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PROCEEDINGS AND DEBATES OF THE 103d CONGRESS, FIRST SESSION

SENATE—*Wednesday, October 20, 1993*

(Legislative day of Wednesday, October 13, 1993)

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

The PRESIDING OFFICER. The Senate will come to order.

Today's prayer will be offered by a guest chaplain, the Reverend Dr. Albert Giles, Jr., Asbury United Methodist Church, Brandywine, MD.

PRAYER

The Reverend Dr. Albert Giles, Jr., Asbury United Methodist Church, Brandywine, MD, offered the following prayer:

Let us pray:

Almighty God, we thank You for our beloved land You gave to us to use and enjoy. You gave us a new humanity with power of freedom. Free to live, free to serve, and free to enjoy and love one another through the power of Your divine love. You have blessed our Nation with great wealth, and good harvest from our farmland. Our streams, rivers, and lakes were clean, and we were able to eat, drink, and enjoy fresh air and good health. But we have strayed like lost sheep, and our streams, rivers, and lakes are polluted, and we suffer from diseases, sickness, and even death.

Our cities are not only polluted with stale air, but with poverty, violence, and diseases, which led to death and destruction. The true power of God's love must prevail over polluted cities. For it was written long ago: Except the Lord keep the city, the watchman waketh but in vain. (Psalm 127:1)

Remove O God, the elements from our land, that breed bitterness and violence among our young people. Surround them with Your love, that they may be led out of the darkness of selfishness and into the glorious sunlight of sisterhood and brotherhood, where they will be healthy, and bring up a generation free from poverty, illiteracy, violence, and preventable diseases.

In the name of Him who is the Creator and Sustainer of the land. 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 bill clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, October 20, 1993.

To the Senate:

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

ROBERT C. BYRD,
President pro tempore.

Mrs. MURRAY thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

Mr. MITCHELL. Madam President, pursuant to an agreement reached late last evening and printed at page 3 of the calendar today, the Senate will proceed this morning to consider an amendment by Senator BRADLEY—in just a moment, he will be here to offer that amendment—under a 1-hour time limitation. It is expected there will be a vote on or in relation to the Bradley amendment within the next hour. That will be followed by an amendment by Senators MCCAIN and BINGAMAN, under a 1-hour time limitation, and it is expected that there will be a vote on that. So there should be two votes this morning with respect to those amendments.

Thereafter, the managers have advised that they intend to proceed as promptly as possible on the remaining amendments, and they are listed at pages 2 and 3 of the calendar this morning.

It is likely that the Senate will have to remain in session throughout the evening, as we make a renewed effort to complete action on this bill as soon as possible. In addition, we will be taking up appropriations bills conference reports as they become available from the House of Representatives, and votes are expected on one or more of those conference reports today.

So, Senators should be aware that votes will occur throughout the day, beginning this morning, and could occur at any time. Senators are on notice to be able to come to the floor within 20 minutes to cast their votes.

Mr. President, I see the distinguished manager is present, the Senator from Hawaii, and Senator BRADLEY is here to offer his amendment.

I yield the floor.

RESERVATION OF LEADER TIME

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

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT OF 1994

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will now resume consideration of H.R. 3116, which the clerk will report.

The bill clerk read as follows:

A bill (H.R. 3116) making appropriations for the Department of Defense for the fiscal year ending September 30, 1994, and for other purposes.

The Senate resumed consideration of the bill.

AMENDMENT NO. 1070

(Purpose: To delete the funding for the acquisition of tactical transport aircraft for support of Army and Air National Guard missions)

Mr. BRADLEY. Madam President, I send an amendment to the desk and ask for its immediate consideration.

The ACTING PRESIDENT pro tempore. The clerk will report.

The bill clerk read as follows:

The Senator from New Jersey [Mr. BRADLEY] proposes an amendment numbered 1070.

● 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

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

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

The amendment is as follows:

On page 34, line 13, strike out "$785,000,000" and insert in lieu thereof "$635,000,000".

Mr. BRADLEY. Madam President, this amendment represents one more attempt on my part to cut lower priority, unnecessary public spending. During the consideration of the budget bill, we had a lot of speeches about cutting spending, and I have tried, pursuant to several principles, to offer the Senate the opportunity to do so in a series of appropriations bills. This is another example of that effort.

This amendment would cut $150 million in funding for tactical transport aircraft for the Army National Guard. This money has not been requested by the administration. Not only is the spending unrequested, it is intended for unspecified procurement. No equipment types or quantities are identified with this $150 million.

The committee report simply asks the National Guard to submit a plan identifying the mix of aircraft to be acquired by January 15, 1994, with the money appropriated in the meantime. In other words, we give the money to the National Guard and they tell us later how they are going to spend the money.

In today's tough fiscal climate, we need to allocate limited taxpayer funding to where it is most needed. This is clearly not an example of high priority spending. Again, this spending does not appear in the President's budget. The administration supports striking these funds. The House did not include these funds.

I believe that eliminating this money is the right course of action for a number of reasons.

First, it is a fact the future role and size of the National Guard is under active review today. While it is clear that President Clinton, as a former Governor, values the Guard and its capabilities, a major restructuring of the Guard is in the works. Although the cuts in force will not be as drastic as they have been proposed earlier, it is probable that the Army Guard will drop another 10 percent by 1996. Additionally, it is possible that the Bottom-Up Review may lead to the consolidation of the Guard's current 10 divisions into 5 divisions of enhanced capabilities. With such changes forthcoming, it makes no sense to approve a vague or unspecified appropriation of this magnitude, $150 million, with no statement as to how it will be spent.

The second point is the Army active forces are rapidly downsizing from 750,000 men and women in 1990, to 540,000 men and women in 1994. The Air Force is likewise being consolidated. With this consolidation and shrinking of force, this will free up vast amounts of material for use by the Guard troops. It is unwise to make such a large appropriation, $150 million, unless we are absolutely clear that these needs cannot be met out of the existing inventory of equipment. Since we do not know what the Army Guard wants, it is impossible to say whether it will need whatever this money is to be spent for or that it cannot get it out of the surplus that will be available from the downsizing of the Army and Air Force.

The third point is that the Senate appropriations bill includes $250 million that is authorized, but not requested, for purchase of 8 tactical airlift aircraft by the Air National Guard. This amendment does not challenge that spending. Whatever new airlift needs there are in the National Guard should be helped by this addition of $250 million for the Air National Guard for tactical airlift aircraft. So if we are already spending $250 million in this for the Air National Guard, why do we need $150 million for the Army National Guard?

I note, further, that the Army and Army Reserve do not own the type of planes likely to be purchased with this funding. They do not need them. These forces, the Army and the Army Reserve, traditionally rely on the Air Force to transport and to supplement their helicopter capabilities. The much smaller Army Guard, on the other hand, already owns or has ordered about 40 to 50 of these transport aircraft. Given the presence already of a 1,700-plane Air National Guard and the further expansion of the Air National Guard allowed by this $250 million appropriation, I have to question the need for another $150 million for the Army National Guard.

Last, Madam President, if the National Guard is not expected to tell us prior to January 1994 how they intend to allocate this money—how they are going to spend it—I would respectfully suggest that they wait 1 or 2 months and include that information in the fiscal year 1995 budget submission. Then, given a proper explanation, the appropriate committees can take an informed look at these needs.

Madam President, it is time to stop buying unneeded and unwarranted equipment. If funding is not requested, it is incumbent on the spending sponsors to make a solid claim as to need and purpose. Such a claim has never been made for this $150 million in funds.

The public is increasingly concerned about the use of congressional earmarks to steer Federal dollars to parochial projects. The Senate committee has strongly tried to reject earmarks, and they are to be commended for their efforts. This appropriation is, in a sense, the opposite of an earmark. Its purposes are identified by only the vaguest phrases—"tactical transport aircraft." But the ambiguity in the language makes it impossible to assess the value of the equipment to be acquired. Like the earmark, there is no objective statement of need to justify this $150 million of taxpayer money going to the Army National Guard.

We do not have $150 million to spend as Congress sees fit or as the Guard sees fit. This money must go to the highest priority needs, and those may be elsewhere. Certainly, the President and the Department of Defense believe that priority funding should be for other purposes. The President and the Department of Defense say this money should not be spent for these purposes. To quote the statement of administration policy, "These are not high priority items." Like the earmark, this language represents bad public policy.

I urge the Senate to support this amendment. It makes sense in terms of maintaining an effective military force, and it makes sense in terms of protecting the taxpayers' hard earned dollars.

The ACTING PRESIDENT pro tempore. The Senator from Hawaii.

Mr. INOUYE. Madam President, I rise to speak against the amendment.

First, I believe the record should be made clear that this was authorized by the Armed Services Committee and by the U.S. Senate. In fact, the chairman of the Appropriations Committee, the Senator from West Virginia, Mr. BYRD, and the ranking member, Mr. HATFIELD, together with Senator STEVENS, and the chairman of the Subcommittee on Defense appropriations, issued a joint letter to the Armed Services Committee requesting authorization for these amounts.

Second, it has been suggested by the author of this amendment that these aircraft are not needed, that this is a waste of money, and that it was not requested.

It has not been requested because it has been the practice for too long to give leftovers to the National Guard. Yes, leftovers. We have been providing command aircraft to the National Guard, leftovers. We have been providing transport aircraft to the National Guard, leftovers.

Yet, Madam President, we call upon our men and women in the Air and Army National Guard to place themselves in harm's way. They were in Desert Storm. They are in Somalia. And who knows they may be in Bosnia. But yet we are saying give them leftovers.

So we took it upon ourselves to call upon the Department of Defense and the Armed Services Committee to come forth with equipment. But in order to comply with the wishes of some of the Members of this body, we did not identify the aircraft. We provided a generic definition because so many Members have been complaining

about earmarking. But everyone knew what we had in mind. The Armed Services Committee knew exactly, if one should follow the debate on the floor of the authorization. We wanted to purchase C-23's. These are small tactical lift aircraft, cargo planes, that can carry troops, short runway, fast takeoff.

Why should we saddle our men and women in the old DC-3's? The inventory of the Army Air National Guard still include DC-3's, DC-3's that were in operation in World War II.

And yet we expect our men and women in the Guard to, God forbid, serve us in World War III with World War II equipment.

We also knew that the National Guard, the Army and Air, wanted the C-212. They also needed replacement aircraft for medical evacuation. Are we to tell those men and women who are injured that they will have to do it the old way, carried on stretchers, picked up by helicopters, and wait hours and hours before shipped off to a hospital?

If we expect our men and women in the National Guard and the Air National Guard to stand in harm's way for us, the least we can do is to provide them with good equipment. And this amendment provides that.

Mr. STEVENS addressed the Chair.

The ACTING PRESIDENT pro tempore. Who yields time?

Mr. INOUYE. I yield whatever time the Senator from Alaska requires.

The ACTING PRESIDENT pro tempore. The Senator from Alaska.

Mr. STEVENS. Thank you, Madam President.

I am very strongly opposed to this Bradley amendment.

Sometime later today, the managers of this bill are going to be attacked because we earmarked specific items in this bill in other amendments. Now the Senator from New Jersey attacks us because we have not earmarked, knowing, as the Senator from Hawaii has indicated, that we have a staggering backlog of demand for replacement of aircraft for the Air National Guard and for the Army Guard. And I would point out to the Senator from New Jersey the $150 million is for both.

We went, as the Senator from Hawaii says, together with the chairman and ranking member of the full committee, to the Armed Services Committee and said, "Authorize us at least some money this year to start that replacement."

We all know about problems throughout the Guard. Let me tell the Senator from New Jersey about the Alaska situation.

We are currently operating twin-engine Otter aircraft. They are the only planes that we have that can meet the needs of remote locations in Alaska in the wintertime, using skis for takeoff and landing on unprepared, ice runways that are in use during the maneuver period when the Guard brings National Guard units from all over the Nation to Alaska to experience winter training. Units operate out on the tundra, out in areas without runways, and ice runways are prepared for evacuations.

The Otter is over 20 years old—a great airplane, the UV-18—and it must be replaced. We have not said which aircraft will replace the Otter or even that the Otter must be replaced from this money. I certainly hope it will be. But the need is there.

In the past 2 years, the National Guard has been called into service in four domestic crises: Hurricane Andrew, Hurricane Iniki, the Midwest floods, and civil disturbances in Los Angeles. In each instance, both the Army and Air Guard have flown substantial numbers of missions. The need is there to replace aircraft that have been overused in those emergency airlift needs associated with those emergencies.

Madam President, I ask unanimous consent to have printed in the RECORD following my remarks the emergency missions flown by the Army and Air National Guard during those recent domestic major emergencies.

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

(See exhibit 1.)

Mr. STEVENS. Madam President, I urge the Senate to reject this amendment. I do so on two bases: First, this is the minimum amount necessary to replace aged aircraft that are currently operated by the Air and Army Guard. It does not meet their total needs at all. It is a beginning. As the Senator from Hawaii says, it is a beginning of replacing those aged aircraft with new aircraft so that the Guard is trained in modern, up-to-date aircraft, and their readiness and their capability to respond to emergencies at the call of the Governors or at the call of the national authorities is improved.

I can think of no time in the history of the Guard when their needs have been greater.

Madam President, my last reason is this: As we downsize the standing Army and the standing Air Force, the Active Duty Army and Air Force, we must improve the capability of our Reserve and National Guard Forces. They will be called on more and more, as the Senator from Hawaii says so succinctly, to be placed in harm's way because of the involvement of this country more and more in overseas emergencies.

I really think, if anything, we should be attacked for having requested so little, really, in view of the fact that the need is so great for the National Guard.

If I may, before I finish my time, I would like to have printed in the RECORD the provision on page 230 of the committee's report, where we explain the reason for this item, the National Guard aircraft. It is a very short paragraph.

I ask unanimous consent that it be printed in the RECORD.

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

National Guard aircraft.—The Committee recommends $150,000,000 for the acquisition of tactical transport aircraft to support Army and Air National Guard missions. The Committee expects the Chief of the National Guard Bureau to submit a plan identifying the specific type and quantity of aircraft to be purchased with these funds and the specific missions to be supported by these assets to the House and Senate Committees on Appropriations and Armed Services not later than January 15, 1994. The Committee expects the Chief of the National Guard Bureau to prioritize procurement of aircraft to support cargo, medical evacuation, and emergency support missions.

EXHIBIT 1

Emergency Missions flown by Army and Air National Guard during recent Major Domestic Emergencies:

	Army	Air
Hurricane Andrew	1,000	519
Hurriance Iniki	1,000	812
Midwest floods	2,000	44
Civil disturbances	100	80
Total	4,100	1,455

Mr. BRADLEY addressed the Chair.

The ACTING PRESIDENT pro tempore. The Senator from New Jersey.

Mr. BRADLEY. Madam President, in reading the paragraph that the distinguished Senator from Alaska refers to on page 230 of the report, I see no reference to C-212's or C-23's. I see only a reference to tactical transport aircraft.

I have asked any number of people in the Department: What does "tactical transport aircraft" mean? I understand what tactical airlift aircraft means, but "tactical transport aircraft?" I do not understand what that means.

The distinguished Senator from Hawaii and the distinguished Senator from Alaska have confirmed on the floor today that the aircraft they are talking about are the C-212's and the C-23's.

Is that a correct assessment? Could either the distinguished Senator from Hawaii or the distinguished Senator from Alaska confirm, are those the two aircraft that will be procured with this $150 million?

Mr. STEVENS. Madam President, I would say to the Senator from New Jersey in response, we have not limited it to those. We have left the discretion to the Guard Bureau to find those priorities which must be built first. We are quite hopeful that they will look to the needs that both the Senator from Hawaii and I have mentioned in terms of the C-212 and the C-23.

But there is no restriction in terms of this except that it is the tactical aircraft we are talking about. And we are not talking about jet aircraft; we are

not talking executive jets. We are talking about the needs of the individual Guard units that must be met on a priority basis and the priority will be set by the Guard Bureau itself.

Mr. INOUYE addressed the Chair.

The ACTING PRESIDENT pro tempore. The Senator from Hawaii.

Mr. INOUYE. Madam President, the sum that was involved in this procurement was not plucked out of the sky. It was the result of intensive discussion we have had with Air National Guard officials and Army National Guard officials. And we very deliberately made it generic, without identifying. Furthermore, it is understood that if the National Guard desires not to spend the money, that is up to them.

But before I yield the floor, I would like to clarify one matter that the Senator from New Jersey brought up. He indicated that the National Guard was being downgraded or downsized and reduced. A reading of the report would clearly indicate that the Air National Guard will be increased by 2,060, not decreased, because new missions are being assigned to them, new activities have been assigned to them. The Defense Department recognizes this. So in its Bottom-Up Review, all of its reviews, they have decided to increase the number of the Air National Guard. Whereas all the other units have been decreased, the Air National Guard has been increased.

Mr. STEVENS. If the Senator will yield just one moment there?

I urge the Senator from New Jersey to read the last sentence in the paragraph I put in the RECORD. It states:

> The committee expects the Chief of the National Guard Bureau to prioritize procurement of aircraft to support cargo, medical evacuation, and emergency support missions.

Those are the main shortages in the Guard, in our opinion.

Mr. BRADLEY addressed the Chair.

The PRESIDING OFFICER (Mr. Mathews). The Senator from New Jersey.

Mr. BRADLEY. Mr. President, I think this has been a very instructive exchange. Essentially what the distinguished Senator from Hawaii and the distinguished Senator from Alaska confirm is that the money for these planes in this appropriation shall be used for the C-212's or the C-23's, or any other aircraft that the Army National Guard wants—not the Air National Guard, the Army National Guard. This is money for the Army National Guard, not the Air National Guard.

Mr. STEVENS. Mr. President, will the Senator yield at that point? The Senator has repeated that. This is for the Guard Bureau. There are both Army and Air needs. The Guard Bureau will make that decision. There is no such limit in our provision of this amount of money.

Mr. BRADLEY. I thank the distinguished Senator for that clarification, as well.

At the moment, the Air Guard has an inventory of 1,750 planes. To the point that this was really a need to modernize, they have, since 1980, acquired 100 new C-130's. In fact, two-thirds of the inventory is modern.

So the argument that they have been getting the leftovers is not backed up by the fact that since 1980, they have gotten 100 C-130's, and that two-thirds of the inventory is modernized, and that the Air Guard already has 1,750 planes.

So I think this has been a very helpful exchange because there is now some clarity. It is clearly the intention of the appropriators that the money go to the C-212's. The distinguished Senator from Alaska points out, rightly, that there is a need for the C-212's in Alaska to replace the De Havilland planes. But to meet the needs of Alaska would cost about $30 million. This is an appropriation for $150 million.

The question then arises, where does the rest of the money go? It goes for procurement of C-23's, and other purposes and other planes that are not determined by anyone until the Guard decides how they will spend it. In other words we are giving them money and saying: Spend it the way you want.

There is a little more clarity now in that it is specified they will buy C-23's and C-212's. So let us address those purchases.

I would like to share with my colleagues what the Chairman of the Joint Chiefs, former Chairman Colin Powell, said about these types of planes.

> The current inventory built to support a global war exceeds what is required for our regionally oriented strategy. The current excess is compounded by the fact that Congress continues to require the services to purchase aircraft neither requested or needed. In the last 2 years alone, Congress added on funds to the defense appropriations for some 15 C-12's, some 4 C-120's, some 10 C-21, 10 C-23's, 19 C-26's, and 12 P-180's, not requested by DOD.

It should be noted that this funding was not requested by DOD. DOD has not said we need more C-23's. Here is General Powell saying specifically: You have given us 10 more than we needed; we do not want them. This proposal would give another 10. This is really not a question about the National Guard. This is a question about the appropriations process. Should we appropriate blindly or should we require the money to be appropriated for specific purposes? But it goes to the question of the C-23.

We say, what is at work here? Why are we spending $150 million, $30 million of which would have taken care of the problem of the C-12's in Alaska? Why are we spending the $150 million?

I suggest there is another effort going on here. I think it is important to recognize who produced the C-23's. The C-23 Sherpa is made by a Northern Ireland company, a Protestant company, called Shorts. They have a terrible history of discrimination against Catholic workers.

I view this effort as a way to get money to the Shorts Co. without mentioning that the money is actually going to the Shorts Co. They have discontinued their line of production. So they are not going to be producing this. These planes will be refurbished. It will be refurbished in a State in the United States, and Shorts will be the maintenance contractor.

This is, in fact, what is happening with this amendment. The distinguished Senator from Alaska has pointed out a very good reason why we should spend the money. We should spend the money for some C-212's, costing $30 million, in Alaska. We should not spend $100 million-plus for C-23's that are aimed at getting the money to the company that, if its name was mentioned, they would receive no money because of their record of discrimination against Irish Catholics, Catholics in Northern Ireland.

Why are we insinuating ourselves into that debate on the side of the Protestants in Northern Ireland? That is a question that has not been answered. It is a question that I believe cannot be answered. It is a reason to reject this amendment on its face.

But the other reason is these are taxpayer dollars. These are wasted dollars. The planes are not needed. Colin Powell has said: You have given us 10 planes more than we wanted last year. Why do we want another 10 this year? You should not spend the money this way.

Citizens Against Government Waste, in a letter on behalf of the 550,000 members of the Council for Citizens Against Government Waste, write in support of the amendment to strike the $150 million for the Army National Guard. It is a waste of money.

I hope the Senate would reconsider this money and reject it. It is not needed. There is $250 million in this appropriation for tactical airlift for the Air National Guard already—$250 million.

We do not need another $150 million that, up until this moment on the floor, was for unspecified purposes. Finally, on the floor, it is confirmed that is for C-212's and for C-23's. The C-212's would cost about $30 million. The C-23's would cost significantly more than $100 million, and the money would go to the Shorts Co., which is one of the major Protestant firms in Northern Ireland that discriminate against Catholic citizens.

So, Mr. President, I think that on the face of this, it makes very good sense to reject the $150 million and support this amendment; save the taxpayers of America $150 million and pull the United States out of a potentially embarrassing position behind the efforts of a company which has had a record of rather gross insensitivity.

The PRESIDING OFFICER. Who yields time?

Mr. INOUYE. Mr. President, what is the time situation?

The PRESIDING OFFICER. The Senator from Hawaii has 17 minutes 20 seconds remaining. The Senator from New Jersey has 8½ minutes.

Mr. INOUYE. I yield myself 1 minute.

Mr. President, the record should show that in the past 10 years, the Department of Defense has requested funds for new aircraft for the National Guard once. In the past 10 years, only once did they make a request. Because whether we like it or not, whether we want to admit it or not, it has been the official policy of the Department of Defense to give leftovers to the Army and Air National Guard. If it were not for the Congress of the United States, that is all they would have —leftovers.

