractice insurance and the tendency to practice defensive medicine when the threat of being sued is constantly hanging over your heads. We have a strong malpractice reform section in our bill. President Clinton supports malpractice reform. Billions can be saved by such reforms. They can move ahead independently of any other health care change. Let's do it.

3. Anti-Trust Reform—Reforming our anti-trust laws to allow greater cooperation among providers, such as the sharing of equipment and facilities, will go a long way to improving the efficiency of our health care system. The Administration, to its credit, recently announced some administrative changes in this regard, but to really do the job, we need legislative action. The President believes in this, we believe in it, so let's act now.

4. Anti-Fraud Reform—There are numerous estimates of what fraud is costing our health care system, but whatever it is we must move ahead expeditiously to root it out. We have a strong anti-fraud section in our bill, and the President specifically spoke to that point in his speech. So this is another area where early action is called for.

5. Medical Reform—There is widespread agreement that the states need more flexibility in administering the Medicaid program, so that they can try out more efficient ways to both reduce costs and cover more people. In fact, in our proposal, we allow the states to enroll the patients in private insurance plans should they prove more effective and we also permit the states to allow uninsured individuals to buy-in to the Medicaid program, as a means of moving toward universal coverage. The states are crying out for more Medicaid flexibility, so there is no good reason not to move ahead now to give it to them. As for Medicare, with all the complaints we hear at our district offices, would you believe the President said, he doesn't want to touch it apparently because it's working so well. We think he just doesn't want to rile up the senior citizen lobby.

6. 100% Deduction for the Self-Employed—We feel it's only fair that the self-employed receive the same tax treatment for the cost of their insurance premiums that is accorded all other employers. This is particularly important to our nation's farmers, who have a difficult time as it is in making ends meet. The President supports this change, it is in our bill, and many Democrats are sponsoring legislation to this end. So there is every reason to include this as part of our package of early reforms.

And finally:

7. Insurance Reform.—There is almost uniform agreement, even in the insurance business itself to a great degree, that individuals changing jobs should not lose their insurance coverage, and that individuals with serious illness are neither denied coverage nor have imposed on them unaffordable premium increases.

These changes go hand-in-hand with the need to insure the availability of affordable group policies to small employers. Last year the Senate twice passed the Bentsen proposal to undertake such reforms. We have these reforms in our proposal. The President supports them. So there is no reason why we should further delay action. These seven reforms are commonsense changes supported by Republicans and Democrats, including the President.

By moving ahead with these reforms now, we speed up the implementation process, and allow the American people to experience the benefits of health care reform at a much earlier date. I call upon the President and the Democratic Leaders in Congress to sit down with us to map out a process for Congressional action on these reforms as soon as possible. We on the Republican side are ready and willing to meet at any time. In conclusion, let me just say: When administration spokesmen and key Democrats come before you and play the violins sweetly, just remember two things:

(1) The President's Health Plan isn't the only game in town—but it will be if critics of his plan don't get organized and

(2) the President's Plan has a long, torturous road ahead of it. There is much that can be done to emerge from this process with a good health plan, and part of it can be implemented quickly.

Along that road, the President is going to have to look us all in the eye and answer some tough questions, those questions that were not answered in his speech. We look forward to working with you, in the A.M.A., to keep what is best in a good system and reform those things which have failed us or are in need of improvement. And remember: keep on asking those questions.

THE RECREATIONAL BOATING SAFETY IMPROVEMENT ACT OF 1993

HON. W.J. (BILLY) TAUZIN

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 29, 1993

Mr. TAUZIN. Mr. Speaker, I rise today to introduce H.R. 3168, a bill to improve recreational boating safety. This bill is the result of a concerted effort my many organizations involved in boating safety to recommend improved Federal laws and funding. I want to thank the Coast Guard, National Transportation Safety Board, National Association of State Boating Law Administrators, Boat Owners Association of the United States, and National Marine Manufacturers Association for all of their help in developing this legislation. I want to particularly praise our state boating law administrators who are on the front lines protecting so many of us who enjoy recreation on our Nation's waters. H.R. 3168 will create a Federal requirement for the mandatory wearing of lifejackets for children, encourage States to adopt important boating-while-intoxicated laws, limit the spending of Federal boating safety funds for construction of public access sites, and require boating safety violators to take a boating safety course.