Yet, as I have said, as the Senator from Alaska has indicated, we expect these men and women to put on the uniform of the United States and stand in harm's way in our behalf. That is the issue.

Yes, they do have 100 new C–130's, but keep in mind that there are 50 States with National Guards, with Air National Guards. All of these units need some sort of transport.

The PRESIDING OFFICER. The Senator has used 1 minute. Who yields time?

Mr. INOUYE. Mr. President, I yield 5 minutes to the Senator from Missouri.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BOND. Mr. President, I thank the chairman of the subcommittee for giving me the opportunity to address this very important amendment. The amendment offered by the Senator from New Jersey would eliminate funding for tactical transport aircraft for the Army National Guard. I speak both as a former Governor who commanded a National Guard unit and as cochairman of the National Guard Caucus. We feel that this provision of funds for tactical aircraft is vitally important. It will enable the Guard to fulfill several extremely important roles.

First, these aircraft will be used to support important logistical needs of the Guard—moving troops and equipment for training and intertheater missions. These are missions where it would not be economical to use a larger aircraft, such as the C–130. The Senator from New Jersey pointed out there is money for C–130's. You have different missions. The Army needs the smaller aircraft for moving troops and equipment within the battle area. That is why these airplanes are needed. We are talking about using money for smaller aircraft. They could be the C–23's or other aircraft.

Second, this money will go to purchase aircraft for the critical aeromedical role where we now have an existing shortfall. These planes can be used to move injured men and women from the front back to get medical care quickly. They were not to be used to take troops from the battlegrounds in the gulf to Germany, but to get them to decent hospitals. We found in the gulf that we did not have adequate aircraft to fulfill this mission.

Third, these aircraft will allow the Guard to fulfill its important missions in State roles as well, to respond to natural disasters like hurricanes, tornadoes, earthquakes and, as we have experienced in the Midwest, floods. As one who as Governor had to respond to floods and tornadoes, I can tell you that it is a critical role. You have to get personnel, you have to get equipment to the area where the disaster has struck. I can assure you that when we have all the roads and the bridges knocked out and we need to move personnel and equipment and materiel around the State, we have to move them by air. These airplanes will enable us to fulfill those missions, vitally important missions.

The Senator from New Jersey has raised two major points in opposition to the funding. First, he says the money is not earmarked. I just do not think that is a valid argument. Later on, there will be other amendments attacking this bill because particular earmarks are included. In this area, the need is so great and the available dollars are so limited, the committee believed it was important to leave it to the discretion of the Chief of the National Guard to determine where the need is greatest. We are giving the Guard some opportunity to make the selection of the areas where those aircraft would be needed. The fact we do not specify types of aircraft or where it should go does not mean that we do not recognize their broad needs. We leave that to the experts, the professionals, people with whom we met last night who have served this country well and led the Guard with great vision.

Frankly, the fact that we do not specify the types of aircraft to be utilized fully answers the Senator's contention that he does not like a particular manufacture of aircraft. That decision will be left to the people who have the responsibility to see that they acquire aircraft where they are needed and that the aircraft that are acquired are the ones best suited to do the job.

Second, the Senator argues that the administration did not request the money. There is a simple answer for that. The distinguished Senator from Hawaii has already given it, but I will tell you once again that regardless of the administration in power, whichever party, the Guard continues to be treated as a poor cousin. They get the leftover equipment; they get the used equipment; they get whatever is left after taking care of the active force, and that is simply no longer acceptable.

As we are downsizing the force, we are putting more responsibility on the Reserve units and particularly on the Guard. We have to give them the equipment that they need to perform those missions. We need to ensure that they have the weapons and the equipment to do their jobs properly. If we deny them those aircraft, we will limit their ability to do the job.

I believe the cuts the President has proposed in the Defense budget go too far. He cuts the Guard too much. It goes for the active force. We cannot allow the cuts to force us into giving our Guard troops less than adequate equipment and weapons.

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

Mr. BOND. I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. INOUYE. Mr. President, I yield to the Senator from Alaska any time that he requires.

The PRESIDING OFFICER. The Senator from Alaska is recognized.

Mr. STEVENS. Mr. President, I will use 1 more minute to address my friend from New Jersey and tell him this. Over 20 years ago, the Appropriations Committee of the Senate went to Alaska, at my request, when Senator McClellan was the chairman. We traveled throughout the State for more than 12 weeks, and we used the Otters that are still in service. As a matter of fact, those Otters—most of them—were built before the pilots that are flying them now were born.

It is high time we recognized the safety problems involved in continued intensive use of those Otters, particularly in the wintertime when the maneuvers go on at temperatures of 30, 40, 50, 60 degrees below zero.

Those Otters have performed marvelously. I wish we had another generation of Otters, but we do not. They must be replaced. We have not attempted to dictate what plane replaces them, but there is no question that they need replacement in the interest of safety of those people who travel in the wintertime on emergency missions, cargo missions, logistical movements of troops during the maneuvers in the very cold weather in my State.

I think any attempt to delete these funds now will be a serious setback for the training that goes on in my State in the deep of winter.

Mr. INOUYE. Mr. President, for the past 2 days, this body has spent much time discussing the Constitution of the United States. We have had many speeches made on the authority of the President, the power of the President as set forth in the Constitution. The intent of our Founding Fathers has been invoked many times.

I would like to point out that the Constitution makes no mention of funds being appropriated in response to a request from the President of the United States. Nowhere does it say

that the only time we can appropriate funds for military purposes must be in response to a request from a President. In fact, the Constitution says, in article I, section 8, very precisely, the Congress shall have the power, first, to raise and support armies; second, to provide and maintain a Navy. It does not say the President shall have the power to raise and support armies or to provide and maintain a Navy. It is the Congress, the 100 of us and 435 on the other side of this building. It is our responsibility, our constitutional obligation.

I do not believe, Mr. President, and I hope the Senator from New Jersey does not believe, that the Congress should be limited by any administration, this or any other, in the exercise of its constitutional powers.

Yes, Mr. President, we are empowered and required by the Constitution to appropriate funds for purposes we deem proper. The fact that this administration or the prior administration did not request funds does not mean that they are not required.

What is involved here is a very important constitutional issue, and I think all of us should bear in mind that the Congress shall have the power to raise and support armies and to provide and maintain the Navy. It is also the responsibility of the Congress and authority and power to declare war.

Our Founding Fathers, we all agree, were not only dedicated and committed, but they were wise. I think their collective wisdom has proven itself time and time again. I do not wish, by this amendment, to change that provision in the Constitution.

The PRESIDING OFFICER. Who yields time?

Mr. BRADLEY. Mr. President, how much time remains on the amendment?

The PRESIDING OFFICER. The Senator from New Jersey has 8 minutes, 50 seconds; the Senator from Hawaii has 4 minutes, 40 seconds.

Mr. BRADLEY. The Senator from Hawaii has how much?

The PRESIDING OFFICER. Four minutes, forty seconds.

Mr. BRADLEY. Mr. President, I should like to salute the distinguished Senator from Hawaii for his analysis of the Constitution. I certainly do not question the right of Congress to appropriate money for whatever purpose to fulfill its constitutional responsibilities. I am only questioning the wisdom of appropriating this money, $150 million. It has not been requested by the administration. It is for unspecified purposes, at least until this debate, in this budgetary circumstance.

I am simply saying that $150 million given to the Guard to spend the way it chooses to spend is not a wise taxpayer investment. When I am told in this Chamber that the money will be spent for C-212's because the planes they will replace are 20 years old, I think, well, the B-52 is 40 years old. It is still flying. Do we need new planes in Alaska every 20 years but the B-52, which was central to our strategic security, we can keep going for 40 years?

But even with that said, if we met the need of the distinguished Senator from Alaska for C-212's, that is $30 million out of $150 million. There is still $120 million remaining. That goes to the purchase of C-23's, which again is really a back-door way of helping a company in Northern Ireland that has had a record of discrimination against Catholic citizens of Northern Ireland. Now, that company could improve its record. I hope it will improve its record. But that is the reality out there.

There has not been any official statement of justification for these aircraft, no official statement of justification. Who has said we need these aircraft? The DOD has not done any objective study on the need for these aircraft. To the contrary, last year's DOD authorization law included a requirement that there be a report on the need for additional aircraft for the Guard.

Do you know what, Mr. President? The report was never done. So the Congress passes a law saying, Guard, if you are going to request more, you have to do a report to justify it. You have to have a report. They do not do the report.

This year coming back is another request of $150 million on top of the $250 million that is in this bill for tactical airlift capability for the Air National Guard. So this year, in this budget, there is $400 million for tactical airlift. At a time when the Air Force is shrinking, the Army is shrinking, there will be surplus planes, not old planes, not useless planes, not giving planes to people because they are worn out, but making planes available because the personnel is not there to use the full inventory as when we had a much bigger military establishment.

So instead of taking those perfectly good planes and using them, not old planes but perfectly good planes, we are appropriating $400 million more for tactical airlift. I am not objecting to the $250 million. I am objecting to this $150 million which, until this debate, was unspecified, its purpose unknown. And since it has been specified, C-212's and C-23's in particular, I think it is even more imperative that we reject this $150 million.

We do not have the money to spend in this way. It will not further our national security interests, and it should be rejected.

Mr. INOUYE. Mr. President, what is the time picture?

The PRESIDING OFFICER. The time remaining to the Senator from New Jersey, 3 minutes, 53 seconds; the Senator from Hawaii, 4 minutes, 40 seconds.

Mr. INOUYE. Mr. President, I wish to suggest the absence of a quorum. However, at the same time I ask unanimous consent that the time for this call not be taken out of the allotted time.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. INOUYE. 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. INOUYE. Mr. President, we do not have any requests on our side. We are prepared to yield the remainder of our time.

Mr. BRADLEY. Mr. President, I am prepared to yield back the remainder of my time.

The PRESIDING OFFICER. All time having been yielded back, the question is on agreeing to the amendment.

Mr. INOUYE. Mr. President, I move to table the amendment.

Mr. BRADLEY. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. INOUYE. Mr. President, it is a joint motion by myself and Senator STEVENS to lay on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Hawaii [Mr. INOUYE] and the Senator from Alaska [Mr. STEVENS] to lay on the table the amendment of the Senator from New Jersey. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 80, nays 20, as follows:

[Rollcall Vote No. 319 Leg.]

YEAS—80

Akaka	Durenberger	McCain
Baucus	Exon	McConnell
Bennett	Feinstein	Mikulski
Biden	Ford	Moynihan
Bingaman	Glenn	Murkowski
Bond	Gorton	Murray
Boren	Graham	Nunn
Boxer	Gramm	Packwood
Breaux	Grassley	Pell
Brown	Hatch	Pressler
Bryan	Hatfield	Pryor
Burns	Heflin	Reid
Byrd	Helms	Riegle
Campbell	Hollings	Rockefeller
Chafee	Hutchison	Roth
Coats	Inouye	Sarbanes
Cochran	Jeffords	Sasser
Cohen	Johnston	Shelby
Coverdell	Kassebaum	Simpson
Craig	Kempthorne	Specter
D'Amato	Kennedy	Stevens
Daschle	Kerry	Thurmond
DeConcini	Leahy	Wallop
Dodd	Lieberman	Warner
Dole	Lott	Wellstone
Domenici	Mack	Wofford
Dorgan	Mathews	

NAYS—20

Bradley	Harkin	Mitchell
Bumpers	Kerrey	Moseley-Braun
Conrad	Kohl	Nickles
Danforth	Lautenberg	Robb
Faircloth	Levin	Simon
Feingold	Lugar	Smith
Gregg	Metzenbaum	

So the motion to lay on the table the amendment (No. 1070) was agreed to.

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

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

The motion to lay on the table was agreed to.

CHANGE OF VOTE

Mr. GLENN. Mr. President, on rollcall vote 319 I voted "no." It was my intention to vote "yea." Therefore I ask unanimous consent I be permitted to change my vote. It will in no way change the outcome and has been checked on both sides with the leadership.

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

(The foregoing tally has been changed to reflect the above order.)

The PRESIDING OFFICER. Under the previous order, the Senator from Arizona and the Senator from New Mexico are recognized to offer an amendment.

Mr. McCAIN. Thank you, Mr. President.

AMENDMENT NO. 1071

Mr. McCAIN. Mr. President, I have an amendment at the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Arizona [Mr. McCAIN], for himself, Mr. BINGAMAN, Mr. NUNN, Mr. THURMOND, and Mr. SMITH, proposes an amendment numbered 1071.

On page 157, between lines 9 and 10, insert the following:

SEC. 8142. No provision of this Act concerning programs, projects, or activities involving community adjustment assistance, research or development at colleges or universities, strategic environmental research, or environmental restoration may be construed as requiring a contract to be awarded, or as requiring a grant to be made, to a specific non-Federal Government entity for a new program, project, or activity: *Provided*, That it is the policy of Congress that contracts and grants for programs, projects, and activities funded by the Department of Defense should be awarded through merit-based selection procedures.

Mr. McCAIN. Mr. President, I ask unanimous consent that a member of my staff, Mr. Mark Guadagnini, who has been involved in this issue, be allowed floor privileges.

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

Mr. McCAIN. Mr. President, this amendment, in my view, is a first step toward fiscal responsibility.

My amendment does not attempt to address the problem of unauthorized appropriations, nor does it attempt to control every instance of funds earmarked for congressional interest programs.

Instead, this amendment takes aim only at the dollars earmarked for specific nongovernmental institutions and organizations in four areas: community adjustment assistance, strategic environmental research, environmental restoration, and research at colleges and universities, including medical schools.

As I have said, this amendment is a beginning, but it would effectively eliminate approximately $316 million in earmarks for special interest projects that are contained in the House-passed bill.

First of all, I thank my colleague from New Mexico, Senator BINGAMAN, who has been a leader in this effort for many years. Frankly, it is an idea that Senator BINGAMAN has pursued for a long time. He is as keenly aware as I am that our defense dollars cannot be spent on nondefense areas and especially earmarked in ways that are without competition. If we are going to spend our tax dollars, we are going to have to put them in the most competitive and most meritorious areas.

On Monday of this week, I addressed the Senate at length and in detail concerning serious problems in the congressional budget review process which result in the appropriation of funds for programs and projects which were not requested or authorized, and which allow the Congress to earmark scarce dollars for special interest projects.

The CRS prepared a comprehensive report of congressional add-ons and earmarks for fiscal years 1990–93 which I placed in the CONGRESSIONAL RECORD of October 18 for the information of my colleagues.

Mr. President, I ask unanimous consent, at this time, to have printed in the RECORD a supplemental CRS report listing all the earmarks in the past 4 years of defense appropriations bills.

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

EARMARKS IN THE FISCAL YEAR 1993 DEFENSE BUDGET

$166.45 million for non-specific research activities "of major importance to the Department of Defense", at specific universities in TX, MD, PA, WA, MA, CO, LA, IL, CA, MN, FL, MI, CT, OH, RI, WI, IA, AZ.

$7 million for environmental cleanup at National Presto Industries in Eau Claire, Wisconsin

$500,000 for Hawaiian Volcano Observatory to monitor volcanic activity affecting the Army's Pohakuloa Training Area.

$5 million to establish an electric vehicle technology demonstration site in Hawaii, and $2.5 million for a similar demonstration program in Sacramento, California.

$4.5 million for a visitors center at the Naval Academy.

PROVISIONS IN FISCAL YEAR 1990 DEFENSE APPROPRIATIONS ACTS SPECIFYING FUNDING BY PROJECT OR LOCATION

	Amount	Description
OPERATION AND MAINTENANCE		
O&M, Army	$250,000	Shall be available for the 1990 Memorial Day Celebration.
	3,500,000	Shall be available for a grant to the Monterey Institute of International Studies.
	46,000,000	Shall be available only for procurement for the Extended Cold Weather Clothing System (ECWCS) and intermediate cold-wet weather boots, unless 46,000,000 dollars of ECWCS and the intermediate cold-wet weather boots are procured by the Army Stock Fund during fiscal year 1990.
O&M, Navy	NA	Funds appropriated or made available in this Act shall be obligated and expended to restore and maintain the facilities, activities and personnel levels, including specifically the medical facilities, activities and personnel levels, at the Memphis Naval Complex, Millington, Tennessee, to the fiscal year 1984 levels.
	2,000,000	Shall be available for a grant to the National Museum of Naval Aviation at Pensacola, Florida.
PROCUREMENT		
Weapons proc, Navy	1,443,165,000	Ballistic Missile Programs.
	2,831,852,000	Other Missile Programs.
	438,642,000	Mark-48 ADCAP Torpedo.
	271,130,000	Mark-50 Torpedo.
	1,799,000	Sea Lance.
	12,983,000	ASW Targets.
	9,282,000	ASROC.
	9,653,000	Modification of Torpedoes.
	39,002,000	Torpedo Support Programs.
	24,205,000	ASW Range Support.
	168,838,000	Other Weapons.
	111,341,000	Spares and Repair Parts.
	30,420,000	Installation of Modernization Equipment.
Shpbldg & conv, Navy	1,132,800,000	TRIDENT ballistic missile submarine program.
	70,000,000	Dollars shall be derived by transfer from 'TRIDENT ballistic missile submarine program, 1987/1991'.
	10,000,000	Dollars shall be derived by transfer from 'TRIDENT ballistic missile submarine program, 1988/92'.
	20,000,000	Dollars shall be derived by transfer from 'TRIDENT ballistic missile submarine program, 1989/93'.
	753,300,000	SSN-688 attack submarine program.
	614,800,000	SSN-21 attack submarine program.
	630,300,000	Aircraft carrier service life extension program.
	1,422,100,000	Enterprise refueling/modernization program.

PROVISIONS IN FISCAL YEAR 1990 DEFENSE APPROPRIATIONS ACTS SPECIFYING FUNDING BY PROJECT OR LOCATION—Continued

	Amount	Description
	3,500,000,000	DDG–51 destroyer program.
	35,000,000	LHD–1 amphibious assault ship program.
	229,300,000	LSD–41 dock landing ship cargo variant program.
	341,500,000	MCM mine countermeasures program.
	197,600,000	MHC coastal mine hunter program.
	35,700,000	AO conversion program.
	155,800,000	T–AGOS surveillance ship program.
	356,400,000	AOE combat support ship program.
	273,300,000	LCAC landing craft air cushion program.
	278,100,000	Oceanographic ship program.
	220,000,000	Moored training ship demonstration program.
	600,000,000	Sealift ship program.
	368,900,000	For craft, outfitting, post delivery, and ship special support equipment.
	329,000,000	Coast Guard icebreaker ship program.
	84,000,000	Coast Guard patrol boat program.
Defense Production Act Purchases	6,000,000	That the Secretary of Defense shall transfer this amount appropriated under the heading 'Defense Production Act Purchases' (102 Stat. 2270–12, Public Law 100–463) for a demonstration project to develop a reliable source of titanium ore from ilemenite to appropriations available to the Secretary of the Interior, in order for the United States Bureau of Mines to carry out such demonstration project, known as the Soledad Canyon Demonstration Project in Los Angeles County, California.
RESEARCH, DEVELOPMENT, TEST AND EVALUATION		
RDT&E, Navy	22,000,000	Of funds appropriated in Research, Development, Test and Evaluation, Navy for fiscal year 1989, shall be transferred to Research, Development, Test and Evaluation, Defense Agencies for fiscal year 1990 for the Tactical Airborne Laser Communications program, to be merged with, and to be available for, the same purposes and the same time period as the appropriation to which transferred.
	3,000,000	Shall be made available, as a grant, to the Center for research and development programs at the National Center for Physical Acoustics, centering on ocean acoustics as it applies to advanced anti-submarine warfare acoustics issues with focus on ocean bottom acoustics-seismic coupling, sea-surface and bottom scattering, oceanic ambient noise, underwater sound propagation and other such projects as may be agreed upon.
	500,000	Of grant to Nat'l Ctr. for Phys. Acoustics may be used to provide such special equipment as required.
RDT&E, Air Force	100,000,000	Of amounts appropriated for research, development, test and evaluation for the Air Force for fiscal year 1989 that remain available for obligation to carry out research, development, test, and evaluation in connection with the Small ICBM program shall be obligated by Secretary of the Air Force.
	50,000,000	Of amounts appropriated for research, development test, and evaluation for the Air Force for fiscal year 1989 from the B–1B program that remain available for obligation only to carry out research, development, test, and evaluation to provide cruise missile capability on the B–1B aircraft shall be obligated.
RDT&E, Defense Agencies	18,000,000	May be available for a facility to enable collaborative research and training for Department of Defense military medical personnel in trauma care, head, neck, and spinal injury, paralysis, and neuro-degenerative diseases.
	52,000,000	Of the amount herein provided for the Strategic Defense Initiative shall be available only for the Arrow missile program.
Chem Agents and Mun Destr, Defense	6,100,000	Shall be available only for cryofracture.
M. and C. Pepper Found	10,000,000	For payment to the Mildred and Claude Pepper Foundation, a direct and unrestricted grant, including any interest or earnings therefrom, to support the purposes of the Foundation.
GENERAL PROVISIONS		
Sec. 9035	NA	Funds appropriated in this Act shall be available for the payment of not more than 75 percent of the charges of a postsecondary educational institution for the tuition or expenses of an officer in the Ready Reserve of the Army National Guard or Army Reserve for education or training during his off-duty periods.
Sec. 9043	NA	The Secretary of the Navy may use funds appropriated to charter ships to be used as auxiliary minesweepers providing that the owner agrees that these ships may be activated as Navy Reserve ships with Navy Reserve crews used in training exercises conducted in accordance with law and policies governing Naval Reserve forces.
Sec. 9045	NA	Funds appropriated or made available in this Act shall be obligated and expended to continue to fully utilize the facilities at the United States Army Engineer's Waterways Experiment Station, including the continued availability of the supercomputer capability and the planned upgrade of this capability.
Sec. 9047	12,000,000	(a) Of the funds appropriated to the Army, shall be available only for the Reserve Component Automation System (RCAS)
Sec. 9061	NA	The Secretary of Defense shall take such action as necessary to assure that a minimum of 50 percent of the polyacrylonitrile (PAN) carbon fiber requirement be procured from domestic sources by 1992.
Sec. 9065	NA	Funds available in this Act may be used to provide transportation for the next-of-kin of individuals who have been prisoners of war or missing in action from the Vietnam era to an annual meeting in the United States, under such regulations as the Secretary of Defense may prescribe.
Sec. 9066	14,700,000	(a) Within the funds made available to the Air Force under title II of this Act, the Air Force shall use such funds as necessary, but not to exceed this amount to execute the cleanup of uncontrolled hazardous waste contamination in accordance with the Record of Decision on Landfill No. 26 at Hamilton Air Force Base, in Novato, in the State of California.
	4,500,000	In the event that the purchaser of the Sale Parcel exercises its option to withdraw from the sale as provided in subsection (b)(3) of this section, the purchasers' deposit of this amount shall be returned by the General Services Administration and any funds eligible for reimbursement under subsection (b)(3) shall come from the funds made available to the Department of Defense by this Act.
Sec. 9074	100,000,000	Provided for Shipbuilding and Conversion, Navy under the appropriation 'Special Operations Forces Fund' contained in the Department of Defense Appropriations Act, 1989 (Public Law 100–463) shall remain available for obligation until September 30, 1990.
Sec. 9075	200,000	Effective for only fiscal year 1990, whenever the Secretary of the Army captures and removes wild horses and burros from White Sands Missile Range, the Secretary may transfer such horses and burros to the Secretary of the Interior as excess animals: Provided, That the cost of processing such animals incurred by the Department of the Interior shall be reimbursed by the Secretary of the Army, not to exceed 200,000 dollars.
Sec. 9082	6,700,000	Shall be available for the Civil Air Patrol.
Sec. 9084	NA	Funds available in this Act shall be available to the Department of Defense to grant civilian employees participating in productivity-based incentive award programs paid administrative time off in lieu of cash payment as compensation for increased productivity.
Sec. 9088	3,000,000	Of the funds made available in this Act for military personnel appropriations shall be available for the payment of bonuses to officers of the Army Nurse Corps, the Navy Nurse Corps and officers designated as Air Force nurses.
Sec. 9096	10,500,000	Of the amounts available to the Department of Defense for fiscal year 1990 shall be available for National Defense Science and Engineering Graduate Fellowships to be awarded on a competitive basis by the Secretary of Defense to United States citizens or nationals pursuing advanced degrees in fields of primary concern and interest to the Department. Not less than 50 per centum of the funds necessary to carry out this section shall be derived from the amounts available for the University Research Initiatives Program in 'Research, Development, Test and Evaluation, Defense Agencies', and the balance necessary shall be derived from amounts available for Defense Research Sciences under title IV of this Act.
Sec. 9099	2,500,000	Of the funds appropriated by this Act, no more 2,500,000 dollars shall be available for the health care demonstration project regarding chiropractic care required by section 632(b) of the Department of Defense Authorization Act, 1985, Public Law 98–525.
Sec. 9103	8,000,000	Of the funds made available by this Act in title III, Procurement, drawn pro rata from each appropriations account in title III, shall be available for incentive payments authorized by section 504 of the Indian Financing Act of 1974, 25 U.S.C. Sec. 1544.
Sec. 9105	5,000,000	The Secretary of the Air Force shall transfer not less than this amount from funds available to the Air Force for research, development, test and evaluation for fiscal year 1990 to the Army for the sole purpose of funding highest priority security improvements at the Kwajalein Test Range.
	2,500,000	Shall be provided by the Army for the same purpose from funds available to the Army for research, development, test and evaluation for fiscal year 1990. Funds made available by the Secretary of the Army for such purpose may not be made available from funds otherwise available for the United States Army Kwajalein Atoll Command.
Sec. 9106	1,000,000	Shall be made available for maintenance and repair of equipment and facilities and for tooling at the government owned William Langer Jewel Bearing Plant.
Sec. 9107	NA	Funds available to the Department of Defense during the current fiscal year may be transferred to applicable appropriations or otherwise made available for obligation by the Secretary of Defense to repair or replace real property, facilities, equipment, and other Department of Defense assets damaged by hurricane Hugo in September 1989.
Sec. 9108	20,000,000	Up to this amount of funds available to the Department of Defense in fiscal year 1990 may be transferred to, and consolidated with, funds made available to carry out the provisions of section 23 of the Arms Export Control Act and may be used for any of the purposes for which such funds may be used: Provided, That funds transferred pursuant to this section shall be made available only for Jordan to maintain previously purchased United States-origin defense articles: Provided further, That funds transferred pursuant to this section shall be available to Jordan on a grant basis notwithstanding any requirement for repayment.
MILITARY CONSTRUCTION—GENERAL PROVISIONS		
Sec. 102	NA	Funds herein appropriated to the Department of Defense for construction shall be available for hire of passenger motor vehicles.
Sec. 103	NA	Funds appropriated to the Department of Defense for construction may be used for advances to the Federal Highway Administration, Department of Transportation, for the construction of access roads as authorized by section 210 of title 23, United States Code, when projects authorized therein are certified as important to the national defense by the Secretary of Defense.

PROVISIONS IN FISCAL YEAR 1991 DEFENSE APPROPRIATIONS ACTS SPECIFYING FUNDING BY PROJECT OR LOCATION

	Amount	Description
OPERATION AND MAINTENANCE		
O&M, Army	273,000	Shall be available only for the 1991 Capitol Fourth Project.

PROVISIONS IN FISCAL YEAR 1991 DEFENSE APPROPRIATIONS ACTS SPECIFYING FUNDING BY PROJECT OR LOCATION—Continued

	Amount	Description
O&M, Navy	NA	Funds appropriated or made available in this Act shall be obligated and expended to restore and maintain the facilities, activities and personnel levels, including specifically the medical facilities, activities and personnel levels, at the Memphis Naval Complex, Millington, Tennessee, to the fiscal year 1984 levels.
	2,000,000	Shall be available only for a grant to the Cabot/Dedalo Museum Foundation.
	15,000,000	Shall be made available only for the upgrade of port facilities in Israel in support of United States naval forces.
O&M, Defense Agencies	200,000,000	Shall be available until September 30, 1993, only to the Department of Defense Office of Economic Adjustment to assist State and local governments significantly impacted by reductions in defense industry employment or reductions in the number of Department of Defense military and civilian personnel residing in such States and communities.
	10,000,000	Shall only be available during the current fiscal year for carrying to the purpose of section 306 of Public Law 101–189.
	886,000	Of the funds for PL 101–189 shall be available only for the Killeen, Texas, Independent School District.
	167,000	Of the funds for PL 101–189 shall be available only for the Copperas Cove, Texas, Independent School District.
	912,000	Shall be available only for transfer to the Library of Congress.
	69,500,000	Of the funds appropriated for the Special Operations Command shall be transferred to the Operation and Maintenance appropriations of the Reserve components for execution.
	4,000,000	Shall be available only for the establishment of the Japanese American Museum as a component of the Japanese American Cultural Center in Ontario, Oregon.
PROCUREMENT		
Weapons procurement, Navy	1,540,001,000	Ballistic Missile Programs.
	2,935,256,000	Other Missile Programs.
	350,291,000	Mark-48 ADCAP Torpedo.
	328,266,000	Mark-50 Torpedo.
	26,409,000	ASW Targets.
	20,156,000	ASROC.
	11,740,000	Modification of Torpedoes.
	16,096,000	Quickstrike mine.
	88,360,000	Support Equipment and Logistics Support.
	202,146,000	Other Weapons.
	306,450,000	Other Ordnance.
Shpbldg & Conv, Navy	1,331,201,000	TRIDENT ballistic missile submarine program.
	1,783,000,000	SSN–21 attack submarine program.
	405,000,000	Aircraft carrier service life extension program Provided, That these funds are available only for advance procurement of material and other efforts associated with the industrial availability of the U.S.S. KENNEDY at the Philadelphia Naval Shipyard leading to the extension of the service life of the carrier.
	3,113,003,000	DDG–51 destroyer program.
	959,800,000	LHD–1 amphibious assault ship program.
	240,000,000	LSD–41 dock landing ship cargo variant program.
	204,000,000	MHC coastal mine hunter program.
	398,200,000	AOE combat support ship program.
	267,900,000	LCAC landing craft air cushion program.
	43,100,000	Oceanographic ship program.
	900,000,000	Sealift ship program.
	30,000,000	Shall be available only for the purchase of one existing petroleum product tanker.
	409,800,000	For craft, outfitting, and post delivery.
	5,800,000	For first destination transportation.
	100,000,000	For the DDG–51 destroyer program in addition to funds provided heretofore in this paragraph.
	23,000,000	Shall be available only to procure thirty Advanced Video Processor units and associated display heads.
Other Proc, Navy	160,000,000	Shall be for the procurement of sonobuoys.
	42,000,000	Shall be available only to procure fifty-three Advanced Video Processor units and associated display heads.
RESEARCH, DEVELOPMENT, TEST AND EVALUATION		
RDT&E, Army	5,480,000	Is available only for the Vectored Thrust Combat Agility Demonstrator flight test program utilizing the Vectored Thrust Ducted Propeller.
RDT&E, Navy	1,000,000	Shall be made available, as a grant, to the Mississippi Resource Development Corporation, for continued research and development programs at the National Center for Physical Acoustics, centering on ocean acoustics as it applies to advanced anti-submarine warfare acoustics issues with focus on ocean bottom acoustics—sesmic coupling, sea-surface and bottom scattering, oceanic ambient noise, underwater sound propagation, bubble related ambient noise, acoustically active surfaces, machinery noise, propagation physics, solid state acoustics, electrorheological fluids, transducer development, ultrasonic sensors, and other such projects as may be agreed upon.
	250,000	Of the frant to Miss. Res. Dev. Corp. may be used to provide such special equipment as may be required for particular projects.
	24,000,000	Of the funds appropriated in this paragraph shall be made available to Competitive Technologies Incorporated for efforts associated with advanced shipbuilding design, materials, and manufacturing technologies.
	10,000,000	Of the funds appropriated to the Navy in fiscal year 1990 for Research, Development, Test and Evaluation is available only for the Skipper Missile Enhancement Program.
	71,000,000	Of the funds appropriated in this paragraph is available only to continue development and testing of the Sea Lance weapon system, to produce a technical data package, and to pursue technology and production engineering improvements.
	15,000,000	Shall be obligated for a Fast Sealift Technologies Development Program within 90 days after enactment of this Act.
	NA	The Secretary of the Navy shall award contracts or grants to the following universities in the amounts specified, to be provided from funds available under this heading for the Navy Defense Research Sciences and Industrial Preparedness programs.
	6,000,000	University of Hawaii at Manoa.
	8,900,000	University of Utah.
RDT&E, Air Force	30,000,000	Is available only for the National Center for Manufacturing Sciences.
	3,000,000	Of the funds appropriated in this paragraph is available only for continuing the research program on development of coal based high thermal stability and endothermic jet fuels, including exploratory studies on direct conversion of coal to thermally stable jet fuels.
RDT&E, Defense Agencies	191,062,000	Shall be available for the Special Operations Command.
	2,000,000	Of the funds appropriated in this paragraph is available only for miniature diagnostic proton accelerator research.
	25,000,000	Of the funds appropriated in this paragraph shall be available only for the Defense Advanced Research Projects Agency Initiative in Concurrent Engineering (DICE).
	103,000,000	Is available only for the Extended Range Interceptor (ERINT) missile.
	45,400,000	Is available only for the Patriot system.
	42,000,000	Is available only for the joint research and development of the advanced development program for the Arrow antitactical ballistic missile program.
	5,000,000	Of the funds appropriated in this paragraph is available only to establish a coal utilization center.
	5,000,000	Of the funds appropriated in this paragraph is available only to establish a materials research center.
	7,000,000	Of the funds appropriated in this paragraph is available only to establish an Experimental Program to Stimulate Competitive Research (EPSCoR) in the Department of Defense.
	10,000,000	Of the funds appropriated in this paragraph shall be made available as a grant to establish an Institute for Advanced Science and Technology at an institution of higher education which meets the criteria specified in section 243 of the National Defense Authorization Act for fiscal year 1991.
	10,000,000	Of the funds appropriated in this paragraph shall be made available as a grant only for facilities and equipment supporting the Center for Technology and Applied Research at the University of Scranton.
	6,000,000	Of the funds appropriated in this paragraph shall be made available as a grant to the Advanced Manufacturing Institute at the Stevens Institute of Technology.
	15,000,000	Of the funds appropriated in this paragraph shall be made available as a grant to the Liberty Science Center.
	10,000,000	Of the funds appropriated in this paragraph shall be made available as a grant to Drake University for a facility under the College of Pharmacy and Health Sciences.
	3,500,000	Of the funds appropriated in this paragraph shall be made available as a grant to Loyola College to complete the Center for Advanced Information and Resource Management Studies.
	18,000,000	Of funds appropriated for fiscal year 1991 under the heading "Research, Development, Test and Evaluation, Defense Agencies," shall be obligated within 90 days after enactment of this Act for a facility to enable collaborative research and training for Department of Defense military medical personnel in trauma care, head, neck, and spinal injury, paralysis, and neuro-degenerative diseases.
	10,000,000	Of funds provided under this heading which are available for the Defense Research Sciences Program in addition to the funds previously appropriated to the National Defense Stockpile Transaction Fund, notwithstanding the provisions of section 9 of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98h), is appropriated to the Fund to remain available until expended, for a grant to the South Carolina Research Authority pursuant to the purposes of sections 2 and 8 of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98a; 50 U.S.C. 98g) to construct, equip, and operate a prototype ferrochromium strategic materials processing facility.
Drug Int & CNTR-DRG Act, Def	50,000,000	Shall be available only for non-reimbursable support of Federal, State and local government agencies having counter-drug programs.
	1,000,000	Shall be available only for the Civil Air Patrol.
	52,000,000	Shall be available only for drug interdiction equipment for the reserve components.
	28,000,000	Shall be available only for operation and maintenance expenses for the southwest border land-based aerostat drug surveillance program.
	123,000,000	Shall be available only for the National Foreign Intelligence Program.
GENERAL PROVISIONS		
Sec. 8003	NA	Funds appropriated under this Act for the Department of Defense shall be made available for the Overseas Workload Program.

PROVISIONS IN FISCAL YEAR 1991 DEFENSE APPROPRIATIONS ACTS SPECIFYING FUNDING BY PROJECT OR LOCATION—Continued

	Amount	Description
Sec. 8021	NA	Within the funds appropriated for the operation and maintenance of the Armed Forces, funds are hereby appropriated pursuant to section 401 of title 10, United States Code, for humanitarian and civic assistance costs under chapter 20 of title 10, United States Code. Such funds may also be obligated for humanitarian and civic assistance costs incidental to authorized operations and pursuant to authority granted in section 401 of chapter 20 of title 10, United States Code, and these obligations shall be reported to Congress on September 30 of each year.
	15,000,000	Of the funds appropriated under this Act to the Department of Defense not to exceed this amount shall be made available to the Office of Humanitarian Assistance for immediate emergency airlift assistance.
Sec. 8025	NA	Funds appropriated in this Act shall be available for the payment of not more than 75 percent of the charges of a postsecondary educational institution for the tuition or expenses of an officer in the Ready Reserve of the Army National Guard or Army Reserve for education or training during his off-duty periods, except that no part of the charges may be paid unless the officer agrees to remain a member of the Ready Reserve for at least four years after completion of such training or education.
Sec. 8032	NA	Notwithstanding any other provision of law, the Secretary of the Navy may use funds appropriated to charter ships to be used as auxiliary minesweepers providing that the owner agrees that these ships may be activated as Navy Reserve ships with Navy Reserve crews used in training exercises conducted in accordance with law and policies governing Naval Reserve forces.
Sec. 8034	NA	Funds appropriated or made available in this Act shall be obligated and expended to continue to fully utilize the facilities at the United States Army Engineer's Waterways Experiment Station, including the continued availability of the supercomputer capability: Provided, That none of the funds in this Act may be used to purchase any supercomputer which is not manufactured in the United States.
Sec. 8037	46,904,000	Of the funds appropriated to the Army, shall be available only for the Reserve Component Automation System (RCAS).
Sec. 8046	NA	The designs of the Army LH helicopter, the Navy Advanced Tactical Aircraft, the Air Force Advanced Tactical Fighter, and any variants of these aircraft, must incorporate Joint Integrated Avionics Working Group standard avionics specifications no later than 1998.
Sec. 8047	300,000,000	Of the funds appropriated or made available in this Act shall be transferred to the United States Coast Guard.
	295,000,000	Of the funds in Sec. 8047 shall be transferred to Operating Expenses.
	5,000,000	Of the funds in Sec. 8047 shall be transferred to 'Acquisition, Construction, and Improvement' for Coast Guard family housing.
Sec. 8048	NA	The Secretary of Defense shall take such action as necessary to assure that a minimum of 50 percent of the polyacrylonitrile (PAN) carbon fiber requirement be procured from domestic sources by 1992.
Sec. 8051	NA	Funds available in this Act may be used to provide transportation for the next-of-kin of individuals who have been prisoners of war or missing in action from the Vietnam era to an annual meeting in the United States, under such regulations as the Secretary of Defense may prescribe.
Sec. 8052	17,000,000	(a) Within the funds made available to the Air Force under title II of this Act, the Air Force shall use such funds as necessary, but not to exceed this amount, to execute the cleanup of uncontrolled hazardous waste contamination affecting the Sale Parcel at Hamilton Air Force Base, in Novato, in the State of California.
	4,500,000	In the event that the purchaser of the Sale Parcel exercises its option to withdraw from the sale as provided in the Agreement, dated September 25, 1990, between the Department of Defense, the General Services Administration, and the purchaser, the purchaser's deposit of this amount shall be returned by the General Services Administration and funds eligible for reimbursement under the Agreement and Modification shall come from the funds made available to the Department of Defense by this Act.
	NA	The Air Force shall be reimbursed for expenditures in excess of $15,000,000 in connection with the total clean-up of uncontrolled hazardous waste contamination on the aforementioned Sale Parcel from the proceeds collected upon the closing of the Sale Parcel.
Sec. 8056	NA	(a) Indemnification.—(1) The United States Air Force shall, except as provided in paragraph (2), hold harmless, defend, and indemnify in full (A) the State of New Hampshire; (B) any political subdivision of the State; and (C) the lenders, officers, agents and employees of the State or political subdivision of the State, from and against all suits, claims, demands or actions, liabilities, judgments, costs and attorney's fees arising out of, or in any manner predicated upon releases or threatened releases of hazardous substances, or pollutants or contaminants resulting from Department of Defense activities at Pease Air Force Base in New Hampshire.
Sec. 8071	20,000,000	Shall be available for National Defense Science and Engineering Graduate Fellowships to be awarded on a competitive basis by the Secretary of Defense to United States citizens or nationals pursuing advanced degrees in fields of primary concern and interest to the Department.
Sec. 8073	4,000,000	Not more than this amount shall be available for the health care demonstration project regarding chiropractic care required by section 632(b) of the Department of Defense Authorization Act, 1985, Public Law 98–525.
Sec. 8077	8,000,000	Of the funds made available by this Act in title III, Procurement, drawn pro rata from each appropriations account in title III, shall be available for incentive payments authorized by section 504 of the Indian Financing Act of 1974, 25 U.S.C. 1544.
Sec. 8089	30,000,000	Shall be transferred to the Department of Energy solely for the final decontamination and decommissioning of the Nuclear Fuel Facility, Apollo, Pennsylvania, by January 1993, to meet the National Regulatory Commission's limits for unrestricted use.
Sec. 8095	NA	Using funds available in the National Defense Stockpile Transaction Fund, the President shall acquire over a period of ten years from current domestic sources not less than thirty-six million pounds of depleted uranium to be held in the National Defense Stockpile.
Sec. 8099. (a)	5,000,000	Not to exceed this amount shall be made available only for a project for the design and construction of a parliament building in the Solomon Islands, such project to be carried out so as to be completed not later than November 1993. Funds for such project shall be identified and made available to the Secretary of the Navy not later than 60 days after the date of the enactment of this Act.
	5,000,000	To remain available until expended, shall be made available to the Secretary of the Army no later than sixty days after enactment of this Act, to be used by the Chief of Engineers only for the repair, improvement, and construction of port facilities and harbor improvements, including dredging, at the islands of Ofu and Ta'u in the Territory of American Samoa.
Sec. 8101	200,000,000	Of the funds appropriated in fiscal year 1989 under the heading, "Aircraft Procurement, Navy", shall be made available to the Department of the Navy for obligation for the V–22 Osprey tilt-rotor aircraft program.
Sec. 8104	NA	This section establishes the National Commission on Defense and National Security. If funds are not otherwise available for the necessary expenses of the Commission for fiscal year 1991, the Secretary of Defense shall make available to the Commission, from funds available to the Secretary for the fiscal year concerned, such funds as the Commission requires. When funds are specifically appropriated for the expenses of the Commission, the Commission shall reimburse the Secretary from such funds for any funds provided to it under the preceding sentence.
Sec. 8108	1,000,000,000	Is appropriated for the modernization and expansion of automated data processing systems: Provided, That the Secretary of Defense shall, upon determining that such funds are necessary and further the objectives of the Corporate Information Management Initiative, transfer such amounts as necessary to the appropriate operation and maintenance appropriations provided in title II of this Act to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred.
Abstract: Sec. 8110	NA	(a) Notwithstanding any other provision of law, funds made available to the Department of Defense in fiscal year 1991 and thereafter, shall be used to establish and maintain as part of the wartime energy reserve of the United States, a stockpile in Israel for petroleum fuels of military utility equal to 4,500,000 barrels.
Sec. 8112	7,475,000	Shall be available for the Civil Air Patrol.
Sec. 8113	NA	Funds made available under this Act to the Air Force for 'Operation and Maintenance' may be used to operate the United States Air Force education and training facility known as the Inter-American Air Forces Academy for the purposes of providing military education and training only to military personnel who are nationals of Central, South American and Caribbean countries: Provided, That only the fixed costs of operation and maintaining the Inter-American Air Forces Academy may be paid from funds available for operation and maintenance of the Air Force without reimbursement pursuant to section 37 of the Arms Export Control Act or section 632 of the Foreign Assistance Act or any other provision of law.
Sec. 8115	NA	(a) Funds shall be made available to the Secretary of Defense for the study of: (1) Israeli aerospace and avionics technology and their potential application to ATF, NATF, CAS and LH aircraft programs, as well as other anticipated aircraft programs; (2) Potential areas of joint United States-Israel collaboration in technology research and development projects including, but not limited to, tactical directed energy weapons; camouflage, concealment, deception and stealth measures; aerial and wide-area munitions; fiber optic guided missiles (FOG–M) and the adaptation of the HAVE NAP to the B–1 and B–2 bombers; (3) The features and possible contributions of Israeli space technology to Department of Defense programs, including, but not limited to, Israeli launches, and including, but not limited to, cost-effectiveness in design and production of such technologies and systems; (4) Israeli anti-terrorism technologies, and their potential applications to Department of Defense programs and operations, including, but not limited to, remote-controlled robots, security fences of all types, specialized x-ray and detection machines, and fast patrol boats. The Secretary of Defense shall work with the Office of Technology Assessment in conducting an examination of these subjects; (5) Possible applications of Israeli interdiction, including, but not limited to, unmanned aerial vehicles, fast patrol boats, state-of-the-art ship and coastal radars, integrated command and control systems, and land interdiction systems such as visual and infra-red cameras, motion sensors and electronic fences.
Sec. 8116	10,000,000	Shall be available only to transport United States beef for resale in Department of Defense commissaries in foreign countries.
Sec. 8118	1,500,000	Of the funds made available by this Act to the Department of the Navy, to remain available until September 30, 1992, shall be available only for the expenses of the Kahoolawa Island Commission.
Sec. 8120	10,000,000	Appropriated for "Operation and Maintenance, Defense Agencies" shall be available only for the establishment and support of the Legacy Resource Management Program.
Sec. 8121	2,400,000	Of the funds available in this Act for the Defense Logistics Agency, is available only for acquisition of jewel bearings from the William Langer Jewel Bearing Plant.
Sec. 8127	10,000,000	Of the funds appropriated in "Drug Interdiction and Counter-Drug Activities, Defense," shall be available only for the National Drug Intelligence Center.
Sec. 8128	3,100,000	The Department of the Army may use up to this amount in troop labor, installation equipment and supplies at Fort Sill to assist the Department of Interior in replacing an earth dam through a cooperative agreement which benefits each Department and includes such other terms as to protect the United States.
Sec. 8130	NA	Funds available to the Department of Defense during the current fiscal year may be transferred to applicable appropriations or otherwise made available for obligation by the Secretary of Defense to repair or replace real property, facilities, equipment, and other Department of Defense assets damaged by Hurricane Hugo in September 1989.
Sec. 8134	500,000	Of the funds appropriated under "Operation and Maintenance, Army," up to this amount shall be available for the environmental protection program at Fort Bragg, North Carolina.
Sec. 8137	NA	The Secretary of Interior is authorized to use such sums as are needed to erect in the Canaveral National Seashore a suitable bronze marker to commemorate the dedicated leadership of Congressman Bill Chappell in the establishment of the Canaveral National Seashore.
Sec. 8138	31,000,000	Of the amount appropriated in this Act for Research, Development, Test and Evaluation, Navy, may be obligated for an evaluation of the Assault Ballistic Rocket System.
Sec. 8139	3,625,000	The Secretary of the Treasury shall pay, out of any money in the Treasury not otherwise appropriated, this amount to Shipco General, Inc., an Idaho corporation. The payment of such sum shall be in full satisfaction of any claim of Shipco General, Inc., against the United States arising out of the termination of a contract at Kirtland Air Force Base, New Mexico, for the rehabilitation of 155 housing units for Zia Park Housing (Contract No. F29650–82–C–0201).