First, H.R. 3168 establishes a Federal requirement for children 12 years of age and under to wear personal flotation devices on recreational vessels under 26 feet on an open deck. Boating is an inherently dangerous activity even for experienced, qualified, and mature individuals. Children who are often less skilled, physically and emotionally immature, and generally unable to care for themselves require protection. In July 1993 a boating accident occurred in Arkansas which tragically illustrated the problem. Five of the seven victimswere children ranging in age from 18 months to 10 years; none of whom were wearing lifejackets. A lifejacket could have saved these innocent lives.

Second, H.R. 3168 caps the amount of Boat Safety Account funds that a State can use for the construction of public boat ramps and piers at 25 percent. All of the States, with the exception of four, use other funding sources other than the boat safety account to construct public access sites. Since States currently receive and are required to spend a certain percentage of funds from the sport fish restoration account for such purposes, the limited funding available for boating safety should be directed primarily towards other important and unfunded boating safety programs such as law enforcement, training, and education. The use of more than 25 percent of Federal boating safety funds for building access facilities takes away from the use of those funds for boating safety purposes.

Third, H.R. 3168 encourages States to adopt boating-while-intoxicated [BWI] laws beginning in fiscal year 1998 by providing incentive funding to those States with adequate BWI laws. In 1998, the State boating safety program will receive an additional $10 million of new funding from the Clean Vessel Act of 1992. As introduced, the $10 million would be divided into two pools. The first $5 million

would be available to States that have either a blood alcohol concentration standard of .10 or less, or have a behavioral standard for evidence of intoxication. The second $5 million would be distributed to States that have an implied consent law.

Finally, H.R. 3168 provides Coast Guard hearing officers with the authority to require boating safety courses in lieu of or in addition to a civil penalty where a person has been found to be in violation of a Federal boating safety law. The Secretary will be given the responsibility to develop regulations that identify a qualified boating safety course, such as Coast Guard Auxiliary, Power Squadron, Red Cross, et cetera.

H.R. 3168 will greatly improve the ability of States and the Coast Guard to protect the safety of thousands of Americans who enjoy boating on our Nation's waterways. I am a strong supporter of all those involved in boating safety at all levels. Passage of H.R. 3168 will save countless children's lives, take drunk boaters off the water, and educate those who violate our boating safety laws.

H.R. 3043, THE INDUSTRIAL AND COMMERCIAL LAND RECYCLING ACT

HON. THOMAS J. RIDGE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 29, 1993

Mr. RIDGE. Mr. Speaker, at the turn of the century, Pennsylvania, a leader in the industrial revolution, was producing 60 percent of the Nation's steel. The Commonwealth's steel industry furnished the rails for the Nation's railway empire, the structural steel for our modern cities, and the armament for our national defense. Pennsylvania was also a leader in electrical equipment manufacturing, and the extractive industries of lumber, petroleum, natural gas, and coal. Although most of these booming industries no longer exist, scars created from them remain.

Today, tragically, many of these industrial sites, once production hotbeds that fueled the economies of Pennsylvania and the Nation, are polluted and abandoned. We as a nation can no longer afford to ignore these urban plights and leave them for dead. Revitalizing these sites, as well as more recently abandoned sites, in conjunction with addressing our emerging economic needs, can and should become a priority.

Industrial contamination that remains today resulted from what we now know are improper waste-handling practices that were entirely legal at the time. Unfortunately, these old sites are looked upon as sad reminders of industrial decline and of exhausted resources. This should no longer be the case. The majority of these sites are not beyond reuse or dangerously contaminated. Instead of looking at them as hopeless for new applications, we should be looking at abandoned and polluted sites with economic development possibilities in mind.

While the potential certainly exists, recycling and reusing abandoned sites for entirely new purposes will not occur until the stumbling blocks that hamper development are removed.

Two major policies often block effective reuse of old industrial sites. First, in States like Pennsylvania, new property owners are automatically held responsible for cleaning up all past pollution on a site even when they had nothing to do with the polluting. And, second, the majority of existing cleanup standards are not based on the actual risk contaminants pose to public health or the environment, but on a policy which automatically assumes every site must be cleaned up to a pristine condition.

The result has been cleanup policies that have had the unintended consequence of preventing the reuse of existing industrial sites because few companies are willing to buy a previously developed site only to be forced to clean up the waste that someone else has intentionally or unintentionally left behind.

Throughout our Nation, economic development agencies, financial institutions, and private companies avoid using existing industrial sites and build on natural and recreation areas, prime farmland, and open space out of fear of being held responsible for cleaning up pollution they did not cause. If this trend continues, virgin land throughout our Nation will be lost to development while polluted and abandoned industrial sites will remain stagnant. In these difficult economic times, parties interested in developing any abandoned site should be encouraged, not discouraged to do so.

In an effort to encourage interested yet cautious parties to undertake such efforts, I have introduced the Industrial and Commercial Land Recycling Act. My legislation, H.R. 3043, uses a commonsense approach in a manner that effectively addresses the problems associated with recycling industrial and commercial sites.

More specifically, H.R. 3043 reverses the growing practice of using new land as opposed to reusing old land through five main objectives.

My legislation: Encourages innocent landowners and responsible companies to voluntarily clean up sites so tax dollars do not have to be spent on cleanups and costly enforcement actions do not have to be taken; provides guidelines to develop and implement cleanup plans which reduce and eliminate real risks to public health and the environment; limits the cleanup liability of innocent public agencies, financial institutions, and other parties where cleanup plans have been approved and completed; requires guarantees that new jobs will be created or jobs retained on industrial sites where cleanup plans have been completed; and helps to ensure that professionals involved in creating cleanup plans are competent.

Under my legislation, for example, innocent landowners who had no responsibility for contamination on an industrial property, or responsible owners who voluntarily come forward before an enforcement action is taken by the Federal Government, can submit cleanup plans to the Environmental Protection Agency [EPA] to recycle or reuse the property for commercial or industrial purposes. A cleanup plan would detail any pollution on the site and the risk it poses to public health and the environment, taking into account the future use of the property.

The plan would also describe any cleanup measures needed to reduce or eliminate the exposure of the public or the environment to contaminants that cause them harm. After undergoing public review, the plan would then be approved or disapproved by EPA. A property owner would then be able to move forward and implement an approved plan.

When EPA certifies the cleanup plan is completed, the property owner must post a cleanup guarantee fee to be held by EPA for 2 years to make sure the cleanup has been done properly. The property owner must also guarantee to retain or create a specific number of jobs over the next 5 years.

In addition the property owner, a financial institution investing in the property, and tenants, are relieved from further liability for pollution identified in the cleanup plan once the EPA-approved plan is fully implemented. A property owner would forfeit cleanup liability protection, however, if it was obtained under fraudulent conditions or if employment guarantees were not fulfilled.

With no distinction between the procedures for cleaning up abandoned industrial sites which may have relatively low concentrations of contaminants and contamination, present environmental laws and policies only serve as stumbling blocks to effectively reusing these sites. What is needed is an initiative designed to encourage the private cleanup of industrial sites. My legislation does just that. H.R. 3043 strives to clean up abandoned industrial sites to a level that is safe for its intended reuse, protect open space and farmland from unnecessary development, while retaining or creating jobs.

REMARKS BY DR. PAUL BERG

HON. GEORGE W. GEKAS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 29, 1993

Mr. GEKAS. Mr. Speaker, I would like to share with my colleagues some remarks made by Dr. Paul Berg, Willson Professor of Biochemistry and director of the Beckman Center for Molecular and Genetic Medicine at Stanford University School of Medicine, before the congressional biomedical research caucus on Monday, June 28, 1993.

The text of Dr. Berg's remarks follows:

REMARKS BY DR. PAUL BERG

My name is Paul Berg, and I am presently Willson Professor of Biochemistry and Director of the Beckman Center for Molecular and Genetic Medicine at Stanford University School of Medicine.

My research over the past 40 years would, by most acceptable definitions, be classed as basic in that it focused initially on cellular mechanisms of metabolism and growth, and then veered into molecular biology and genetic chemistry for the majority of my research career. I consider myself fortunate to have been an early participant in the science that led to what is now referred to as the "Genetic Revolution." I have been, and continue to be, a forceful advocate for strong Federal support of basic research and for science education. Both are essential if we are to maintain our scientific leadership in the world. I have also been active in trying to promote applications of basic science discoveries to more applied purposes, specifically more rapid applications in medicine.

Towards that end the Beckman Center of which I am director aims to develop closer intellectual and working ties between basic and clinical scientists. I also serve as scientific consultant to two biotechnology research companies near Stanford, one being concerned with new drug discovery and the other with developing tools for improved detection of genetic disease.