PROVISIONS IN FISCAL YEAR 1991 DEFENSE APPROPRIATIONS ACTS SPECIFYING FUNDING BY PROJECT OR LOCATION—Continued

	Amount	Description
Sec. 8140	1,124,000	The Secretary of the Treasury shall pay, out of any money in the Treasury not otherwise appropriated, this amount to John Barren, of Peckville, Pennsylvania, for damages incurred as a result of the failure of health care employees at the medical center of the Department of Veterans Affairs in Wilkes-Barre, Pennsylvania, to admit and treat him properly for a service-connected psychiatric condition.
MILITARY CONSTRUCTION		
BRAC *	100,000,000	Of the funds appropriated herein shall be available solely for environmental restoration.
GENERAL PROVISIONS		
Sec. 102	NA	Funds herein appropriated to the Department of Defense for construction shall be available for hire of passenger motor vehicles.
Sec. 103	NA	Funds appropriated to the Department of Defense for construction may be used for advances to the Federal Highway Administration, Department of Transportation, for the construction of access roads as authorized by section 210 of title 23, United States Code, when projects authorized therein are certified as important to the national defense by the Secretary of Defense.

PROVISIONS IN FISCAL YEAR 1992 DEFENSE APPROPRIATIONS ACTS SPECIFYING FUNDING BY PROJECT OR LOCATION

	Amount	Description
OPERATION AND MAINTENANCE		
O&M, Army	350,000	Shall be made available for the 1992 Memorial Day Celebration.
	350,000	Shall be made available for the 1992 Capitol Fourth Project.
	4,000,000	Shall be made available only for a grant to the National D-Day Museum Foundation.
	4,000,000	Shall be made available only for a grant to the Airborne and special Operations Museum Foundation.
	350,000	Shall be made available only to the Oregon Department of Economic Development.
	38,000,000	Shall be made available only for procurement of the Extended Cold Weather Clothing System (ECWCS).
	2,000,000	Shall be made available only for the procurement of intermediate cold-wet weather boots.
	22,000,000	To the Silver Valley Unified School District, Yermo, California, [the Secretary of the Army shall make a direct grant].
	10,000,000	To the Cumberland County School Board, Fayettsville, North Carolina, for support of the construction of public school structures, to be located on military facilities, sufficient to accommodate predominantly the dependents of members of the Armed Forces and dependents of Department of Defense employees employed at Fort Irwin, California, and Fort Bragg, North Carolina.
	250,000	Shall be available only for the conduct of a study on the need for and feasibility of a joint military and civilian airport at Manhattan, Kansas.
	4,500,000	Shall be available for the Army Environmental Policy Institute.
	5,000,000	Of the amount appropriated under this heading shall be available for the United States Office for POW/MIA Affairs in Hanoi.
	6,800,000	Shall be available for the refurbishment and modernization at existing railyard facilities at Fort Riley, Kansas.
O&M, Navy	78,000,000	Shall be available only for shipyard modernization projects to remain available for obligation until September 30, 1994.
	NA	Funds appropriated or made available in this Act shall be obligated and expended to restore and maintain the facilities, activities and personnel levels, including specifically the medical facilities, activities and personnel levels, including specifically the medical facilities, activities and personnel levels, at the Memphis Naval Complex, Millington, Tennessee, to the fiscal year 1984 levels.
	2,000,000	Shall be made available to the Secretary of the Navy for a study, to be submitted to the Committees on Appropriations no later than August 1, 1992, on the costs of improving the Port of Haifa, Israel, and facilities in the immediate vicinity, to accommodate the full complement of services required for the maintenance, repair and associated tasks needed to support a carrier battle group.
	300,000	Shall be made available only for the deaccession, reinterment, and reburial of ancestral skeletal remains at Mokapu, Hawaii.
	NA	Of the funds appropriated under this heading, the Navy shall provide for the transportation of U.S.S. Bennington accoutrements from China Lake Naval Air Station, California, to Bennington, Vermont.
	1,600,000	Shall be made available only for the renovation of the submarine U.S.S. Blueback for use by the Oregon Museum of Science and Industry upon the determination of the Secretary of the Navy that the renovation is in the interest of national security.
O&M, Marine Corps	3,000,000	Shall be available for the New Parent Support Program.
O&M, Defense Agencies	37,000,000	Shall be made available only to maintain the operations and personnel levels of a 100-bed facility at Letterman Hospital at the Presidio, in San Francisco, California.
	6,000,000	Shall be made available for the San Francisco Medical Command to provide for angioplasty services, increased pharmacy costs, and a 100-mile catchment area for cardiac surgery at Oakland Naval Hospital to compensate for the reduced services at Letterman Hospital.
	1,000,000	Shall be made available to the Office of the Secretary of Defense only for the development and establishment of gainsharing projects.
	750,000	Shall be made available only for the conduct and preparation of an inventory of all the real property in the State of Hawaii that is owned or controlled by the United States Department of Defense and its components.
	5,000,000	Shall be made available only for the establishment and administration of a commission, to be known as the "Defense Conversion Commission".
	25,000,000	Shall be made available only for the continued implementation of the Legacy Resource Management Program.
	10,000,000	Of Legacy program funding shall be made available only for use in implementing cooperative agreements to identify, document, and maintain biological diversity on military installations.
PROCUREMENT		
Shipbuilding and Conversion, Navy	$55,000,000	TAGS 39/40 program, Provided, That the Secretary of the Navy shall obligate 55,000,000 dollars to increase the price of the TAGS 39 and 40 contract and pay the contractor which built and delivered the TAGS 39 and 40 if the Secretary reviews the matter and determines there is justification to make such payment.
RESEARCH, DEVELOPMENT, TEST AND EVALUATION		
RDT&E, Army	$6,300,000	Is available only for the Vectored Thrust Combat Agility Demonstrator flight test program utilizing the Vectored Thrust Ducted Propeller upon successful completion of Phase I of this demonstration project.
	2,000,000	Shall be made available only to establish a Center for Prostate Disease Research at the Walter Reed Army Institute of Research.
	10,000,000	Of the funds appropriated in this paragraph shall be made available as a grant only to the Louisiana State University, Louisiana for the Neuroscience Center of Excellence for laboratory and other efforts associated with research, development and other programs of major importance to the Department of Defense.
RDT&E, Navy	1,000,000	Shall be made available, as a grant, to the Mississippi Resource Development Corporation for continued research and development programs at the National Center for Physical Acoustics, centering on ocean acoustics.
	NA	None of the funds appropriated in this paragraph are available for development of upgrades to the Surveillance Towed Array Sensor System that do not include the AN/UYS–2 Enhanced Modular Signal Processor.
	221,000,000	Is available only for the Ship Self-Defense program which may be obligated only if it has a single program manager who is fully responsible and accountable for its execution.
	10,000,000	Shall be available only for the Submarine Laser Communications project.
	5,134,000	Shall be available only for the Gun Weapon System Advanced Technology program.
RDT&E, Air Force	30,000,000	Is available only for the National Center for Manufacturing Sciences.
	2,500,000	Of the funds appropriated in this paragraph are available only for continuing the research program on development of coal-based, high thermal stability and endothermic jet fuels, including exploratory studies on direct conversion of coal to thermally stable jet fuels.
	8,000,000	Of the funds appropriated in this paragraph shall be made available only for a side-by-side evaluation of the ALR–56M and the ALR–621 radar warning receivers.
	5,700,000	Shall be made available only for the U.S./U.S.S.R. Joint Seismic Program administered by the Incorporated Research Institutions for Seismology.
	10,000,000	Of the funds appropriated in this paragraph shall be made available as a grant only to Marywood College, Pennsylvania for laboratory and other efforts associated with research, development and other programs of major importance to the Department of Defense.
	10,000,000	Shall be made available only for the modernization and upgrade of the Poker Flat Rocket Range.
	19,500,000	Shall be made available in the SPACETRACK program element only to establish an image information processing center, including a computing facility built around newly emerging massively parallel computing technology, collocated with the Air Force Maui Optical Station and the Maui Optical Tracking Facility.
RDT&E, Defense Agencies	171,000,000	Of the funds appropriated in this paragraph are available only for the Extended Range Interceptor (ERINT) missile.
	60,000,000	Of the funds appropriated in this paragraph are available only for the Arrow Continuation Experiments.
	145,500,000	Of the funds appropriated in this paragraph are available only for the Patriot missile program.
	10,000,000	Of the funds appropriated in this paragraph shall be made available as a grant to the National Biomedical Research Foundation for laboratory efforts associated with major research programs in neurology, oncology, virology, cardiology, pediatrics and associated specialty areas of critical importance to the Veterans Administration and the Department of Defense.
	10,000,000	Of the funds appropriated in this paragraph and not less than 7,000,000 dollars of the funds appropriated in Public Law 101–511 for Research, Development, Test and Evaluation, Defense Agencies shall be available only for an Experimental Program to Stimulate Competitive Research (EPSCOR) in the Department of Defense which shall include all States eligible for the National Science Foundation Experimental Program to Stimulate Competitive Research.
	25,000,000	Of the funds appropriated in Pubic Law 101–511 for Research, Development, Test and Evaluation, Defense Agencies, provided for the Strategic Environmental Research Program shall be obligated for the procurement, installation and operation of a supercomputer to support the Arctic Region Supercomputing Center.
	6,000,000	Of the funds appropriated in this paragraph shall be made available as a grant only to the University of Texas at Austin for laboratory and other efforts associated with research, development and other programs of major importance to the Department of Defense.
	6,000,000	Of the funds appropriated in this paragraph shall be made available as a grant only to the Northeastern University for laboratory and other efforts associated with research, development and other programs of major importance to the Department of Defense.
	5,000,000	Of the funds appropriated in this paragraph shall be made available as a grant only to the Texas Regional Institute for Environmental Studies for laboratory and other efforts associated with research, development and other programs of major importance to the Department of Defense.

PROVISIONS IN FISCAL YEAR 1992 DEFENSE APPROPRIATIONS ACTS SPECIFYING FUNDING BY PROJECT OR LOCATION—Continued

	Amount	Description
	7,700,000	Of the funds appropriated in this paragraph shall be made available as a grant only to the Kansas State University for laboratory and other efforts associated with research, development and other programs of major importance to the Department of Defense.
	1,600,000	Of the funds appropriated in this paragraph shall be made available as a grant only to the University of Wisconsin for laboratory and other efforts associated with research, development and other programs of major importance to the Department of Defense.
	29,000,000	Of the funds appropriated in this paragraph shall be made available as a grant only to the Boston University for laboratory and other efforts associated with research, development and other programs of major importance to the Department of Defense.
	250,000	Of the funds appropriated in this paragraph shall be made available as a grant only to the Medical College of Ohio for laboratory and other efforts associated with research, development and other programs of major importance to the Department of Defense.
	500,000	Of the funds appropriated in this paragraph shall be made available as a grant only to the University of South Carolina for laboratory and other efforts associated with research, development and other programs of major importance to the Department of Defense.
	750,000	Of the funds appropriated in this paragraph shall be made available as a grant only to the George Mason University for laboratory and other efforts associated with research, development and other programs of major importance to the Department of Defense.
	2,300,000	Of the funds appropriated in this paragraph shall be made available as a grant only to Monmouth College for laboratory and other efforts associated with research, development and other programs of major importance to the Department of Defense.
	10,000,000	Of the funds appropriated in this paragraph shall be made available as a grant only to the University of Minnesota for laboratory and other efforts associated with research, development and other programs of major importance to the Department of Defense.
	500,000	Of the funds appropriated in this paragraph shall be made available as a grant only to the University of Saint Thomas in Saint Paul, Minnesota for laboratory and other efforts associated with research, development and other programs of major importance to the Department of Defense.
	2,000,000	Of the funds appropriated in this paragraph shall be made available as a grant only to the Brandeis University for laboratory and other efforts associated with research, development and other programs of major importance to the Department of Defense.
	3,000,000	Of the funds appropriated in this paragraph shall be made available as a grant only to the New Mexico State University for laboratory and other efforts associated with research, development and other programs of major importance to the Department of Defense.
	25,000,000	Of the funds appropriated in this paragraph shall be made available only for development of advanced superconducting multi-chip modules, superconducting materials, and diamond substrate material technologies.
Drug Int. and Cntr-Drug Act., Defense	7,500,000	Shall be available only for the Gulf States Counter-Narcotics Initiative.
GENERAL PROVISIONS		
Sec. 8021	NA	Funds available for operation and maintenance shall be available for providing humanitarian and similar assistance by using Civic Action Teams in the Trust Territories of the Pacific Islands and freely associated states of Micronesia, pursuant to the Compact of Free Association as authorized by Public Law 99–239.
	NA	Upon a determination by the Secretary of the Army that such action is beneficial for graduate medical education programs conducted at Army medical facilities located in Hawaii, the Secretary of the Army may authorize the provision of medical services at such facilities and transportation to such facilities, on a nonreimbursable basis, for civilian patients from American Samoa, the Commonwealth of the Northern Mariana Islands, the Marshall Islands, the Federated States of Micronesia, Palau, and Guam.
Sec. 8033	NA	Funds appropriated or made available in this Act shall be obligated and expended to continue to fully utilize the facilities at the United States Army Engineer's Waterways Experiment Station, including the continued availability of the supercomputer capability.
Sec. 8036	172,072,000	Of the funds appropriated to the Army, shall be available only for the Reserve Component Automation System (RCAS).
Sec. 8040A	NA	The Secretary of Defense shall take such action as necessary to assure that a minimum of 75 percent of the coal and petroleum pitch carbon fiber requirement be procured from domestic sources by 1994.
Sec. 8047	NA	Funds available in this Act may be used to provide transportation for the next-of-kin of individuals who have been prisoners of war or missing in action from the Vietnam era to an annual meeting in the United States, under such regulations as the Secretary of Defense may prescribe.
Sec. 8049A	710,348,000	In addition to the amounts appropriated or otherwise made available in this Act, this sum is appropriated for the operation, modernization, and expansion of automated data processing systems.
Sec. 8058	4,000,000	Shall be available for the health care demonstration project regarding chiropractic care required by section 632(b) of the Department of Defense Authorization Act, 1985, Public Law 98–525.
Sec. 8064	NA	The Secretary of Defense shall ensure that at least 50 percent of the Joint Service Missile Mission is in place at Letterkenny Army Depot by the time Systems Integration Management Activity and Depot Systems Command are scheduled to relocate to Rock Island Arsenal, Illinois. This provision is in no way intended to affect the move of the 2.5- and 5-ton truck maintenance mission from Letterkenny Army Depot to Tooele Army Depot.
Sec. 8065A	14,500,000	Shall be available for the mental health care demonstration project at Fort Bragg, North Carolina.
Sec. 8066	NA	None of the funds appropriated in this Act shall be used to produce more than two-thirds of the liquid gas requirements in-house at Andersen Air Force Base on Guam. At least one-third of Andersen Air Force Base's liquid gas requirements shall be met by acquiring liquid gas from commercial sources on Guam.
Sec. 8070A	10,000,000	Shall be available for National Defense Science and Engineering Graduate Fellowships to be awarded on a competitive basis by the Secretary of Defense to United States citizens or nationals pursuing advanced degrees in fields of primary concern and interest to the Department.
Sec. 8075	NA	None of the funds available to the Department of Defense shall be used for the training or utilization of psychologists in the prescription of drugs, except pursuant to the findings and recommendations of the Army Surgeon General's Blue Ribbon Panel as specified in its February and August 1990 meeting minutes Provided, That this training will be performed at Walter Reed Army Medical Center.
Sec. 8079	8,674,000	Shall be available for the Civil Air Patrol.
	4,400,000	Of Sec. 8079 funds shall be available for Operation and Maintenance.
Sec. 8083	40,000,000	Shall be available only for the National Drug Intelligence Center.
Sec. 8090	625,000,000	Shall be available only for the V–22 aircraft program.
Sec. 8091	NA	During the current fiscal year, net receipts pursuant to collections from third party payers pursuant to section 1095 of title 10, United States Code, shall be made available to the local facility of the uniformed services responsible for the collections and shall be over and above the facility's direct budget amount.
Sec. 8097	20,000,000	Shall be available (notwithstanding the last sentence of section 1086(c) of title 10, United States Code) to continue Civilian Health and Medical Program of the Uniformed Services (CHAMPUS) benefits, until age 65, under such section for a former member of a uniformed service who is entitled to retired or retainer pay or equivalent pay, or a dependent of such a member, who becomes eligible for hospital insurance benefits under part A of title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) solely on the grounds of physical disability.
Sec. 8098	NA	From the amounts appropriated for the Department of Defense in the Department of Defense Appropriations Act, 1991 (Public Law 101–511), Other Procurement, Air Force, funds may be used to purchase not more than 300 passenger motor vehicles, of which 290 shall be for replacement only.
Sec. 8100	188,700,000	Is hereby appropriated to the Department of Defense and shall be available only for transfer to the United States Coast Guard.
	50,000,000	Of funds in Sec. 8100 shall be available solely for the purposes of "Reserve Training" for fiscal year 1992.
	138,700,000	Of funds in Sec. 8100 shall be merged with and be available for the same purposes and same time period as "Operating Expenses."
Sec. 8103A	2,500,000	Of the funds appropriated under the heading "Drug Interdiction, Defense" in Public Law 101–165, of funds previously transferred to the Department of the Treasury shall, upon enactment of this Act, be transferred to the "Emergency Management Planning and Assistance" appropriation account of the Federal Emergency Management Agency.
Sec. 8104	NA	(a) None of the funds appropriated or made available in this Act shall be used to reduce or disestablish the operation of the P–3 squadrons of the Navy Reserve below the levels funded in this Act. (b) The Secretary of the Navy shall obligate funds appropriated for fiscal years 1991 and 1992 for modernization of P–3B aircraft of the Navy Reserve on those P–3B aircraft which the Secretary of the Navy intends to keep in the fleet for more than five years.
Sec. 8104A	8,000,000	Is available only for, and shall be expended for, the side-by-side testing of the ALR–62I and the ALR–56M radar warning receivers.
Sec. 8105A	100,000,000	Is appropriated for payment of claims to United States military and civilian personnel for damages incurred as a result of the volcanic eruption of Mount Pinatubo in the Philippines.
	25,000,000	Is appropriated to be available only for the relocation of Air Force units from Clark Air Force Base.
	8,500,000	Of funds in previous paragraph shall be available until September 30, 1994 only for the construction and modification of F–16 facilities for the Cope Thunder and other missions at Eielson Air Force Base.
	2,500,000	Of funds for Clark relocation shall be available until September 30, 1994 only for the construction and modification of squadron operation facilities at Elmendorf Air Force Base.
	25,000,000	Is appropriated, to remain available until expended, for the unanticipated costs of disaster relief activities of the Department of Defense and the military services overseas.
Sec. 8112	NA	During fiscal year 1992, the Critical Technologies Institute shall conduct a special study of the issues regarding the production and use of machine tools necessary to support the national defense.
Sec. 8112A	8,000,000	Of funds made available by this Act in title III, Procurement, drawn pro rata from each appropriations account in title III, shall be available for incentive payments authorized by section 504 of the Indian Financing Act of 1974, 25 U.S.C. 1544.
Sec. 8814	30,000,000	Of the funds appropriated in this Act for "Operation and Maintenance, Defense Agencies", shall be transferred to the "Radiation Exposure Compensation Trust Fund" established by section 3 of the Radiation Exposure Compensation Act (Public Law 101–426; 104 Stat. 920) to be available for the same purpose and same time period as that Fund.
Sec. 8115	2,100,000	Shall be available for a grant to the Naval Undersea Museum Foundation for the completion of the Naval Undersea Museum at Keyport, Washington.
Sec. 8117	NA	Notwithstanding any other provision of law, no more than fifteen percent of the funds available to the Department of Defense for sealift may be used to acquire through charter or purchase, ships constructed in foreign shipyards.