My comments today will focus on some of the challenges that need to be met in order to develop more effective interactions between the largely Federally funded research carried out in university laboratories and the commercial sector whose focus is to convert such research findings into societally valuable products, at a profit. Let me begin by reflecting on the roots of one of today's triumphs: biotechnology.

Fifty years is a relatively short span in the history of medicine. But it was during this period, beginning at the start of World War II, that much of our understanding of the underlying mechanisms of human disease was acquired. The events that occurred during this period are unmatched by any earlier period in biology or medicine. Moreover, there has been an astonishing increase in our capacity to investigate problems that had previously seemed either unapproachable, or too profound, or even beyond the reach of science. Cell biology, genetics, biochemistry, and its offspring, molecular biology, have been the driving forces in revealing the unity and wonders of life's molecules and processes.

But a new kind of biomedical science has emerged that will lead the way to major advances in our understanding of complex biological systems, particularly of man, and in the process create new opportunities for the management of human disease. In this new kind of biomedical science, old disciplines are being transformed and merged to become hybrid sciences, enriching each other with their techniques, instruments, and most importantly by their ways of thinking about biological systems. The former barriers between disciplines and departments in our universities and research institutes are disappearing largely because solving problems of mounting complexity requires diverse ideas, skills and approaches. Many young investigators have been quick to recognize this restructuring and the intellectual opportunities it provides.

Moreover, the boundaries that traditionally separated basic and applied research have become more porous. As a consequence, basic research is a step away from practical applications. This fact, and the promise that current research in molecular biology holds for developments in medicine, agriculture and industry have created what we now refer to as the biotechnology industry.

I define biotechnology as the application of biological concepts, organisms and materials to industrial, agricultural and medical processes.

Even now, with biotechnology still in its embryonic state, a recent report from Ernst and Young documents product sales in excess of $6 billion, and modest projections indicate that the biotechnology industry may generate 10–15 times that amount of sales volume by the turn of the century. These projections take account of major products that are in the final stages of development, trial and regulatory review. In the U.S., there are presently 1200 biotechnology companies employing about 80,000 people. At the present rate of growth, it is estimated that there could be twice that number of biotechnology companies and, therefore, they could be one of the leading generators of entrepreneurial initiatives and new jobs during the next few decades. Some have gone so far as to tout biotechnology as the next industrial revolution.

What spawned biotechnology? There is no debate about its origins: it was a consequence of extraordinary developments in biochemistry, genetics and cell biology during the 25 years following World War II. Key discoveries emanating from the leading research universities and institutes in the U.S., as well as abroad, laid the foundations for the crucial breakthroughs that gave birth to genetic engineering, the key element of biotechnology.

In virtually every instance, the research leading to the critical discoveries was funded by the respective governments for the purpose of understanding basic life processes. Rarely was the funding motivated by an expectation of practical application. Nobody engaged in the work could have predicted how it would turn out or where it would lead, nor could they predict the benefits today; it was sufficient that the research was engrossing, fascinating and filled with surprises. As it turned out, serendipity and odd luck turned up a trick that made it possible to modify the genetic makeup of organisms ranging from viruses and bacteria to plants and animals in precise and predetermined ways.

This capability has changed the way we study life processes and enabled us to alter a variety of organisms to serve our needs. Thus, it is possible to convert bacteria, yeast and even mammalian cells into veritable factories for the production of precious therapeutic agents: for example, TPA for dissolving life threatening blood clots in the heart and brain, erythropoietin for treatment of severe anemias, human insulin for diabetes, growth hormone for dwarfism, drugs for the cure of hepatitis and vaccines for its prevention. Hopefully, the AIDS virus will be conquered soon and targeted destruction of cancer cells will follow. Moreover, industrial processes, making use of substances produced by genetically engineered organisms, are being simplified and made more efficient and economical.

Agriculture is being revolutionized because of our ability to make genetically modified plants that are more resistant to plant pests, better able to withstand harsh environments of killing frost. Using the new technologies, plants can be engineered to prevent premature spoilage of fruits and vegetables, thereby making them more marketable. Even more astonishing are recent developments that permit plants to produce human proteins or to produce rare oils at a fraction of the current costs.

These advances are merely the first generation of opportunities. They were recognized soon after the scientific breakthroughs were made. But more scientific innovations are inevitable, leading to second and succeeding generations of commercial initiatives.