PROVISIONS IN FISCAL YEAR 1992 DEFENSE APPROPRIATIONS ACTS SPECIFYING FUNDING BY PROJECT OR LOCATION—Continued

	Amount	Description
Sec. 8118	NA	(a) Funds shall be made available to the Secretary of Defense for the study of: (1) Israeli aerospace and avionics technology and its potential applications to ATF, NATF, CAS and LH aircraft programs, as well as other anticipated aircraft programs; (2) Potential areas of Joint United States-Israel collaboration in technology research and development projects including, but not limited to, tactical directed energy weapons; camouflage, concealment, deception and stealth measures; aerial and wide-area munitions; fiber optic guided missiles (FOG–M); and the adaption of the HAVE NAP to the B–1 and B–2 bombers; (3) The features and possible contributions of Israeli space technology to Department of Defense programs including, but not limited to, Israeli launchers, and including, but not limited to, cost-effectiveness in design and production of such technologies and systems; (4) Israeli antiterrorism technologies, and their potential applications to Department of Defense programs and operations, including, but not limited to, remote-controlled robots, security fences of all types, specialized x-ray and detection machines, and fast patrol boats. The Secretary of Defense shall work with the Office of Technology Assessment in conducting an examination of these subjects; (5) Possible applications of Israeli interdiction technologies to American efforts at drug interdiction, including, but not limited to, unmanned aerial vehicles, fast patrol boats, state-of-the-art ship and coastal radars, integrated command and control systems, and land interdiction systems such as visual and infra-red cameras, motion sensors and electronic fences; (6) Applications of environmental technologies and manufacturing capabilities to include, but not limited to, energy storage, energy conversion and renewable energy technologies; (7) Applications of critical technologies and manufacturing capabilities as defined by the Department of Defense's Critical Technologies Plan. The Secretary of Defense shall submit a final report with concrete recommendations and plans for implementation as appropriate to the Committees on Appropriations of the Senate and the House no later than August 1, 1992.
Sec. 8122	NA	(a) Notwithstanding any other provision of law, funds appropriated under this Act for the Department of Defense shall be made available for the Overseas Workload Program.
Sec. 8125	27,000,000	Of the funds appropriated under the heading "Research, Development, Test and Evaluation, Defense Agencies' in title IV of this Act, shall be available only for the Flexible Computer Integrated Manufacturing (FCIM) Systems Programs
	4,000,000	Of the funds in Sec. 8125 shall be made available only as a grant to the Institute for Advanced Flexible Manufacturing Systems. The grant made available by this subsection shall be administered by the Defense Advanced Research Projects Agency through the National Center for Manufacturing Sciences.
	11,500,000	Of the funds in Sec. 8125 shall be made available to the Secretary of the Navy only for the continuation of the Rapid Acquisition of Manufactured Parts program (RAMP) and for establishing a RAMP–FCIM Center for Manufacturing Excellence.
	11,500,000	Of the funds in Sec. 8125 shall be made available to the Secretary of the Army only for application of RAMP–FCIM technology to selected Army depots.
Sec. 8128	105,000,000	Made available in the fiscal year 1991 Department of Defense Appropriations Act for "Aircraft Carrier Service Life Extension Program" under the heading "Shipbuilding and Conversion, Navy, 1991/1995" shall be utilized only for a large scale industrial availability, presumed to be 24 months, of the U.S.S. John F. Kennedy at the Philadelphia Naval Shipyard.
	23,000,000	Shall be transferred to "Other Procurement, Navy, 1992/1994" for the purchase of items to be used for large scale industrial availability of the U.S.S. John F. Kennedy at the Philadelphia Naval Shipyard: Provided further, That the remaining funds shall be retained in the "Aircraft Carrier Service Life Extension Program" until required for transfer for the purpose of planning, scheduling, and any other such work as is necessary to prepare for and execute a large scale industrial availability of the U.S.S. John F. Kennedy at the Philadelphia Naval Shipyard.
Sec. 8129	26,000,000	(a) Within the funds made available to the Air Force under title II of this Act, the Air Force shall use such funds as necessary, but not to exceed this amount, to execute the cleanup of controlled hazardous waste contamination affecting the Sale Parcel at Hamilton Air Force Base, in Novato, in the State of California.
	4,500,000	(b) In the event that the purchaser of the Sale Parcel exercises its option to withdraw from the sale as provided in the Agreement, dated September 25, 1990, between the Department of Defense the General Services Administration, and the purchaser, the purchaser's deposit of 4,500,000 dollars shall be returned by the General Services Administration and funds eligible for reimbursement under the Agreement and Modification shall come from the funds made available to the Department of Defense by this Act.
	15,000,000	(c) Notwithstanding any other provision of law, the Air Force shall be reimbursed this amount for expenditures in excess of in connection with the total cleanup of uncontrolled hazardous waste contamination on the aforementioned Sale Parcel from the proceeds collected upon the closing of the Sale Parcel.
Sec. 8132	1,500,000	(a) There is thereby established a National Commission on the Future Role of United States Nuclear Weapons, Problems of Command, Control, and Safety of Soviet Nuclear Weapons, and Reduction of Nuclear Weapons (hereafter in this section referred to as the "Commission"). (d) To assist it in carrying out its duties with respect to the matters listed in subsection (c) (3)–(6) above, the Commission is requested to obtain a study from the National Academy of Sciences on these matters. Such a study would be a follow-on endeavor to the study concluded by the National Academy in September, 1991, on the nuclear relation ship of the United States and the Soviet Union: of the funds available to the Department of Defense, this amount shall be made available to the Commission to carry out the provisions of this section.
Sec. 8136	$20,000,000	Up to this amount in unobligated and unexpended funds in any appropriation made for Air Force programs in the Department of Defense Appropriations Act, 1991, shall be available to provide reimbursements for launch services costs authorized to be waived by the 1988 Amendments to the Commercial Space Launch Act.
Sec. 8138	NA	Notwithstanding any other provision of law, the Secretary of Defense may, when he considers it in the best interest of the United States, cancel any part of an indebtedness, up to 2,500 dollars, that is or was owed to the United States by a member or former member of a uniformed service if such indebtedness, as determined by the Secretary, was incurred in connection with Operation Desert Shield/Storm.
Sec. 8139	5,600,000	In addition to the amount appropriated in Public Law 102–140 for United States Information Agency "Salaries and expenses", this amount shall be derived by transfer from unobligated balances of Board for International Broadcasting, "Israel Relay Station", to be available for the costs of the participation of the United States in 1992 Columbus Quincentennial Expositions in Seville, Spain, and Genoa, Italy.
Sec. 8141	10,000,000	Department of the Navy shall obligate not less than this amount of the funds appropriated in this Act for Research, Development, Test, and Evaluation, Navy to develop an integrated display station as an engineering change to the Advanced Video Processor and for the reestablishment of the CI Mode integration testing.
Sec. 8149	NA	(a) The Secretary of Defense, during the current fiscal year or at any time thereafter, may make a donation to an entity described in subsection (b) of a parcel of real property (including structures on such property) under the jurisdiction of the Secretary that is not currently required for the needs of the Department and that the Secretary determines is needed and appropriate for the activities of that entity. (b) A donation under subsection (a) may be made to a nonprofit entity which provides medical, educational, and emotional support in a recreational setting to children with life-threatening diseases and their families.
Sec. 8150	220,000	(a) The Secretary of the Treasury shall pay, out of funds in the Treasury not otherwise appropriated, to George D. Hand, Jr., this amount for damages sustained by George D. Hand, Jr., as a result of the scuttling of the F/V SHINNECOCK I off Shinnecock Harbor, New York, on March 14, 1991.
Sec. 8151	1,000,000	Of the funds transferred to the Department of Energy pursuant to section 8089 of the Department of Defense Appropriations Act, 1991 (Public Law 101–511; 104 Stat. 1896), not to exceed this amount shall be made available in fiscal year 1992 to the Commonwealth of Pennsylvania for independent monitoring and testing of onsite activities in the decommissioning at the Apollo, Pennsylvania site.
MILITARY CONSTRUCTION		
BRAC I	220,000,000	Of the funds appropriated herein shall be available solely for environmental restoration.
GENERAL PROVISIONS		
Sec. 102	NA	Funds herein appropriated to the Department of Defense for construction shall be available for hire of passenger motor vehicles.
Sec. 103	NA	Funds appropriated to the Department of Defense for construction may be used for advances to the Federal Highway Administration, Department of Transportation, for the construction of access roads as authorized by section 210 of title 23, United States Code, when projects authorized therein are certified as important to the national defense by the Secretary of Defense.
Sec. 128	NA	(a) The Secretary of the Army shall carry out such repairs and take such other preservation and maintenance actions as are necessary to ensure that all real property at Fort Douglas, Utah (including buildings and other improvements) that has been conveyed or is to be conveyed pursuant to section 130 of the Military Construction Appropriations Act, 1991 (Public Law 101–519; 104 Stat. 2248) is free from natural gas leaks and other safety-threatening defects. In carrying out this subsection, the Secretary shall conduct a natural gas survey of the property.

PROVISIONS IN FISCAL YEAR 1993 DEFENSE APPROPRIATIONS ACTS SPECIFYING FUNDING BY PROJECT OR LOCATION

	Amount	Description
OPERATION AND MAINTENANCE		
O&M, Army	450,000	Shall be made available only for the 1993 Memorial Day Celebration.
	450,000	Shall be made available only for the 1993 Capitol Fourth Project.
	36,000,000	Shall be made available only for the procurement of the Extended Cold Weather Clothing System (ECWCS).
	1,715,000	Shall be made available only for the environmental assessment and environmental cleanup of the Badger Army Ammunition plant.
	7,000,000	Shall be made available only for the environmental cleanup of the National Presto Industries Eau Claire facility.
	1,000,000	Of the funds appropriated under this heading shall be available for providing military police training for Marine Corps personnel at Fort McClellan, Alabama.
	14,000,000	Shall be made available for Presidio of San Francisco, to be expended for ongoing operations and maintenance costs associated with the transition to the National Park Service, to be jointly determined with the National Park Service.
	100,000	Shall be made available only to connect Lowry Grove Mobile Home Park to the St. Anthony, Minnesota, municipal water supply system.
O&M, Navy	1,000,000	Shall be made available only for the conduct of an Environmental Impact Study at Bellows Air Force Base.
	900,000	Shall be made available only for the development of a military land use plan in Hawaii, under the direction of the Commander-in-Chief, United States Pacific Command.
O&M, Marine Corps	3,000,000	Shall be available only for Marine Corps child abuse prevention program.
O&M, Air Force	7,000,000	Shall be made available only for the operation of the Theater Air Command Control and Simulation Facility at Kirtland Air Force Base.
	15,500,000	Shall be made available only to operate, maintain and enhance the Tactical Interim CAMS and REMIS Reporting System (TICARRS) and the Smart Data System (SDS).
	4,000,000	Shall be made available only to immediately complete the necessary comprehensive testing and continued environmental restoration of the former Olmsted Air Force Base, Pennsylvania.

PROVISIONS IN FISCAL YEAR 1993 DEFENSE APPROPRIATIONS ACTS SPECIFYING FUNDING BY PROJECT OR LOCATION—Continued

	Amount	Description
O&M, Def Ag	815,110,000	Shall be made available only for the Special Operations Command.
	50,000,000	Shall be made available only for the global disaster relief activities of the Department of Defense.
	10,000,000	Shall be made available only for the disaster relief planning and studies of the Department of Defense as they relate to Department of Defense installations worldwide.
	50,000,000	Shall be made available only for the Legacy Resource Management Program.
	500,000	May be made available only for the Hawaiian Volcano Observatory for monitoring volcanic activity affecting the United States Army Pohakuloa Training Area.
	50,000,000	May be made available to the Office of Economic Adjustment for economic conversion projects at the Philadelphia Naval Shipyard.
	40,000,000	May be made available for the Civilian Community Corps program.
	2,000,000	Shall be made available only for a feasibility study on the use of rotary reactor thermal destruction technology in the treatment and disposal of waste regulated under the Resource Conservation and Recovery Act of 1976.
O&M, Ar Natl Gd	10,000,000	Shall be available for a National Guard Outreach Program in the Los Angeles School District.
Env Rest, Def	200,000,000	Shall be available only for the expedited cleanup of environmentally contaminated sites and only in accordance with a comprehensive plan submitted to Congress by the Secretary of Defense.
Real Prop. Mnt., Def	27,000,000	Shall be available only for the repair of property identified as part of a backlog of maintenance and repair projects at the Presidio of San Francisco.
PROCUREMENT		
Proc. of W&TCV, Army	196,625,000	In fiscal year 1991 funds received from the sale of M48- and M60-series tanks from the Army inventory by the United States under the Arms Export Control Act shall be available only for the M1-series tank upgrade program.
	771,000	In fiscal year 1992 funds received from the sale of M48- and M60-series tanks from the Army inventory by the United States under the Arms Export Control Act shall be available only for the M1-series tank upgrade program.
Proc. of Amm, Army	200,000,000	Shall be available only for the Armament Retooling and Manufacturing Support Initiative, to remain available for obligation until September 30, 1995.
Shpbldg & Conv, Navy	832,200,000	Carrier replacement program.
	37,239,000	Refueling overhauls.
	3,265,770,000	DDG–51 destroyer program.
	305,000,000	LHD–1 amphibious assault ship program.
	300,000,000	LSD–41 cargo variant ship program.
	236,205,000	MHC coastal mine hunter program.
	300,000,000	AOE combat support ship program.
	19,500,000	Oceanographic ship program.
RESEARCH, DEVELOPMENT, TEST, AND EVALUATION		
RDT&E, Army	210,000,000	Of the funds appropriated in this paragraph shall be available for a peer reviewed breast cancer research program with the Department of the Army as executive agent: Provided further, That the Army shall coordinate with the Armed Services Biomedical Research and Evaluation Management (ASBREM) Committee to involve facilities and medical and research personnel of the Department of the Navy and the Department of the Air Force, or other entities, in addition to facilities, medical and research personnel, and resources of the Department of the Army in the breast cancer research program.
	7,500,000	Of the funds in this paragraph shall be made available only for establishment of a flexible manufacturing center at the Scranton Army Ammunition Plant and may be transferred to another appropriation in title III of this Act.
	2,000,000	Shall be made available only for the Center for Prostate Disease Research at the Walter Reed Army Institute of Research.
	3,000,000	Shall be made available only for synaptic transmission research.
	20,000,000	Of the funds appropriated in this paragraph may be made available in the Acquired Immune Deficiency Syndrome program element only for a large-scale Phase III clinical investigation of the GP–160 vaccine.
	4,000,000	Of the funds appropriated in this paragraph for medical technology may be used for Assistive Technology Center at the National Rehabilitation Hospital.
RDT&E, Navy	1,000,000	Shall be made available, as a grant, to the Mississippi Resource Development Corporation.
	250,000	Of grant to Miss. Res. Dev. Corp. may be used to provide such special equipment as may be required for particular projects.
	1,500,000	Of the funds appropriated in this paragraph shall be made available only as a grant to the West Virginia High Technology Corporation for laboratory and other efforts associated with research, development and other programs of major importance to the Department of Defense.
RDT&E, Air Force	2,000,000	Of the funds appropriated in this paragraph shall be made available only for continuing the research program on development of coal-based, high thermal stability and endothermic jet fuels, including exploratory studies on direct conversion of coal to thermally stable jet fuels.
	6,500,000	Of the funds appropriated in this paragraph shall be made available only for the Joint Seismic Program administered by the Incorporated Research Institutions for Seismology.
	45,000,000	Of the funds appropriated in this paragraph shall be made available only for the National Center for Manufacturing Sciences (NCMS).
	5,000,000	Of the funds for NCMS is available only for the National Center for Tooling and Precision Components (NCTPC).
	55,500,000	Of the funds appropriated in this paragraph shall be made available only for the Space Nuclear Thermal Propulsion Program.
	39,500,000	Shall be made available in the SPACETRACK program element only to continue the Advanced Electro-Optical System project at the Air Force Maui Optical Station.
	11,600,000	Shall be made available in the Advanced Weapons Technology program element only for a Laser Imaging Detection and Ranging (LIDAR) project.
	5,000,000	May available in the Advanced Weapons program element only to continue the establishment and operation of an image information processing center supporting the Air Force Maui Optical Station and the Maui Optical Tracking Facility.
	500,000	May be made available as a grant to the Maui Economic Development Board to assist in refining the defense and industrial requirements and user base for the aforementioned image information processing center.
	10,000,000	Shall be available only for grants to be made for the development of dual use space launch facilities to support Department of Defense and commercial space launch requirements, consistent with the terms of the National Space Policy Directive.
RDT&E DEF AG	135,000,000	Of the funds appropriated in this paragraph are available only for the Extended Range Interceptor (ERINT) missile.
	57,776,000	Of the funds appropriated in this paragraph are available only for the Arrow Continuation Experiments.
	111,140,000	Of the funds appropriated in this paragraph are available only for the Patriot missile program.
	12,000,000	Of the funds appropriated in this paragraph shall be available only for an Experimental Program to Stimulate Competitive Research (EPSCOR) in the Department of Defense which shall include all States eligible as of the date of enactment of this Act for the National Science Foundation Experimental Program to Stimulate Competitive Research.
	25,000,000	Of the funds appropriated in this paragraph shall be made available only to explore the potential for electric vehicles to enable the armed services to achieve energy cost savings, comply with environmental requirements, and meet mission objectives.
	5,000,000	Of the funds provided under the previous proviso shall be made available only to establish one of the demonstration sites for the aforementioned electric vehicle technology program in the State of Hawaii.
	2,500,000	Of the funds provided under the previous proviso shall be made available only to establish one of the demonstration sites for the aforementioned electric vehicle technology program in Sacramento, California.
	5,000,000	Of the funds appropriated in this paragraph shall be made available as a grant only to the Texas Regional Institute for Environmental Studies for laboratory and other efforts associated with research, development and other programs of major importance to the Department of Defense.
	7,500,000	Of the funds appropriated in this paragraph shall be made available as a grant only to the University of Maryland for laboratory and other efforts associated with research, development and other programs of major importance to the Department of Defense.
	3,500,000	Of the funds appropriated in this paragraph shall be made available as a grant only to the University of Scranton for laboratory and other efforts associated with research, development and other programs of major importance to the Department of Defense.
	15,000,000	Of the funds appropriated in this paragraph shall be made available as a grant only to the Spokane Intercollegiate Research and Technology Institute and other efforts associated with research, development and other programs of major importance to the Department of Defense.
	9,000,000	Of the funds appropriated in this paragraph shall be made available as a grant only to the Northeastern University for laboratory and other efforts associated with research, development and other programs of major importance to the Department of Defense.
	5,000,000	Of the funds appropriated in this paragraph shall be made available as a grant only to the Colorado University for laboratory and other efforts associated with research, development and other programs of major importance to the Department of Defense.
	4,000,000	Of the funds appropriated in this paragraph shall be made available as a grant only to the Louisiana State University for laboratory and other efforts associated with research, development and other programs of major importance to the Department of Defense.
	5,000,000	Of the funds appropriated in this paragraph shall be made available as a grant only to the Illinois Institute of Technology for laboratory and other efforts associated with research, development and other programs of major importance to the Department of Defense.
	5,000,000	Of the funds appropriated in this paragraph shall be made available as a grant only to the Loma Linda University for laboratory and other efforts associated with research, development and other programs of major importance to the Department of Defense.
	2,000,000	Of the funds appropriated in this paragraph shall be made available as a grant only to the University of Minnesota for laboratory and other efforts associated with research, development and other programs of major importance to the Department of Defense.
	2,000,000	Of the funds appropriated in this paragraph shall be made available as a grant only to the University of Miami (Florida) for laboratory and other efforts associated with research, development and other programs of major importance to the Department of Defense.
	500,000	Of the funds appropriated in this paragraph shall be made available as a grant only to the University of Michigan for laboratory and other efforts associated with research, development and other programs of major importance to the Department of Defense.
	7,500,000	Of the funds appropriated in this paragraph shall be made available as a grant only to the University of Pennsylvania for laboratory and other efforts associated with research, development and other programs of major importance to the Department of Defense.
	3,000,000	Of the funds appropriated in this paragraph shall be made available as a grant only to the Science Center of Connecticut for laboratory and other efforts associated with research, development and other programs of major importance to the Department of Defense.
	2,000,000	Of the funds appropriated in this paragraph shall be made available as a grant only to Villanova University for laboratory and other efforts associated with research, development and other programs of major importance to the Department of Defense.
	1,000,000	Of the funds appropriated in this paragraph shall be made available as a grant only to the Medical College of Ohio for laboratory and other efforts associated with research, development and other programs of major importance to the Department of Defense.
	3,000,000	Of the funds appropriated in this paragraph shall be made available as a grant only to the Rochester Institute of Technology for laboratory and other efforts associated with research, development and other programs of major importance to the Department of Defense.