There are some who decry the need for more research, and, indeed, suggest that our advancing technologies are driving up the cost of health care, creating more problems than are solved. Reflect, however, what our society and costs would be like without the polio vaccine or sensitive methods for detecting HIV–1 in our blood supply or without biogenetically engineered blood clotting factors for our young hemophiliacs. Should we neglect further researches, and forego the potential treatments of cancer, heart, mental and autoimmune disease, many of which are within our grasp?

Our pharmaceutical industry is the most productive in the world in terms of the new and effective drugs it generates. The productivity of new drugs amongst the rest of the developed world's pharmaceutical industries pales by comparison with ours.

And yet, the record of our pharmaceutical company R&D is unimpressive.

We obviously need to improve.

And we can improve if we take better advantage of the genius of our universities and research centers. But how? By their nature, commercial research enterprises are relatively focused and restricted to the research they support. By contrast, academic research is generally more basic, less targeted and far ranging. But we can't rely wholly on academic institutions to improve our productivity.

1. Universities are not suited by temperament or resources to carrying out the development component of the R&D mission, so discoveries made there often languish.

(a) Developing, commercializing and marketing a widget, discovered or developed in the course of a basic research project, is beyond the province of the discoverer or the university; neither is suited to do it well or have the resources to do it successfully.

(b) Neither is the sponsor of that research, the Federal government, suitable or appropriate to undertake that role.

(c) In our system, perhaps the most successful if not the least objectionable, is the commercial sector.

(d) Nevertheless, irrespective who carries it on to development, the discoverer and colleagues, who understand the fundamentals, and the opportunities created by the breakthrough, are invaluable to those who will make the investment for ultimate commercialization.

This dependence is seen in two ways.

This is a map of the U.S. where each dot represents an existing biotechnology company. It is not a surprise that the heavy cluster of dots congregate around the major research universities where the fundamental research was and is being done. That is not accidental. It derives from the entrepreneurial drive of many of the universities' scientists as well as recognition by the venture capital community that the universities are the font of new knowledge and technology, and that locating nearby enables the nascent companies to draw on that expertise.

What new discoveries are in the offing? Perhaps ones that will tell us more about cancer, aging or how the brain works. I predict that we'll see many more dots on this map 5 years from now, and they will cluster around the institutions that make the key discoveries—that is, if our institutions are not hamstrung by short-term objectives.

I want to end my comments by emphasizing the essential link between a robust basic research enterprise and the flow of products and solutions that can assure the health and welfare of our society. Much of the basic research has been and will continue to be done in our universities, so we'd better look to their health and stop beating up on them. Our research universities are still the envy of the world, and for many good reasons. Yet it has become fashionable of late to denigrate their activities with relatively trivial accusations. It is also tough for scientists looking to move their discoveries to commercial fruition when they are accused of conflict of interest, and, at the same time, criticized for not contributing to solving our nation's problems.

Let me conclude with a quotation from Sir Peter Medawar's essay "On the Effecting of

All Things Possible": "If we imagine the evolution of living organisms compressed into a year of cosmic time, then the evolution of man has occupied but a day. Only during the past 10–15 minutes of the human day has our life been anything but precarious. We are still beginners and may hope to improve. To deride the hope of progress is the ultimate fatuity, the last word in the poverty of spirit and meanness of mind."

TRIBUTE TO FRANK SOHOREC

HON. DAVE CAMP

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 29, 1993

Mr. CAMP. Mr. Speaker, it is with great pleasure that I rise today to recognize the induction of a fine individual into the State of Michigan Polka Music Hall of Fame. The contributions he has made to music in Michigan will not be forgotten.

Mr. Frank Sohorec was born in Chesaning, MI, on February 4, 1936. Mr. Sohorec is the third child of John and Katherine Sohorec. He graduated from Chesaning High School in June 1954.

In June 1959, he married Betty Kalisek. They have three daughters; Deborah, Michele, and Wendy, along with seven grandchildren.

Frank's interest in music began at an early age. In the eighth grade he took his first drum lesson. After entering high school he picked up the baritone horn and played in the high school junior band. His sophomore year his help was needed on the family farm, so he was forced to drop his musical studies and only take one-half day of school. This did not stop his interest in music however. He listened to every station that broadcast polka music and went to every polka dance he could.

Frank's next move in music was the purchase of his first set of drums, followed a year later the joining of the Czech Notes Band in 1964. He played actively until 1986 when he retired.

During this time he spread joy to all the people who listened to his musical expertise. Whether it was a local clubs, out of State hotels, or the many weddings he played, there was always a large crowd on hand to hear him play. They truly enjoyed all that Frank gave them.

He played with many bands during this time, including some times when he had jobs with two bands and had to call on others to help him out. The late Bedrick Smeage gave Frank the title of all star drummer.

During his 22 years of playing he was on over four albums with area bands, and has played with over 20 well known polka artists from the mid-Michigan area in many different venues.

Frank Sohorec truly dedicated his life to music and all the joys it can bring. Mr. Speaker, I know you will join me in congratulating and commending this outstanding individual for the service he provided to the people of Michigan.

CLEAN WATER ACT

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 29, 1993

Mr. FILNER. Mr. Speaker, today I am introducing legislation which will amend the Clean Water Act to allow coastal cities to treat their sewage in a cost-effective—and environmentally sensitive—manner.

Existing law requires every city—regardless of environmental conditions and circumstances—to treat sewage at the secondary level. Yet scientific studies have proven that sewage treated at advanced primary level and discharged into the ocean at depths greater than 300 feet does no environmental harm. And upgrading such a sewage system to secondary treatment can cost billions of dollars.

My own city of San Diego is blessed with unique environmental conditions. The Continental Shelf drops off very sharply from the California coast. There is also a very active ocean current. As a result, once a sewage plant outfall pipe is placed a sufficient distance from shore, the effluent is rapidly dispersed. No benefit accrues to the local marine environment by treating the sewage to secondary levels currently required by the Clean Water Act. In fact, environmental damage is caused by increased energy costs and sludge production.

While San Diego does not need to upgrade its wastewater treatment plant, it does need to implement an aggressive water reclamation program. Over 90 percent of San Diego's water comes from outside the region. As water resources become more and more scarce, such dependence will become a real obstacle to future economic prosperity.

The legislation I am introducing addresses both of these concerns. It allows the Administrator of the Environmental Protection Agency to issue a permit modifying the secondary sewage treatment requirements where it can be clearly demonstrated that such standards would not result in any harm to the marine environment and where an aggressive water reclamation program is being implemented.

This will allow our city to put its scarce resources where they are truly needed. Attention can be focused on water reclamation, which is vital to our long-term viability, and not to a needless and costly upgrade of our waste water treatment plant.

I hope that my legislation will be folded into the Clean Water Act Reauthorization bill which the House of Representatives will be considering later this year.

I would eagerly welcome the support of my colleagues on this issue of critical importance to many cities in this Nation.

TOWARD A NATIONAL EXPORT STRATEGY

HON. NORMAN Y. MINETA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 29, 1993

Mr. MINETA. Mr. Speaker, today the Trade Promotion Coordinating Committee submitted a report to the Congress entitled "Toward a National Export Strategy." I wholeheartedly support this report because it addresses the problems we have regarding this country's overall trade policy.

I am very pleased that President Clinton is following through with his commitment to develop a national export promotion strategy. The report outlines over 60 specific actions, many of which can be taken immediately, to help the United States create jobs and compete in today's global market.

One of the greatest obstacles for high tech companies has been regulatory export controls. The Clinton administration intends to streamline the export licensing process and liberalize export controls on computers and telecommunications products. For example, the Clinton administration will propose an increase in the threshold for exports of computers, propose an increase in the definition of a supercomputer, and expand the availability of distribution licenses for computer exports.

The United States now faces tough competition from around the globe in nearly every high-technology sector. Customers who are frustrated with the restrictions of our export controls have the option of buying from other countries, and are making that choice with increasing frequency. Our customers are being replaced by competitors.

Increasingly, export control regulations have failed to keep up with rapidly changing market developments. Many technologies are still subject to export restrictions in the United States long after they become freely available in other countries.

All this means that when United States high technology companies try to compete in world markets, we do so with one hand tied behind our back much of the time.

Our congressional office has probably had more experience working with export license agreements and has been working for an overhaul of this system longer than any other office. We finally have an administration that agrees. The report that is being released by the Clinton administration states that our goal is to help American businesses achieve dynamic export growth. The Federal Government will be paving the way for businesses to do this by providing them with information, technical assistance, financial resources, and Government support.

The United States has many new export markets for its goods and services. The Pacific rim countries, Central and Eastern Europe, and the former Soviet Union are just a few of these new markets. To compete in this larger, more complex world market, the United States must adjust its attitudes and improve the methods we use to promote exports.