PROVISIONS IN FISCAL YEAR 1993 DEFENSE APPROPRIATIONS ACTS SPECIFYING FUNDING BY PROJECT OR LOCATION—Continued

	Amount	Description
	2,000,000	Of the funds appropriated in this paragraph shall be made available as a grant only to Bryant College of Rhode Island for laboratory and other efforts associated with research, development and other programs of major importance to the Department of Defense.
	7,500,000	Of the funds appropriated in this paragraph shall be made available as a grant only to Bradley University (Illinois) for laboratory and other efforts associated with research, development and other programs of major importance to the Department of Defense.
	2,000,000	Of the funds appropriated in this paragraph shall be made available as a grant only to University of South Florida for laboratory and other efforts associated with research, development and other programs of major importance to the Department of Defense.
	10,000,000	Shall be made available as a grant to the National Biomedical Research Foundation for laboratory efforts associated with major research programs in neurology, oncology, virology, cardiology, pediatrics and associated specialty area of critical importance to the Department of Defense.
REVOLVING AND MANAGEMENT FUNDS		
DBOF	90,000,000	Shall be available for the purchase of 1.8 million cases of Meals Ready to Eat in the current fiscal year.
OTHER DEPARTMENT OF DEFENSE PROGRAMS		
Def Health Prog	40,000,000	Of available funds shall be provided to the Uniformed Services Treatment Facilities program to be used only to fulfill any recoupment action of the Health Care Financing Administration for health care provided to eligible retired Department of Defense beneficiaries over age 65 between October 1, 1986, and December 31, 1989.
	150,000	Shall be used only for the implementation of a cooperative program model at Madigan Medical Center for severely behavior disordered students.
	7,500,000	Of the funds appropriated in this paragraph shall be made available as a grant only to the Northeast Regional Cancer Institute for programs of major important to the Department of Defense.
Drug Int. & Cntr-Drug Act., Def	25,500,000	Shall be available only for operation and maintenance expenses for five sea-based aerostat systems to provide detection and monitoring support for the United States Coast Guard anti-narcotics operations.
	7,500,000	Shall be available only for the Gulf States Counter-Narcotics Initiative.
	NA	The Secretary shall either lease or procure, and evaluate, an existing airship as an integrated sensor platform for detection and monitoring missions in the Department's Drug Interdiction and Counternarcotics program.
DEFENSE REINVESTMENT FOR ECONOMIC GROWTH		
	80,000,000	May be transferred by the Secretary of Defense under established procedures to the Department of Commerce, Economic Development Administration only for programs which assist workers and communities affected by the military drawdown.
	76,000,000	May be made available to the Secretary of Defense for the provision of temporary health transition assistance for military and civilian employees of the Department of Defense.
	72,000,000	May be made available to the Secretary of Defense for Department of Defense civilian personnel transition initiatives.
	65,000,000	May be made available to the Secretary of Defense for his efforts to provide training in the field of education for military and civilian employees of the Department of Defense to relieve shortages of elementary and secondary school teachers and teacher's aides.
	20,000,000	May be made available to the Secretary of Defense for Defense environmental research, education, and retraining programs.
	84,000,000	May be made available to the Secretary of Defense to support job training and employment and educational opportunities for members of the armed forces who are discharged or released from active duty.
	75,000,000	May be made available to the Secretary of Defense for military service members occupational conversion and training.
GENERAL PROVISIONS		
Sec. 9032	NA	Notwithstanding any other provision of law, the Department shall competitively award contracts for the geographical expansion of the CHAMPUS Reform Initiative in Florida (which may include Department of Veterans Affairs medical facilities with the concurrence of the Secretary of Veterans Affairs), Washington, Oregon, and the Alexandria, Louisiana (England Air Force Base) Forth Worth, Texas (Carswell Air Force Base) and Austin, Texas (Bergstrom Air Force Base) regions.
Sec. 9033	NA	Funds appropriated or made available in this Act shall be obligated and expended to continue to fully utilize the facilities at the United States Army Engineer's Waterways Experiment Station, including the continued availability of the supercomputer capability.
Sec. 9036	230,700,000	Of the funds appropriated to the Army shall be available only for the Reserve Component Automation System (RCAS).
Sec. 9039	20,000,000	Of the funds available to the Department of the Army during the current fiscal year may be used to fund the construction of classified military projects within the Continental United States, including design, architecture, and engineering services.
Sec. 9041A	10,000,000	(a) Shall be available for National Defense Science and Engineering Graduate Fellowships to be awarded on a competitive basis by the Secretary of Defense to United States citizens or nationals pursuing advanced degrees in fields of primary concern and interest to the Department. (b) Fellowships awarded pursuant to subsection (a) above shall not be restricted on the basis of the geographical locations in the United States of the institutions at which the recipients are pursuing the aforementioned advanced degrees. (c) Not less than 50 per centum of the funds necessary to carry out this section shall be derived from the amounts available for the University Research Initiatives Program in "Research, Development, Test and Evaluation, Defense Agencies", and the balance necessary shall be derived from amounts available for Defense Research Sciences under title IV of this Act.
Sec. 9044	NA	The designs of the Army Comanche Helicopter, the Navy A–X Aircraft, the Air Force Advanced Tactical Fighter, and any variants of these aircraft, must incorporate Joint Integrated Avionics Working Group standard avionics specifications and must fully comply with all DOD regulations requiring the use of the Ada computer programming language no later than 1998.
Sec. 9055	18,500,000	Of the funds appropriated by this Act shall be available for the mental health care demonstration project at Fort Bragg, North Carolina.
Sec. 9062A	500,000	Of the funds made available by this Act to the Department of the Navy, to remain available until September 30, 1993, shall be available only for the expenses of the Kahoolawe Island Commission which is hereby authorized to delay until March 31, 1993, the submission of its final report.
Sec. 9074	10,596,000	Shall be available for the Civil Air Patrol.
	4,471,000	Of the funds in Sec. 9074 shall be available for Operation and Maintenance.
Sec. 9078	NA	There is established, under the direction and control of the Attorney General, the National Drug Intelligence Center, whose mission it shall be to coordinate and consolidate drug intelligence from all national security and law enforcement agencies, and produce information regarding the structure, membership, finances, communications, and activities of drug trafficking organizations: Provided, That funding for the operation of the National Drug Intelligence Center, including personnel costs associated therewith, shall be provided from the funds appropriated to the Department of Defense for drug interdiction and counter-drug activities.
	20,000,000	Available for the National Drug Intelligence Center may be available to the Secretary of Defense to reimburse the Department of Justice for support provided to the National Drug Intelligence Center.
Sec. 9088	20,000,000	Is appropriated to be available only for the relocation of Air Force units from Clark Air Force Base and Navy units from the Subic Bay Navy Base and Cubi Point Naval Air Station.
Sec. 9089A	NA	Of the funds appropriated under the heading 'Research, Development, Test and Evaluation, Defense Agencies' in title IV of this Act shall be made available as grants to the following institutions in the following amounts for laboratory and other efforts associated with research, development and other programs of major importance to the Department of Defense.
	5,000,000	University of Arizona.
	3,900,000	St. Norbert College.
	15,000,000	Johns Hopkins University.
	15,000,000	University of Wisconsin Center for Advanced Propulsion.
	5,300,000	John Carroll University.
	750,000	University of Northern Iowa.
	15,000,000	Medical College of Wisconsin.
	15,000,000	University of St. Thomas, St. Paul, Minnesota.
Sec. 9091A	8,000,000	Drawn pro rata from each appropriations account in title III, Procurement, shall be available for incentive payments authorized by section 504 of the Indian Financing Act of 1974, 25 U.S.C. 1544.
Sec. 9098	82,000,000	Made available in the fiscal year 1991 Department of Defense Appropriations Act (Public Law 101–511) for 'Aircraft Carrier Service Life Extension Program' under the heading 'Shipbuilding and Conversion, Navy, 1991/1995' shall be transferred to 'Operation and Maintenance, Navy' for a large scale industrial availability, presumed to be 24 months, of the USS JOHN F. KENNEDY at the Philadelphia Naval Shipyard.
Sec. 9099	23,270,000	Of the funds made available by this Act in title II, Operation and Maintenance, Army, shall be available only to execute the cleanup of uncontrolled hazardous waste contamination affecting the Sale Parcel at Hamilton Air Force Base, in Novato, in the State of California.
	4,500,000	In the event that the purchaser of the Sale Parcel exercises its option to withdraw from the sale as provided in the Agreement and Modification, dated September 25, 1990, between the Department of Defense, the General Services Administration, and the purchaser, the purchaser's deposit of this amount shall be returned by the General Services Administration and funds eligible for reimbursement under the Agreement and Modification shall come from the funds made available to the Department of Defense by this Act.
	NA	The Air Force shall be reimbursed for expenditures in excess of 15,000,000 dollars in connection with the total clean-up of uncontrolled hazardous waste contamination on the aforementioned Sale Parcel from the proceeds collected upon the closing of the Sale Parcel.
Sec. 9100	NA	Notwithstanding any other provision of law, the Secretary of Defense may, when he considers it in the best interest of the United States, cancel any part of an indebtedness, up to 2,500 dollars, that is or was owed to the United States by a member or former member of a uniformed service if such indebtedness, as determined by the Secretary, was incurred in connection with Operation Desert Shield/Storm: Provided, That the amount of an indebtedness previously paid by a member or former member and cancelled under this section shall be refunded to the member.
Sec. 9101	60,500,000	Not to exceed this amount of cash balances in the Defense Business Operations Fund shall be transferred to appropriations of the Department of Defense which are available for energy conservation improvement projects under the Department of Defense Energy Conservation Improvement Program: Provided, That the authority to make transfers pursuant to this section is in addition to any other transfer authority provided by this Act.
Sec. 9110	400,000,000	(a) The Secretary of Defense may transfer to appropriate appropriation accounts for the Department of Defense, out of funds appropriated to the Department of Defense for fiscal year 1993, up to this amount to be available for the purposes authorized in the Former Soviet Union Demilitarization Act of 1992: Provided, That amounts so transferred shall be in addition to amounts transferred pursuant to the authority provided in section 108 of Public Law 102–229 (105 Stat. 1708).
	10,000,000	Of the funds in Sec. 9110 shall be available only for the study, assessment, and identification of nuclear waste disposal by the former Soviet Union in the Arctic region.

PROVISIONS IN FISCAL YEAR 1993 DEFENSE APPROPRIATIONS ACTS SPECIFYING FUNDING BY PROJECT OR LOCATION—Continued

	Amount	Description
	25,000,000	Of the funds in Sec. 9110 shall be available only for Project PEACE.
	50,000,000	Of the funds in Sec. 9110 may be made available for the Multilateral Nuclear Safety Initiative announced in Lisbon, Portugal on May 23, 1992.
	40,000,000	Of the funds in Sec. 9110 may be made available for demilitarization of defense industries.
	15,000,000	Of the funds in Sec. 9110 may be made available for military-to-military contacts.
	25,000,000	Of the funds in Sec. 9110 may be made available for joint research and development program.
	10,000,000	Of the funds in Sec. 9110 may be made available for the Volunteers Investing in Peace and Security (VIPS) program.
	40,000,000	The Secretary of Defense may transfer to appropriate appropriation accounts for the Department of Defense, out of funds available to the Department of Defense for fiscal year 1993, up to this amount to be available for international nonproliferation activities authorized in the Weapons of Mass Destruction Control Act of 1992.
	20,000,000	Of the transfer authority provided in this section may be used for the activities of the On-Site Inspection Agency in support of the United Nations Special Commission on Iraq.
Sec. 9111	NA	In order to maintain an electric furnace capacity in the United States, preference for the purchase of chromite ore and manganese ore authorized for disposal from the National Defense Stockpile shall be given to domestic producers of high carbon ferrochromium and high carbon ferromanganese.
Sec. 9116	8,000,000	Of the funds appropriated to the Department of Defense for Operation and Maintenance, Defense Agencies, shall be made available only for the mitigation of environmental impacts on Indian lands resulting from Department of Defense activities.
Sec. 9119	NA	Funds appropriated by this Act for the Defense Health Program shall be used to maintain at minimum a 50-bed medical care facility at Silas B. Hays Army Community Hospital at Fort Ord, California during fiscal year 1993.
Sec. 9123	NA	During the current fiscal year, from funds available in this Act, the Director of the Air National Guard shall establish a Command, Control, Communications and Intelligence planning office manned by three full-time Air Guard officers in the rank of O–6, O–5, and O–4: Provided, That these officers shall be in addition to the strengths authorized in section 524 of title 10, United States Code.
Sec. 9134	NA	The Secretary of Defense shall provide for the conduct of an independent study, with participation by one or more federally funded research and development centers, of the Trident missile system.
Sec. 9136	25,000,000	Of the funds appropriated for drug interdiction and counter narcotics shall be appropriated for the purposes of modifying with improved radars and FLIRs and leasing up to 15 T–47 aircraft.
Sec. 9145	20,000,000	Of the funds appropriated under the heading 'Research, Development, Test and Evaluation, Army' in this Act shall be made available only for the National Defense Environmental Corporation, or its successor in interest, for the continued establishment and operation of the National Defense Center for Environmental Excellence (NDCEE).
Sec. 9148	1,000,000	Notwithstanding any other provision of law, the Secretary of Defense shall participate in an infrastructure demonstration program conducted by the Regional Equipment Center, Cambria County, Pennsylvania: Provided further, That of the funds available to the Defense Logistics Agency, this amount shall be available only to establish the Regional Equipment Center in Cambria County Pennsylvania.
Sec. 9149	125,625,000	Is appropriated to the Secretary of Defense, which shall be transferred to the Secretary of Energy by November 1, 1992, to remain available until expended for expenses necessary for the purpose of acquiring, transporting and drawing down crude oil to be stored in the Strategic Petroleum Reserve for national defense purposes, Provided, That the Secretary of Energy may transfer up to 700,000 dollars to the Strategic Petroleum Reserve Account for purposes of operating, maintaining and managing the Strategic Petroleum Reserve.
Sec. 9150	5,000,000	The Secretary of Defense is authorized to expend up to this amount of funds available to the Department of Defense during the current fiscal year or hereafter for the purpose of acquiring approximately one thousand five hundred and two acres of tidelands in the State of Washington from the Coast Oyster Company.
Sec. 9151	NA	During the current fiscal year, funds available to the Department of Defense used for a system or item procured by, or provided to, the Department of Defense containing manufactured carbonyl iron powders shall be available only for a system or item containing domestically manufactured carbonyl iron powders: for the purpose of this section 'domestically manufactured' means manufactured in a facility located in the United States or Canada.
Sec. 9154	NA	Funds appropriated in this Act under the heading 'Operation and Maintenance, Navy' shall be available for payments arising out of the deaths and injuries that resulted from the occidental striking of the Turkish ship Muavenet by a missile fired from the aircraft carrier Saratoga on October 2, 1992.
Sec. 9157	4,500,000	Is appropriated only for the construction of a visitors center at the United States Naval Academy, Annapolis, Maryland.
	5,500,000	Is appropriated only for the construction of a library at Fort Bragg, North Carolina.
	9,700,000	Is appropriated only for the construction of the 154th Composite Group Consolidated Support Facility, Hickam Air Force Base, Oahu, Hawaii.
	1,050,000	Is appropriated only for the construction of an armory at Kaunakakai, Molokai, Hawaii.
	8,500,000	Is appropriated only for the construction of FACP facilities at Barking Sands Naval Air Station, Kauai, Hawaii.
	4,300,000	Is appropriated only for the construction of an armory at Wahiawa, Oahu, Hawaii.
Sec. 9158	100,000,000	From within funds provided in title II of this Act, the Secretary of Defense, in consultation with the Secretary of State, may obligate up to this amount to provide goods, services, and other support for international peacekeeping and humanitarian relief efforts under the authorities of the United Nations Participation Ace of 1945, as amended (Public Law 79–264). SEC. 9159.
Sec. 9160	500,000	Shall be available only for the settlement of subcontractor claims associated with the Army Corps of Engineers contract DACA85–88–0025, for the construction of an Aircraft Maintenance Management Facility at Eielson Air Force Base.
Sec. 9162	34,000,000	From the funds made available in title II of this Act, the Secretary of Defense may make a grant of this amount to the American Red Cross for reimbursement for disaster relief expenditures for Guam, American Samoa and Puerto Rico.
Sec. 9163	40,000,000	The Secretary of the navy is authorized and directed to increase the current contract price (the contract price including all modifications as of the date of enactment of this act) for the T–AGS 39 and 40 design and construction contract by this amount using funds provided in Public Law 102–172 for this program, and shall pay to the contractor which built and delivered T–AGS 39 and 40 this amount no later than December 31, 1992.
Sec. 9164	350,000,000	The Secretary of the Air Force is directed to enter into a Supplemental Agreement to Air Force Prime Contract F04701–85–C–0019 for a Heavy Lift Expendable Launch Vehicle: Provided, That such a Supplemental Agreement shall address the Solid Rocket Motor Upgrade (SRMU) program and shall provide up to this amount in payment to the prime contractor and the agreed upon payments to the subcontractor: Provided further, That within funds appropriated to the Department of the Air Force either in this Act or in Public Law 102–172 not less than 200,000,000 nor more than 300,000,000 dollars shall be available for the Supplemental Agreement and that such sums shall be in addition to any amounts appropriated specifically for the Titan IV program in this Act or in Public Law 102–172.
Sec. 9165	32,000,000	Within funds appropriated in this Act for the National Foreign Intelligence Program, the Director of Central Intelligence may transfer up to this amount to the Federal Bureau of Investigations for special programs.
Sec. 9166	303,000,000	Is hereby appropriated to the Department of Defense and shall be available only for transfer to the United States Coast Guard.
	253,000,000	Of funds in Sec. 9166 shall be merged with and be available for the same purposes and same time period as 'Operating Expenses' for fiscal year 1993.
	50,000,000	Of funds in Sec. 9166 shall be merged with and be available for the same purposes and same time period as 'Reserve Training' for fiscal year 1993.
MILITARY CONSTRUCTION		
MILCON, DEF AG	NA	The Secretary of Defense shall continue the construction of a composite medical replacement facility located at Nellis Air Force Base, Nevada, as authorized in the Military Construction Authorization Act for Fiscal Years 1990 and 1991 (division B of Public Law 101–189) and the Military Construction Authorization Act for Fiscal Year 1991 (division B of Public Law 101–510) and as provided for in the Military Construction Appropriations Act, 1990 (Public Law 101–148) and the Military Construction Appropriations Act, 1991 (Public Law 101–519).
BRAC I	134,600,000	Of the funds appropriated herein shall be available solely for environmental restoration.
BRAC II	308,900,000	Of the funds appropriated herein shall be available solely for environmental restoration.
GENERAL PROVISIONS		
Sec. 102	NA	Funds appropriated to the Department of Defense for construction shall be available for hire of passenger motor vehicles.
Sec. 103	NA	Funds appropriated to the Department of Defense for construction may be used for advances to the Federal Highway Administration, Department of Transportation, for the construction of access roads as authorized by section 210 of title 23, United States Code, when projects authorized therein are certified as important to the national defense by the Secretary of Defense.

Mr. McCAIN. I hope my colleagues will each take the time to review this revealing document.

I also emphasized that this is not a problem which is peculiar to the Defense budget, but I feel it is important for my colleagues to fully understand the potential impact on our national security when these abuses of the budget process occur in a Defense appropriations bill.

Mr. President, may I pause to ask for the yeas and nays on this amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. McCAIN. Mr. President, I pointed out on Monday that the debate in the Senate is not about just another Defense bill. The importance of this bill increases in the context of post-cold war global instability and the potential threat of proliferation of weapons of mass destruction. Most importantly, the Senate is debating these issues while American soldiers are stationed in Somalia, ready to put their lives on the line for their Nation. The decisions the Congress makes today will determine the ability of the United States in the future to play an effective role in world affairs and to protect our own security and that of our friends and allies.

My colleagues know that, in real terms, the fiscal year 1994 Defense budget is over one-third less than the amount available for our national defense in fiscal year 1985. Dollars for de-

fense are scare and getting scarcer. Because of these huge funding cuts, we are forcing hundreds of thousands of men and women out of the military. Our defense industrial base is being cut to the bone. We are accepting compromise after compromise in our military capabilities. The United States has eliminated all programs to modernize our strategic deterrent forces, even though a great degree of uncertainty exists as to the status of such programs in the former Soviet Union. We are cutting readiness, and some aspects of our forces are rapidly becoming hollow. We have already taken our peace dividend. There are no spoils left for the Congress to divide.

Yet, the Congress insists on setting aside billions of defense dollars for unrequested, unrequired, special interest programs. These congressional earmarks threaten the viability of a necessarily smaller defense force supporting a new, more limited strategy, and thus they threaten the long-term security of our nation and its citizens. In an immediate sense, unrequested add-ons take away the livelihoods of men and women in defense industry who earn their jobs by working on programs the country really needs. And they drive highly skilled men and women out of the military services, including many minorities, and make it more difficult to attract capable men and women to enter into the military as a career.

Mr. President, as I have consistently stated to my colleagues, every dime the Congress earmarks for Members' special interest items and pork barrel projects comes at the expense of a validated military requirement necessary to ensure the security of this Nation. The fact is that there is no such thing as free pork. Every add-on requires an offset from some other program. Often these tradeoffs are difficult to identify readily. But if and when American troops are required to put their lives on the line in defense of this Nation's interests, the dangerous effect of pork barrel politics will become very obvious. We cannot afford pork barrel projects anymore. I, for one, will do all I can to see that this practice does not continue.

Mr. President, as I said earlier, the Congressional Research Service compiled a list of legislative earmarks in DOD appropriations bills over the past 4 years. By earmark, I mean a legislative or report language requirement that funds be spent in a particular manner or at a particular place, generally without consideration to merit, priority, or competitive bidding. The CRS report demonstrates just how egregious earmarking of appropriations has become. This information is contained in the CONGRESSIONAL RECORD of Monday's date.

Mr. President, let me emphasize again, as some of my colleagues from the Appropriations Committee also pointed out, some of these special interest projects may, indeed, be very meritorious projects and deserve Federal funding—but not defense dollars. But every time the Congress acts with this kind of specificity, some other project—one that may be requested and, most importantly, which is essential to national security—goes unfunded. This is wrong. It is wrong whether the project is in Minnesota or Arizona. Defense dollars are intended to enhance national security, not domestic comfort.

Mr. President, again today, I would like to point out to my colleagues that the fiscal year 1994 DOD appropriations bill passed by the House is replete with earmarks of scarce defense dollars for home-district projects. The House set aside $6.5 billion of defense dollars for special interest, noncompetitive projects at bases, universities, and other institutions in Members' home districts. In other words, the House gave its Members $6.5 billion in pork barrel projects. I have already placed into the record the complete list of $6.5 billion in earmarks in the House version of the Defense appropriations bill.

Let me again briefly tell you about a few of those earmarked projects in the House DOD Appropriations bill for next year.

Every dime—every dime—of the $236.5 million in funds intended to assist in transitioning our defense industries and personnel to commercially viable endeavors is allocated to specific projects at designated sites, universities, institutions, and other earmarked recipients.

Mr. President, my worst fears have come true. As I supported funding for defense conversion so that we could help these communities, help these businesses, help these States make adjustments as we cut defense spending, we are now seeing them earmarked not on the basis of merit but on the basis of who has the most clout.

Mr. President, we have organizations in the Defense Department who are qualified to make those decisions on a competitive basis. That is the way it should be done.

The sum of $2.3 million is set aside for cell adhesion molecule research, to be done at a "nonprofit foundation in the northeast * * * by an integrated team of scientists with extensive experience in the molecular analysis of the immune system * * * the scientific team must have extensive experience in the identification and analysis of cell adhesion, signal transduction pathways, cytokine production, and gene regulation."

That is actually the language of the bill. I do not know who that organization is, Mr. President, but I know there is only one of them.

Up to $50 million is directed by the House to be spent for environmental cleanup of an abandoned mine at the Penn Mine site in Calaveras County, CA.

My colleagues on the appropriations bill have said these are worthwhile projects. It may be worthwhile to clean up a mine in Calaveras County, CA. But how, for the life of me, that is a defense requirement is something I simply do not understand.