President Clinton knows that the Federal Government must play an important and more focused role in helping the private sector sell more goods and services overseas. This administration will create a user-friendly Federal export promotion service by consolidating the existing services and creating one-stop shopping to help exporters. In addition, the Federal Government will improve coordination and increase participation in its advocacy efforts to result in improving U.S. companies' chances of success.

We have waited too long for these reforms, but the Clinton administration is taking action

now. These actions collectively constitute the beginning of a coordinated, focused, and aggressive national export strategy. We need such a strategy to help U.S. companies compete more effectively in global markets and create more high-quality jobs for American workers.

TRIBUTE TO THE PENNA FAMILY

HON. DAVID E. BONIOR

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 29, 1993

Mr. BONIOR. Mr. Speaker, on this day, September 29, 1993, the southeast Michigan chapter of the March of Dimes Birth Defects Foundation will be hosting the 10th annual Alexander Macomb Citizen of the Year Award dinner. The award, instituted in 1984, is named after my home county's namesake, Gen. Alexander Macomb, a hero of the War of 1812.

This year, the March of Dimes has added a special family award and has named the Penna family as the first recipients. Committed to improving the health of America's babies, the March of Dimes in southeast Michigan rightly recognizes the Pennas for their service and outstanding leadership. Best known for their excellence in food, the Pennas operate a family-owned restaurant and a banquet center. As a proud Italian immigrant family, the Pennas have discovered the American dream while never forgetting the needs of the less fortunate. Their success has enabled them to bless the March of Dimes with generous financial support.

Through advocacy, education, and community service, the March of Dimes has established itself as an organization with an impeccable reputation. Being recognized by the March of Dimes is an exceptional honor and I urge my colleagues to join me in saluting the Penna family as recipients of the Alexander Macomb Citizen of the Year Award.

TRIBUTE TO LT. GEN. JAMES H. DOOLITTLE

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 29, 1993

Mr. FARR of California. Mr. Speaker, I rise today to pay tribute to an outstanding American patriot and World War II hero, an aviation pioneer, successful businessman, and beloved family man, USAF Lt. Gen. James H. "Jimmy" Doolittle, who passed on earlier this week.

General Doolittle was popularly known for his daring feat of personally leading the first air raid on Tokyo on April 18, 1942, as part of the first bombing mission launched from an aircraft carrier, a feat many believed to be impossible. Doolittle's raid proved to be a tremendous morale booster for United States and the Allied Forces at a low point in the war by shattering the Japanese high command's sense of invulnerability and demonstrating that Japan was not impenetrable. The B–25 bombers his squadron flew did not carry enough fuel to allow them to make it back to the carrier or to reach ally territory, thus, all 16 planes in the mission had to be crashlanded and then abandoned after dropping their bombs. Doolittle's original role was to recruit and train the pilots for this dangerous mission, but during the 4-month training project he became so involved that at the last minute he signed on as the squadron commander in order to lead the raid. Jimmy Doolittle provided extraordinary leadership to the volunteer crews who were faced with being forced to land in enemy territory or perish at sea. And for this great service, he was awarded our Nation's highest award, the prestigious Medal of Honor, presented by President Franklin D. Roosevelt in a White House ceremony.

Doolittle was promoted to brigadier general, skipping the rank offull colonel in 1942 and soon promoted to the rank of major general later than year. In 1943, he was named the commanding general of the North African Strategic Forces. A few months later in 1944, he was promoted to lieutenant general and took over the 8th Air Force in the European theater providing the critical leadership to shift this air unit to more offensive air combat tactics. A highly decorated officer in World War II, in addition to being awarded the Medal of Honor he was bestowed the Distinguished Service Medal, the Silver Star, and the Air Medal and granted recognition from the Chinese and French Governments. In 1985, Doolittle was promoted to four-star general. His stars were pinned by President Ronald Reagan and Senator Barry Goldwater.

Doolittle set aviation records for speed and distance in the 1920's and 1930's as an Army pilot and as a private pilot for the Shell Oil Co. In 1922, he flew a DH–4 equipped with crude navigational equipment from Pablo Beach, FL, to San Diego, "an extraordinary achievement with the equipment of the time," as cited on the citation that accomplished his Distinguished Flying Cross, which he was awarded for flying this mission with the Signal Corps Reserve. His flight demonstrated the ability of the U.S. Air Corps to move to any part of the United States in less than 24 hours. In 1924, Jimmy Doolittle received an Oak Leaf Cluster for his Distinguished Flying Cross by performing a series of acceleration tests and extreme maneuvers that might occur in air combat. Subsequently, in 1925, Doolittle won the Schneider Trophy race, the first of many to come, reaching a recordsetting 232 mph in a Curtiss Navy racer equipped with pontoons, while serving on the Naval Test Board at Mitchell Field in New York.

While in the midst of illustrating his flying prowess, he was also pursuing his academic ambitions, graduating from the University of California with a B.A. in 1922, earning an M.S. in 1924 from the Massachusetts Institute of Technology [MIT], and becoming one of the first to earn a doctorate in the field of aeronautics, also from MIT in 1925.

His work in aviation includes the development of the first artificial horizontal and directional gyroscopes. During these experiments, he flew the first blind flight, wearing a hood while taking off and landing safely using experimental flight instruments. These developments have been noted to be his finest contributions to the field of aviation. While with the Shell Oil Co., he was largely responsible for the development of high octane gas which was critical for the operation of larger, more powerful aviation engines. Additionally, he worked diligently to convince engine manufacturers to produce more powerful engines, a feat that played a contributing role in the Allied Forces winning the war.

While probably most notably known as a war hero, pilot, and research engineer, ever ready to share his wealth of technological knowledge and skills with the world, Jimmy Doolittle was married for 71 years to his high school sweetheart, Josephine, who preceded him in 1988, a magnificent accomplishment in itself, and quite possibly his proudest. He was survived by his son, Col. John Doolittle, retired, and his daughter-in-law Priscilla Doolittle. He will always be remembered in history as a legend, and one of America's most outstanding patriots.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, September 30, 1993, may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

OCTOBER 1

10:00 a.m.

Labor and Human Resources

To hold hearings on the nomination of William B. Gould IV, of California, to be a Member of the National Labor Relations Board.

SD–430

OCTOBER 5

10:00 a.m.

Judiciary

Patents, Copyrights and Trademarks Subcommittee

To hold hearings on S. 1346, to replace the Copyright Royalty Tribunal with copyright arbitration royalty panels to be appointed and convened by the Librarian of Congress.

SD–226

OCTOBER 6

9:30 a.m.

Agriculture, Nutrition, and Forestry

To hold hearings to examine proposals to reorganize the Department of Agriculture.

SD–138

2:30 p.m.

Veterans' Affairs

Business meeting, to consider pending calendar business.

SR–418

OCTOBER 7

2:30 p.m.

Agriculture, Nutrition, and Forestry

Agricultural Research, Conservation, Forestry and General Legislation Subcommittee

To hold hearings on the implementation of American agricultural research priorities.

SR–332

OCTOBER 13

9:30 a.m.

Indian Affairs

To hold hearings on S. 720, to clean up open dumps on Indian lands.

SR–485

11:00 a.m.

Veterans' Affairs

To hold hearings to examine the role of the Department of Veterans Affairs under the Administration's proposal to reform the nation's health care system.

SR–418

OCTOBER 19

9:30 a.m.

Commerce, Science, and Transportation

Surface Transportation Subcommittee

To hold hearings on the use of intelligent vehicle highway systems for commercial vehicles.

SR–253

OCTOBER 20

9:30 a.m.

Indian Affairs

To hold oversight hearings on issues relating to Indian self-goverance.

SR–485

10:00 a.m.

Commerce, Science, and Transportation

To hold hearings to examine violence in television programs, focusing on S. 1383, to prohibit the distribution to the public of violent video programming during hours when children are reasonably likely to comprise a substantial portion of the audience, S. 973, to require the Federal Communications Commission to evaluate and publicly report on the violence contained in television programs, and S. 943, to protect children from the physical and mental harm resulting from violence contained in television programs.

SR–253

OCTOBER 21

9:30 a.m.

Energy and Natural Resources

To hold hearings on S. 447, to facilitate the development of Federal policies with respect to those territories under the jurisdiction of the Secretary of the Interior.

SD–366

Environment and Public Works

Clean Air and Nuclear Regulation Subcommittee

To hold hearings on the implementation of the acid rain provisions of the Clean Air Act Amendments of 1990.

SD–406

2:30 p.m.

Veterans' Affairs

To hold hearings to review research on the health effects of agent orange and other herbicides used in Vietnam.

SR–418

OCTOBER 28

9:30 a.m.

Indian Affairs

To hold oversight hearings on issues relating to Indian child abuse.

SR–485