All this data is available in the CONGRESSIONAL RECORD of October 18.

Mr. President, again, I am happy to say that the Senate appropriators seem to have moderated the district spending spree initiated by the House. Although I do not have a complete list of earmarks in the bill before the Senate today, it appears that most of the egregious programs included in the House bill have been deleted from this version. Again, I congratulate my colleague on the Senate Appropriations Committee for their relative restraint.

However, Mr. President, I must note with dismay that the bill before the Senate today does contain some objectionable provisions which clearly earmark dollars for special interest projects. Again, I will stress that these projects may have merit, but I firmly believe that funding decisions based on competitive bidding and independent evaluation are the only means to ensure that the American taxpayers' dollars are spent for the highest priority projects.

Let me very briefly talk about a few examples of earmarks which are included in this DOD appropriations bill: $5 million is earmarked for a center of excellence for research in ocean sciences; $1.5 million of defense dollars are directed to be spent to purchase an LCU ship, convert it to a commercial cargo vessel, and then deed it to the Government of American Samoa; $500,000 for environmental remediation and wells on Walker River Paiute tribal lands; $4.5 million for the McMinville, Oregon Center for Aviation Technology and Training; two higher education systems in two separate States will share nearly $9 million under a provision in the bill which directs the establishment of an international job training program at one college and a math teachers leadership project at the other college; $2 million to establish a marine environmental research facility at Astoria, OR; $12 million for the AKAMAI project at Tripler Army Hospital in Hawaii; $1.7 million to replace a public landfill at Kotzebue, Alaska; $2.5 million is set aside to fund a joint Air Force/Navy Auroral Research Program, for which there is no request and no authorization.

I have not read this entire bill. One of the problems we have is sometimes it takes days and even weeks to ferret out all of the different kinds of appropriations.

From my reading of these provisions, it appears that my amendment may be construed to prohibit noncompetitive contract awards in only four of these instances: The grants of the two universities, the environmental research center, the landfill, and the environmental work on Indian lands. Again, however, these programs may very well receive appropriate funding under competitive procedures for these dollars.

The dollars earmarked for these and other programs like them are dollars taken away from identified, higher priority, military requirements of the Department of Defense. They are dollars taken away from working military men and women and their counterparts working in defense industries. The cost of these earmarks is the continued degradation of the readiness of our military forces at a time of continuing instability in the world.

It is time we looked around and realized what we are really doing. It is time we realized where lobbying, special interests, and narrow constituent concerns have brought us. If we continue this pattern of waste, we will be responsible for our Nation's inability to defend our interests in the future.

The amendment I offer is very simple. My amendment states that the provisions in this bill dealing with university research, community adjustment assistance, strategic environmental research, and environmental restoration shall not require the Department of Defense to award a contract or make a grant to a specific non-Federal entity. If my amendment is adopted, contracts and grants would be awarded under the competitive, merit-based selection procedures that are currently in law. In other words, there would be no earmarks in these programs in the fiscal year 1994 Defense appropriations bill.

My amendment would prohibit earmarking of appropriations in these very specific areas, most of which were included in the House version of the bill but deleted by the Senate appropriators. And in fact, my amendment would affect only a small portion of the $6.5 billion in earmarks that the House included in its bill. In total, my amendment only affects about $316 million in earmarked funds in the House bill.

But, Mr. President, I hereby serve notice that I will strenuously object to the inclusion of any of these earmarks in a conference agreement on the fiscal year 1994 Defense appropriations bill.

This amendment is just a start. On Monday, I also noted four possible solutions to deal with the problem of pork highlighted by the CRS report. I want the Senate to be on notice that, beginning with this amendment, I will be seeking to have the four points I raised become law.

Last week, during the Senate's debate on a different subject, the esteemed Senate Appropriations chairman, Senator BYRD, sought to clarify—by using the dictionary—his point. Let me now follow his lead.

The Random House College Dictionary defines an earmark as "to set aside for a specific purpose." Competition, on the other hand, is defined as "the act of competing." These two terms are not interchangeable; they are not remotely synonymous; they are, in fact, opposites. The Congress cannot, on the one hand, direct the Department of Defense to rely on competition to save money, but then provide them with a bill containing billions of dollars of noncompetitive earmarks of the Congress' choosing.

Let me give praise where praise is due. During consideration of the fiscal year 1994 Department of Transportation appropriations bill, Chairman LAUTENBERG sought to "winnow some of the earmarks—money directed to lawmakers' favorite projects—out of the bill." Congressional Quarterly reported that "Lautenberg * * * was responding to the public, which wants Congress to cut spending and pork barrel politics."

In the article, Senator LAUTENBERG is quoted as saying, "I don't think I'm the only one who sees a new era coming." He continued, "I thought it was an appropriate time to [respond to] what I hear is a clamor from the people we represent." I hope my colleagues on both sides of the aisle will attend to the words of Senator LAUTENBERG.

The Congress passed a Department of Transportation bill with considerably fewer earmarks than in the past. We can do the same with the Department of Defense bill. The Congress must choose between competition and earmarks.

The public is no longer merely clamoring for an end to pork barrel politics; it is yelling, screaming, demanding something be done—demanding that we stop pork barrel spending and earmarking. We must put the national good, our national priorities, before local political gain.

The choice is clear: earmarks versus competition—politics as usual versus fiscal responsibility. I urge my colleagues to take the first step toward fiscal responsibility. I urge my colleagues to support my amendment.

Finally, and I appreciate the patience of my colleagues, I am aware of the way the Senate and the Congress have been doing business for many years. I am aware that seniority allows certain latitudes and certain things to be done in this body. I am aware that the defense appropriations bill clearly indicated by the CRS report and other studies has been an area where billions and billions of dollars have been spent on special projects, on projects that were neither requested nor authorized, and many times appropriated.

I want to put this in the right context. In the area of defense we are telling thousands of young men and women we cannot afford to keep them in the military, and we are still able to afford billions of dollars on unnecessary, unfunded expenditures. We cannot do that.

Mr. President, 10 percent of the African-American young men in America today who are employed are in the military. We are telling them we cannot afford to keep them because we have to downsize our military. The military and our All-Volunteer Force has been, in my view, the best way for an American to lift himself or herself up from conditions of poverty and receive an education, receive an opportunity. Yet, we are going to spend billions of dollars on things such as I just enunciated.

I know, also, that I risk some retaliation in my State. I am willing to risk that retaliation because I am a U.S. Senator, not an Arizona Senator. But it has to stop. We have to get control of this process because we do not have the confidence of the American people in what we are doing. And the best way to restore that confidence of the American people, in my view, is to treat their tax dollars as if they were our very own and spend them on only needed defense spending and not other unneeded, unrequested funding. The best way we can do that is restore some regularity and formality to the process.

Mr. President, I yield the floor.

Mr. THURMOND. Will the distinguished Senator yield me 5 minutes?

Mr. MCCAIN. I yield 5 minutes to the Senator from South Carolina.

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

Mr. THURMOND. Mr. President, I am pleased to join as a cosponsor of the amendment offered by my good friend and colleague from Arizona, Senator JOHN MCCAIN. If approved, this amendment will put the Senate on record as being in favor of spending our shrinking defense dollars in the most effective and efficient manner. The language in Senator MCCAIN's amendment emphatically restates the congressional policy that funds expended under community adjustment assistance, university research, strategic environmental research, and environmental restoration programs are awarded on the basis of merit rather than on other considerations. This amendment makes explicit the approach followed in large measure by the Senate Appropriations Committee.

The earmarking of programs is a long-established practice in Congress. We have the power of the purse and must be sensitive to the needs of our constituents regarding the administration of Federal programs. Therefore, it is pointless and unfair to try to place the blame for earmarking practices on any member, committee or House of Congress, but this year the problem has gone to far.

We are not facing a crisis in managing defense spending. The defense budget appears to be in freefall and our military commitments around the world are shifting rather than decreasing. The Armed Services Committees are struggling to meet draconian outlay targets in the critical research and development accounts. We may have to reduce these accounts $4 billion below the House figure. We are in danger of eating our seed corn as we sacrifice our technology programs to shorter term priorities.

In this environment, large-scale earmarking is a luxury we can no longer afford. We must ensure that every dollar be expended on defense programs that are judged to be meritorious by a process freed of other considerations. If there are concerns about the process for awarding grants or contracts under these programs, then let us examine that process and make appropriate corrections. The answer, however, is not to overturn a competitive process in favor of earmarks.

Mr. President, I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. MCCAIN. Mr. President, I yield to the Senator from New Mexico such time as he needs.

The PRESIDING OFFICER. The Senator from New Mexico is recognized.

Mr. BINGAMAN. Mr. President, how much time remains for the proponents?

The PRESIDING OFFICER. Ten minutes, forty-seven seconds.

Mr. BINGAMAN. I request 5 minutes of that time and then I will yield the rest of it back to my colleague. I know the Senator from Georgia, the chairman of the authorizing committee, would like to speak as well.

Mr. President, I rise in support of the amendment offered by Senator MCCAIN and wish to join him in this effort. I do think this is an issue that is not being addressed for the first time in the Senate. It is one that we have addressed several times before.

I want to make very clear what I believe Senator MCCAIN stated in his comments as well, that the issue we are raising with this amendment is not directed at the provisions that are in the bill pending in the Senate today. I want to commend the Senator from Hawaii and the Senator from Alaska for the constructive approach that they and their colleagues on the Appropriations Committee have taken toward preserving the statutory processes and the principle of merit-based-selection procedures in the bill before us. These cost-sharing, competitive principles which the Senate committee was embracing were at the heart of last year's legislation on conversion. The principles enjoyed bipartisan support in the recommendations of the Pryor task force and the Rudman task force.

There is a broad consensus that this is the only fair way to allocate these funds, especially when they are oversubscribed by a factor of 20 to 1, as they are in the case of the technology reinvestment project, which is the name that has been given to the technology and industry component of Congress' 1992 conversion and reinvestment legislation.

So, again, I want to commend the Senate Appropriations Committee for taking this approach and for including section 8130 in the bill that is pending before us today. This section, which was offered by Congressman GEORGE BROWN on the House side ties the expenditure of technology reinvestment funds to the competition and cost-sharing and other procedures set forth in the law.

However, Mr. President, let me just point out that there are some other areas that have been referred to by Senator MCCAIN where Congress has established specific statutory merit-based procedures, and we need to ensure that in those cases, the competitive procedures are followed as well.

The first of these that we are addressing in our amendment is the long list of operations and maintenance earmarks in the House report language aimed at particular communities facing dislocation due to defense cutbacks.

A second area which has been referred to is university earmarks.

A third is the earmarks contained in the House bill related to the Strategic Environmental Research and Development Program.

And, finally, the earmarks involved with the defense environmental restoration account. Clearly, we need to ensure that those programs are allowed to proceed on the basis of merit, they are allowed to proceed on the basis of competition, as was the intent of Congress from the very beginning.

I am particularly concerned about the long list of dual-use technology earmarks in the areas such as manufacturing technology, automotive technology, health care technology, electronics and materials technology. The vast majority of these appear to be projects intended for a particular recipient. These are projects that could and should be competitive under the Technology Reinvestment Program.

In each of these areas, the Advanced Research Projects Agency received in excess of 100 proposals. We have very limited funds available for defense and dual-use research and, as the Senator from South Carolina pointed out, we are being asked in the conference with the House on the defense bill to cuts in excess of $5 billion from the President's request for defense R&D. We cannot afford to spend the scarce resources we have for research and development on special projects for Members' interests.

Mr. President, I know that the appropriators and the chairman of the Appropriations Committee in the Senate, the chairman and ranking member, will have a very difficult time holding to the position which we are advocating in the Senate today. It clearly is the fair thing to do. It is the only fair way to treat the 2,800 groups which responded to the competition for the technology reinvestment project funds and for the many thousands of others who will compete in the future.

Let me conclude by again thanking the Senator from Hawaii and the Senator from Alaska for standing by the principle of merit-based procedures and the expenditure of defense funds. I hope they will continue to preserve this principle in the final bill which emerges from the conference and that the amendment we are offering today will help them in doing that.

Mr. President, I yield the floor and reserve the remainder of Senator MCCAIN's time.

Mr. INOUYE addressed the Chair.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. INOUYE. Mr. President, before proceeding with my remarks, will the Senator from New Mexico respond to a question on my time?

Mr. BINGAMAN. I will be glad to respond.

Mr. INOUYE. Mr. President, I wish to know the intent of the authors of this measure. Does this provision apply only to the following: Programs, projects, activities involving community adjustment assistance, research and development at colleges or universities, strategic environmental research or environmental restoration, or does it go beyond that?

Mr. BINGAMAN. I will respond for myself, since I am not in a position to respond for the Senator from Arizona. But I will respond for myself that it is my intent that the amendment go beyond that and that it make it clear that as a matter of policy, the Senate wishes to maintain merit-based procedures for all contracts and grants, programs, projects, and activities funded by the Department of Defense; that those merit-based procedures should be followed. That is in the last sentence of the amendment. I do think, as a matter of principle, the Senate should be on record in support of that.

Mr. INOUYE. Mr. President, the bill before us complies with the law of the land as established by Congress. The bill before us, the Defense appropriations bill, provides substantial amounts of funds which will be awarded following full and open competition. This bill requires competition in the award of defense conversion research and development. This bill does not earmark funds provided for defense conversion community assistance and personnel programs. This bill does not earmark funds in the defense environmental restoration account or funds approved for the Strategic Environmental Research and Development Program.

Specifically, the committee added $150 million to the $324 million requested for R&D projects to aid the conversion of our defense industry under the Technology Reinvestment Program. The committee also provided additional funds for the community assistance and personnel programs which would aid our fellow citizens affected by the defense drawdown.

Mr. President, it was difficult to appropriate these funds, given the outlay constraints facing this committee. No other congressional defense committee met this challenge. I can assure you, Mr. President, that we members of the committee have worked very diligently with our colleagues in the Senate to provide additional funds for defense conversion efforts.

While my fellow Senators brought a number of excellent conversion projects to the attention of this committee, the committee sought to allow the competitive process to determine the best possible uses of defense conversion funds.

In addition to the so-called earmarks that I have mentioned on defense conversion, the committee recommended that the full Senate agree with the House bill language requiring competition in the award of Technology Reinvestment Program funds.

The committee support of the competitive process is fully consistent with the existing laws governing award of defense conversion funds and other programs highlighted by Senators MCCAIN and BINGAMAN.

Mr. President, I believe the law is clear, and most sincerely I believe we have complied with the law. Indeed, as I have said, we have further adopted a House provision mandating that Defense Technology Reinvestment Program funds be awarded based on competitive procedures outlined in the statute. I can assure one and all that we will do our best in conference to maintain these competitive procedures.

The amendment before us, I believe, seeks to refine the Senate's support for competitive award of funds available to the Department of Defense. However, I sincerely believe that the amendment's current language may be so expansive that it could have an unintended effect on overriding program priorities that the committee or the Senate have established as meritorious in the bill and report language.

Just a few minutes ago, Mr. President, we concluded an important debate on so-called earmarking of funds for the Army and Air National Guard. The issue before us involved $150 million that we in the Senate decided had merit. It was authorized by the authorization committees, and we appropriated the funds. The vote was overwhelming.

In that debate, I tried my best to remind my colleagues that a very important constitutional provision was involved. Article I, section 8 of the Constitution says that the Congress has the power to provide for and maintain armies. The Congress has the power to provide for a navy. This debate so far suggests that if the administration has not requested these programs, it is not worthy of our consideration, and yet the Constitution makes it very clear that it is not the President of the United States but the Congress that will provide for and maintain an army and provide for a navy.

Yesterday, we had a lengthy debate on the CRS report, and I tried my best to respond item by item. I will not use my limited time for that purpose. But since we are talking about the CRS report, it might be well to use that report.

> In discussing defense funding, earmarking generally refers to occasions in which amounts are specified in law or in committee reports for purposes even more narrow than those of typical line items. In light of the flexibility of the term in common usage, CRS has not referred to earmarked funds in any of the attached material. Rather, we have tried to identify all provisions of defense appropriations acts that specify that funds should be allocated to particular projects or locations. As you may know, we have not provided a similar table of provisions from defense authorization acts. The reason is that authorization measures typically include dozens if not hundreds of provisions that define or establish particular programs and activities. The results of citing them all would be unwieldy. We do not mean to suggest, however, that only appropriators earmark funds.

This amendment suggests that it may be well for authorizers to earmark funds but not for appropriators. Yet the Constitution makes it very clear it is the Congress of the United States which provides for the army and the navy.

Second, I hope my colleagues will go over the RECORD of yesterday and look over the debate that was held in preparation of this amendment because each item has been answered, and I believe rather specifically.

At the appropriate time, Mr. President, I will be, together with Senator STEVENS, making a motion either to amend or to table the amendment because I believe that, as written, this amendment is so expansive that it may have had an intention that was not intended by the authors of this measure.

I am pleased to yield to the vice chairman of the committee.

The PRESIDING OFFICER. The Senator from Alaska is recognized.

Mr. STEVENS. Mr. President, I want to emphasize what the Senator from Hawaii has just said. This amendment says "no provisions of this act." This appropriations bill will become an act. Only the appropriations process would be so limited. As the CRS has pointed out, they did not even provide a table of provisions from the Defense authorization bill because there are so many of them they could not compile them.

Now, it just so happens that the Constitution does not refer to authorization bills. We have provided for the authorization process in our procedure, but the Constitution says:

> No money shall be drawn from the Treasury but in consequence of appropriations made by law.

Now, I find it very interesting that it is all members of the authorization committee who have presented this amendment to the floor. The very people who the CRS says it cannot even count the number of earmarks they have in their bill have said you cannot earmark in an appropriations bill.

Now, let us make sure we understand what that means. It means the distinguished occupant of the chair or any other Senator cannot come in here and say, "Of the money that you have provided in this bill, I want this amount reserved for this project in my State."

Now, let us talk about environmental restoration. I started the environmental restoration concept when I was chairman of this subcommittee. I started it with an amendment on the floor. We had ignored the concept of environmental restoration on defense establishments and we now have one. It is an enormous one. It is almost $3 billion this year. Of that $3 billion almost—it is 2 point something or other—I asked the committee, and in the report we do earmark and say that $1.3 million shall be available to the Air Force to replace an existing landfill in Alaska at Kotzebue that was contaminated by the Air Force waste. As they closed an air base, they used the little town of Kotzebue's landfill and so filled it up with waste it has now been told it cannot use that landfill anymore.

So that I have asked, of the almost $3 billion in this bill, $1.3 million of that money be prioritized as a partial contribution of the Government to replace that landfill which must be done now according to the EPA.

I could come out here on the floor with an amendment. I did not do that. I asked the committee. We placed it in the report, and we have said we set that priority for the use of these funds. That has been criticized by my friend from Arizona. It is earmarking of the O&M moneys, generally. It does not take away from anyone else. It just says, from all of that money that is in here for O&M—and the total amount for that is almost $80 billion—we can urge you to use it for this account.

If the Senator from Arizona wants me to come and present that amendment, I will present that amendment. And I will ask Members of the Senate to vote against it. I would point out that I have here the requests made to me personally as the minority manager of this bill by some 31 to 35 Senators on my side. The Senator from Hawaii has a similar package. Almost every Member of the Senate that has a defense installation in their State came to me

and asked me to earmark or provide some money for specific things in their State. Many of them were from the Armed Services Committee.

Look at the Armed Services Committee bill this year: $25 million for electron laser; $4 million for the helmet-mounted mission rehearsal system; $5.9 million for the stratified charge rotary engine; $11.7 million for the decoy, in Massachusetts; $1.4 million for Sacramento Peak Observatory; $10 million for the thermionic conversion unit, at Auburn University; $7.5 million for the adoption program; $50 million for the Xerox high definition display project; $14.5 million for the Z megawatt fuel cells, in Connecticut; and $3 million for the solid polymer. That is just a few of them.

There are so many of them that we could not get them all out in a book.

The CRS says——

Mr. BINGAMAN. Mr. President, will the Senator yield?

Mr. STEVENS. Not right now. The Senator can speak on his own time. I am sort of wound up on this right now.

It makes me mad, again, that the Armed Services Committee comes here and points the finger at the two of us and says, "These naughty boys again are earmarking."

I hope the Senate wakes up because we react to requests of other Senators for these earmarks. They are a legitimate exercise of congressional authority to provide funds for defense projects.

If any Member of the Senate questions what we have done, offer an amendment to delete it. Come out here and have the courage to delete it. But do not give us some broad general policy that is absolutely unworkable but only applies to this act.

The Energy Subcommittee bill appropriates money for defense. The State, Justice, Commerce appropriates some moneys that come from defense. We now have turned over to a series of other committees a portion of the defense money, Transportation appropriations part of the money for defense, for Coast Guard. But only this bill would become burdened by this. This is a policy in Congress that contracts and grants for programs, projects, and activities funded for the Department of Defense should be awarded through merit selection procedures. That says it applies only to the provisions of this act.

What are we trying to do? What are the appropriators trying to do? They are trying to say that once again we have appropriated money that was not authorized. That, by and large, is not true this time. As a matter of fact, I would put into the RECORD at this point—I do not want to load the RECORD down.

I have here a series of pages for the add-ons made by the authorizing committee under the authorizing projects for items that were not requested by the President, were not requested by the Department of Defense, were not requested by anyone other than members of the Armed Services Committee. By and large, we funded most of those because we agreed with them. But there are people within the Department of Defense who say: Hey, wait a minute. You have congressional add-ons.

The congressional add-ons do not just come from the appropriations bill. They come from earmarking, basically, in the authorization bill. They cover the very things we are talking about. They cover community projects, adjustment assistance, research and development at colleges, strategic environmental research or environmental restoration; basically, earmarked in the authorization bill. But that is not covered by this amendment; only the earmarks that we would have made. As the Senator from Hawaii said, we have not basically made any.

But the last sentence is the things that apply only to those things authorized by this bill, by the appropriations process.

I think that the Senate has to decide what it is going to do. Any Member of this Senate can come out here and, pursuant to rule XVI of the Senate, offer an amendment dealing with this bill. We invite you to do so; we invite you to do so. We should let the Senate pass on the priorities that you set.

What this means to this Senator is if this amendment is agreed to next year, the Members of this Senate must come to this floor and present their own amendments.

I might say, if it passes, I will see to it, if the Senate does not table it, I will offer an amendment to say: This or any other act. It is legislation on appropriations. It should not be here in the first place. Rule XVI prohibits that. But if we make a point of order against it, the people here will just say it is germane and we will have a vote on germaneness, and that will be equivalent to adopting the amendment.

I see my good friend from Georgia, the chairman of the Armed Services Committee. He and I have had long talks about legislation on appropriations, and the appropriations process. And we have come away as friends. I admire his ability in this area. But I will say this: This one is going too far. It is only if it applies to every act of Congress. If Congress wants to set a new policy, and it would be a new policy with regard to the concepts of this language, I say that we should think about that.

I reject the position of the Senator from Arizona that we have, by virtue of this bill, earmarked items except as requested by a Member of the Senate who came to us and we presented the bill. If you question those earmarks, come out here and take them out. Come out here and raise the question. But again, a scatter gun comes at us, and in the scatter gun is an expression of policy, a legislative policy that, in my opinion, only applies to the provisions of this act.

I believe that the way to deal with this bill is the way the Senator from Arizona did on the *Seawolf*. I voted for his amendment to limit the *Seawolf*. I did not believe in the *Seawolf*. I voted, for instance, against the tremendous amount of money that was spent on battleships for the Navy of our country, and they were out there floating for 3 or 4 years and came back in to become museums again at costs of literally tens of billions of dollars.

That is the way to deal with it: Have a vote out here on individual provisions you disagree with. But this is a scatter gun.

I tell the Members of the Senate who brought to me these requests—I think the same kinds of requests were brought by the Senator from Hawaii—that we cannot work that way anymore with regard to these provisions, with regard to these projects. Most of the provisions are not in the act. Again, they are in the report, as are the provisions that are earmarked by the Armed Services Committee. Their report is quite similar to ours. It is right here. This is the one for 1994.

I urge the Members of the Senate to look at it—the specificity of funds for the George C. Marshall Center, pilot outreach, additional support for counterdrug activities, export loan guarantees, military physicians—you can see the earmarking. I do not disagree with it. That is the function of the Armed Services Committee: To review the requests for money and put congressional limitations that it believes are necessary to assure the protection of the public interest.

But there is, particularly when the Senator from Arizona seems to believe that this earmarking of the CRS is really a report of all earmarking of defense projects—I again refer to where I started out in this report.

The CRS has not referred to earmarked funds. They have tried to identify provisions in appropriations acts only that specify where funds should be allocated or projects, or locations of projects, should be funded. And they specifically say:

> Authorization measures typically include dozens, if not hundreds, of provisions that define or establish particular programs or activities. To cite them would be unwieldy.

Where is the fairness in that kind of legislation? Again, this is where the buck stops. We are the only committee of Congress that is subject to the outlay limitations. In order to get to those outlay limitations, we have to be specific. As a matter of fact, we had one amendment presented against us this morning to delete $150 million because we were not specific enough.

Now this is an amendment that says take out all of those provisions that are specific, unless you put them in on a general category of being—they must be competitively bid. To me, it is bad legislation and it is wrong. I will be happy to listen to my friend.

Mr. BINGAMAN. Mr. President, could I try to clarify what I think this amendment does? It does not do what he is believing and stating that it does. This amendment does not try to knock out all language in the appropriations bill or in any bill which establishes particular programs and activities. I agree with the Senator from Alaska and the Senator from Hawaii that that is entirely appropriate. If the Appropriations Committee and the authorizing committee decide that a particular activity or program should be funded, then they should specify that. I voted with the chairman and ranking member on this last amendment, because I believe very strongly that we did what we should do.

Mr. STEVENS. Let me parenthetically say that you are using your time. I have used a lot of ours.

Mr. BINGAMAN. I will use my time. What this amendment does is say:

No provision of the act concerning these programs, projects, or activities may be construed as requiring a contract to be awarded or a grant to be made to a specific nongovernmental entity.

That is a particular contract. What we are trying to get at are provisions in the House appropriations report which require that a particular contractor be given the contract. And that, to us, seems eminently reasonable, and it is something that the Senator from Alaska supported, and that is all this amendment tries to do.

Mr. STEVENS. Mr. President, I support what the Senator just said, but does it cover my $1.5 million for Kotzebue? It says to give it to a non-Federal entity without any contract.

Mr. BINGAMAN. You do not state who is to do the work.

Mr. STEVENS. No, but who the grant is to be made to.

The PRESIDING OFFICER. The Senators should direct their comments to the Chair.

Mr. BINGAMAN. As I understand the example the Senator from Alaska cited, he is specifying a purpose and an activity in a program he thinks should be funded, not which contractors are to do the work. Accordingly——

Mr. STEVENS. To the contrary, this amendment covers a grant, requiring a grant to be made. I require a grant to be made to the city of Kotzebue to be a Federal contribution to a landfill. Now, it is covered by this amendment. It specifically says environmental restoration may be construed as requiring a contract to be awarded or, as required, a grant to be made to a specific non-Federal entity for a program or activity.

I require $1.5 million to be given to Kotzebue. It is a fair contribution. As a matter of fact, they should pay for the whole thing. They destroyed the landfill for what is really a very small Eskimo town in northwest Alaska. I think this amendment covers that kind of earmarking.

Mr. BINGAMAN. Mr. President, I make it clear that some of this dialog is coming out of the time of the Senator from Alaska.

Mr. STEVENS. Yes. Mine is.

Mr. BINGAMAN. Mr. President, I will yield the floor, as I know the Senator from Georgia wants to speak on this issue.

Mr. NUNN. Mr. President, how much time remains?

The PRESIDING OFFICER. There are 3 minutes 30 seconds remaining.

Mr. NUNN. Mr. President, I want to commend the Senator from Arizona and the Senator from New Mexico for offering their amendment to make it clear that it is the policy of Congress that defense funds should not be earmarked for specific contractors or grantees.

I would also like to commend the chairman and ranking member of the Defense Appropriations Subcommittee for their approach to this bill. While I do not agree with every element of their bill—and I would not expect them to agree with every element of the authorization bill—I believe that the general approach of appropriations bill reflects the genuine concern of the leadership of the Defense Appropriations Subcommittee for our national security. I particularly note section 8130, which prohibits earmarking the technology reinvestment projects, as well as the general absence of university earmarks from the bill.

The leaders of the Defense Appropriations Subcommittee know as well as anyone what difficult choices we now face in meeting the requirements of national defense. They have, for example, reduced the administration's request for funding of research and development programs by $5.2 billion, or 14 percent. In a budget that has already been reduced considerably over the funding proposed by the previous administration, that is an enormous figure. It is $2.5 billion less than the amount provided for research and development in the authorization bill. Given the deep decline in funds available for research and development, we simply do not have the luxury of earmarking funds for parochial interests.

As defense spending is reduced, it is essential that the limited funds which remain be used to support the programs of the Department of Defense in the most cost-effective manner possible. Congress has a vital role to play in this process, by establishing sound acquisition policy and making wise funding decisions. I do not believe, however, that in authorizing and appropriating funds for the Department of Defense, Congress should not act as super contracting officers and selecting the specific contractors or grantees who will be recipients of defense funds.

There is a big difference between deciding which programs are necessary to the national defense and deciding which contractors or grantees are best capable of meeting the objectives of those programs. The award of a contract or as grant should be made on the basis of an objective evaluation of the capabilities of the contractor or grantee. That is the type of decision that is best made on the basis of objective, professional judgments by officials in the executive branch using procedures and criteria established by Congress.

Mr. President, the defense budget was never large enough to justify earmarks for specific museums, specific universities, specific contractor claims, specific environmental restoration projects, specific conversion programs without regard to national defense needs or priorities. There are a large number of these kinds of earmarks proposed in the House-passed Defense appropriations bill. In the current budget environment, such earmarks not only are unjustified, they are harmful to the national defense because they take limited defense dollars away from critical projects.

The safety, welfare, and success in combat of the men and women in our Armed Forces—today, and 20 years from today—is directly dependent on the spending decisions we make here in Congress. We must ensure that these decisions are based on the merits of our national defense needs by supporting the Bingaman amendment.

Mr. President, I commend the Senator from Hawaii and the Senator from Alaska for a very commendable job on this appropriations bill. The Senator from Alaska has mentioned the outlay problem they struggle with, and we acknowledge right up front that we did not meet that outlay target. The reason is that we hoped it would be changed. It has not been, and we are going to have to meet the outlay at some point. The Senator from Alaska is correct on that. They struggled with the outlay problem that we did not meet, and I think they are to be commended for that.

The second thing I want to say, if my friend from Alaska will listen, is the Senator from Hawaii and I have talked about this at length, and the Senator from Hawaii has assured me he is going into conference determined not to have earmarks. This bill does not have earmarks, as we interpret it. The bill that came out of the Senator's committee does not have earmarks of the kind that is set-aside money for specific contractors and specific entities that are nongovernmental. We do not aim at any of those provisions that go to activities and programs.

This amendment, as I understand it from the Senator from New Mexico, is aimed at preventing set-asides for people who would really not be competing but, rather, getting their grants or their contracts by act of Congress. What that does is gives a fair playing field to those who are competing. If we do not have some policy like this, these thousands of proposals out there on defense conversion and other funds that are coming in in good faith, thinking there is going to be merit competition, are not going to be funded, and those being chosen by the Congress in an appropriations bill will be funded.

So we are not in any way attacking this bill before us. I believe what the Senators from New Mexico and Arizona are trying to do is commendable, because their amendment would say in advance that we do not support these earmarks because it is not fair to the taxpayer or to the other people trying to compete when there is no competition. Really, it is being set aside by an act of Congress, and it is not fair to the whole system. That is what the amendment is attempting to do, and it does not cover programs and activities. We always have programs and activities that we set aside money for. That is not the same as saying who is going to get the award and contract.

I say to my friend from Alaska, the provision he alludes to is in report language, not in the bill. Therefore, it is not binding and covered by this amendment. It is up to the Secretary of Defense to make those kinds of decisions.

So I commend the Senator from Hawaii and the Senator from Alaska. They have been true to their word. They have not put earmarks in this bill. And what we are really trying to do is reinforce their position in conference, because that is where the problem usually comes. What we do not want to have happen this year is what happened in previous years—to have a conference report come back full of earmarks, which destroys the competitive process and the merit-based process. That is as I interpret the amendment. I ask the Senator from New Mexico, Have I described it correctly?

Mr. BINGAMAN. Yes; that is exactly correct, Mr. President. I think that is a correct description.

The PRESIDING OFFICER. The Senator from Hawaii has 3 minutes 9 seconds.

Mr. INOUYE. I yield myself 30 seconds.

Mr. President, this discussion has just convinced me that the authors of the amendment are not quite certain what the intent is. Both of you have indicated that it does not cover any so-called earmarks in this bill. Yet, the Senator from Arizona has pointed out a whole list of items that he feels are covered by this.

Mr. NUNN. I was not here when the Senator from Arizona gave his explanation, but the easiest way is to read the amendment.

Mr. INOUYE. Mr. President, if the Senator will permit me, he came out with a whole CRS report that cites all of these amendments.

Mr. BINGAMAN. If the Senator will yield, my understanding is that the Senator from Arizona was giving a list of various items in the bill that he personally objected to. It certainly is not the case that this amendment affects those items. This amendment does not. This amendment is a very narrowly drawn amendment and is not in any way trying to attack the items in the CRS report.

Mr. INOUYE. Mr. President, that is not what the Record shows.

I suggest the absence of a quorum and ask unanimous consent that the time not be taken out of the time allotted.

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

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. DASCHLE. I ask unanimous consent to speak as in morning business.

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

CHAFEE-COOPER-GRAMM HEALTH PLANS

Mr. DASCHLE. Mr. President, I know the Senators are currently deliberating on amendments. I will be happy to cease my remarks as soon as they are prepared to consider another amendment. wish to talk briefly, if I can, about an issue that will be the subject of a great deal of discussion and debate and consideration in the months ahead.

We all know that it was just earlier this month, that President Clinton spelled out his vision for comprehensive reform of our health care system, a vision that has stimulated debate from the Halls of Congress to cafes in Des Moines.

Our country has not been so engaged since Franklin Roosevelt a half-century ago sketched a picture of an America failing to care for its senior citizens. Not since then have we worked together again to secure a new right of citizenship in our land. We have reached a crossroads, and it is time again for another great advance.

The President has paved the way by introducing a bold health reform plan, and the ensuing debate has encouraged Republicans and Democrats in Congress to introduce their own reform bills, many containing important elements of the Clinton plan.

The public and the media have scrutinized carefully the President's plan, as well they should. This is, after all, perhaps the most important domestic policy initiative in history.

Now I believe we must analyze all of the proposals before us, comparing them against a checklist of principles important to our Nation, just as we have done with the President's plan.

We must be sure that the rhetoric matches the reality.

I would like to do that with the three major plans that have been recently introduced in the Congress.

Within the last several weeks, health care reform plans have been introduced in the Senate by the Republican health task force, under the leadership of our colleague, JOHN CHAFEE, and by Senators GRAMM and MCCAIN. In the House, Representatives COOPER and GRANDY have advanced a comprehensive reform bill, with bipartisan cosponsorship.

I applaud their contribution to the health care reform debate, and am pleased that all of these bills mirror the President's plan in some important ways, by emphasizing competition, increasing consumer cost consciousness, and by cracking down on insurance practices that leave so many without coverage.

Their bills all represent serious efforts, and I welcome the sponsors' participation in the debate.

With that said, I must also express reservations about the ability of these measures to fulfill all of the goals I believe are vital to the success of health reform.

Most notably, neither the Cooper nor Gramm bill provides health security for all Americans—security that citizens of every other nation take for granted; security that our citizens want and deserve. Security that the President has stated is one of the most important goals of health reform. Only Senator CHAFEE's plan makes this a priority and in my view does not reach that goal any time in the foreseeable future.

None guarantee that skyrocketing health costs will be reined in. They all fail to assure businesses and individuals that their premiums will be affordable if competition fails to contain costs.

These are two of the most important aspects of health reform, and I believe these proposals, for the most part, fall short on both of these counts.

Let us explore further how these bills measure up on these and other important goals of health reform.

Most important of all, we must have health security, Mr. President. We need to assure Americans that they will have coverage that is always there.

This guarantee is important for containing costs; it is important for putting an end to cost shifting; and it is important for the security and peace of mind of all Americans.

I commend Senator CHAFEE for taking this goal seriously, with a plan

that strives for universal coverage by the 21st century.

While I have some concerns, as I said, that he will wait until savings are achieved before providing this security, and put the onus for purchasing only on the individual, rather than creating a partnership between businesses and their workers, I believe that this plan takes an enormous step forward with its recognition that all Americans must be guaranteed coverage.

On the other hand, I am deeply disappointed that the bills Representative COOPER and Senator GRAMM introduced do not achieve this most important goal.

Neither mandates coverage, anyway. They do not require anyone—not employers, not individuals, not even the Government—to take responsibility for health care. Instead, their bills hope to expand access to care almost solely through competition and shifting more responsibility onto the consumers.

This will certainly result in a high number of uninsured Americans.

In fact, a July 1993 Congressional Budget Office analysis of the Cooper approach projected that it would result in 22 million people uninsured. And Senator GRAMM's bill actually puts more Americans at risk by leaving insurance companies free to drop people and raise their rates for reasons beyond the consumers' control.

Under either plan, employers could continue to drop costly workers from coverage or not cover their work force at all, adding to the rising number of uninsured Americans.

Under all three plans, job lock would continue, since employees will be unwilling or unable to change jobs if they fear losing coverage.

Under either plan, we would see the continued negative effect of high numbers of uninsured patients:

Cost shifting would continue, since individuals could still decide that health care is not their responsibility, thus shifting their expenses onto those who purchase insurance;

The uninsured will forego preventive and primary care and will instead receive expensive emergency room treatment;

In economic terms, this hurts individuals, it hurts businesses, and it certainly hurts the Nation.

Second, there is absolutely little effort to contain costs under the approaches by some of our competing plans. None of the plans guarantee our taxpayers and businesses that health care spending will be reined in, and this is a very important distinction between the Clinton approach and the other plans.

While all three plans receive piecemeal treatment, and there are provisions designed to control costs ranging from administrative simplification to more consumer responsibility, none has a comprehensive, guaranteed cost containment strategy.

For example, the Chafee and Cooper plans help reduce costs by pooling small businesses into purchasing groups that force plans to compete on price and quality. Evidence suggests that this will help control spending, but it certainly does not guarantee it. On the other hand, both plans cap Medicare spending, and we know from years of experience that cost shifting occurs when we control public spending but leave private costs to grow.

CBO's study of last year's version of the Cooper plan concluded that under it, health care costs would continue to rise at their current rate, or even faster. Senator GRAMM's bill does not even help individuals and small businesses join together to bargain for coverage at affordable rates. Instead, it relies on individuals with no enhanced market clout to negotiate with plans and providers for their care.

All three plans, in my view, fall short on the third principle, that of comprehensive benefits. They do not have a comprehensive set of benefits guaranteeing for all Americans the kind of security that we so deeply need. Only Senator CHAFEE's plan attempts—and I emphasize the word "attempts"—to ensure that the benefits package will cover a broad range of categories. But a health care commission must decide which services are affordable and guaranteed.

Neither the Cooper nor Gramm plan specifies, much less guarantees, a comprehensive set of benefits. Neither protects American families from exorbitant out-of-pocket expenses.

The Cooper plan shifts responsibility for the range and types of services covered to a national board, to be determined after the legislation has become law. Senator GRAMM's bill moves us in the direction of less comprehensive coverage. Not only does his bill fail to provide a range of benefits, it actually encourages people to purchase barebones, catastrophic policies.

When it comes to any major investment, including health care, the American people have a right to know up front what the guaranteed benefits will be. They have a right to know that they will enjoy the same comprehensive benefits that citizens of every other industrialized nation now take for granted.

Primary and preventive care, Mr. President, simply is not addressed in some of the plans, and that, too, ought to be a matter of concern. Reform should move our health care system from one that treats illness to one that prevents it. Despite the human and cost advantages of stressing primary and preventive care, only Senator CHAFEE's plan emphasizes this important component of health reform.

Neither Congressman COOPER's nor Senator GRAMM's plan adequately addresses this issue. Neither guarantees coverage of a range of effective services. In fact, the Gramm bill would actually provide a disincentive for seeking care early. Every visit for primary and preventive care would drain one's savings—exactly the opposite effect that we want to have.

Americans deserve to know that a prenatal care is covered, cancer screening will be reimbursed, and that they will not need to wait until they are ill to receive care. It is just common sense.

The American people also have a right to choose the type of health plan and provider that works best for them. When it comes to choice, again, the Clinton plan is clearly superior. None of the competing plans guarantee choice. Both the Cooper and Chafee proposals actually may limit choice of plans by taxing those that exceed the costs of the low-cost plans in the region.

By trying to encourage consumers to choose tightly managed, cost-efficient plans like HMO's, these proposals may end up punishing individuals and their employers for any other choice they may make. Thus, if an individual wishes to continue to get health care the way they do now, or to see the same doctor they have always used, they actually may be taxed. There is a choice tax in the Cooper plan, in particular, that I believe most Americans are going to be very concerned about.

None of these plans stop the current trend of employers cutting back on their workers' health plan options. In fact, the Gramm plan does not even begin to address the issue of choice, despite the fact that Americans have told us time and again how vitally important it is to them.

The Cooper and Chafee plans, Mr. President, squeeze Medicare also, without cost controls on the private side. They will exacerbate cost shifting and may actually reduce access. As the gap between Medicare and the private sector rates continues to widen, more doctors will choose not to see Medicare recipients and more Medicare patients will find that they have less choice of doctors, as well.

Further, these plans ask seniors to pay for health reform without providing them with assurances that costs they worry about, like prescription drugs and long-term care, will be addressed at all.

In the worst of all worlds, the Gramm plan has no cost containment on either the public or the private sides.

Finally, Mr. President, let me talk about the prescriptive drug and long-term care coverage.

Unlike the Clinton plan, none of the three alternatives address the major fears of our senior citizens: The affordability of long-term care and prescriptive drugs.

Millions of seniors, including those with comfortable incomes, live with

the fear that a serious illness could wipe out their savings by forcing them to enter a nursing home. They also face rising prescriptive drug costs—their single, highest out-of-pocket expense. A viable health reform plan must address these two health cost concerns.

So, Mr. President, as we debate health reform alternatives, let us be honest about our options and let us be thorough with our analysis. We must look behind the rhetoric and give all the health care plans the scrutiny that has already been given the President's proposal. It does not matter if the plan's author is a Republican or a Democrat, a single-payer advocate or a managed-competition fan.

Any credible plan must match stated goals and must meet basic principles that we all hold valuable. If we give that kind of scrutiny to the major plans introduced in Congress, then I believe that we will find that, despite claims of comprehensive reform and cost containment, the alternatives simply do not measure up.

We may only get one shot at health reform this century. Let us make sure we do it right the first time.

Mr. President, I yield the floor.

Mr. WOFFORD addressed the Chair.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. WOFFORD. Mr. President, I ask unanimous consent to speak for up to 10 minutes as in morning business.

Mr. INOUYE. Mr. President, if the Senator from Pennsylvania will withhold his statement at this moment, we are on the verge of resolving this. May we go back to regular business?

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT OF 1994

The Senate continued with the consideration of the bill.

The PRESIDING OFFICER. The regular business is the McCain amendment.

AMENDMENT NO. 1071, AS MODIFIED

Mr. McCAIN. Mr. President, I ask unanimous consent for the adoption and modification of my amendment, which I send to the desk.

The PRESIDING OFFICER. Is there any objection?

Mr. STEVENS. I do not have any problem with the modification. I do have objection to the adoption until we finish our time. We have a few minutes left to explain this.

The PRESIDING OFFICER. Is there objection to the amendment?

Mr. STEVENS. There is no objection to modifying the amendment.

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

The amendment, as modified, is as follows:

On page 157, between lines 9 and 10, insert the following:

"SEC. 8142. No provision of this Act or any other Act concerning Department of Defense programs, projects, or activities involving community adjustment assistance, research or development at colleges or universities, strategic environmental research, or environmental restoration may be construed as requiring a contract to be awarded, or as requiring a grant to be made, to a specific non-Federal Government entity for a new program, project, or activity.

Mr. McCAIN. Mr. President, it is my understanding that the distinguished chairman and ranking member have agreed to accept this amendment, as modified. Therefore, I ask unanimous consent to vitiate the yeas and nays.

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

The Senator from Hawaii, the chairman of the subcommittee, is recognized.

Mr. INOUYE. Before we proceed, I would like to make certain the modification is the one I have here. May I read it:

No provision of this act—

And the modification—

or any other act concerning Department of Defense programs * * *.

Period after the word "activity." And the last proviso is stricken.

The PRESIDING OFFICER. The Senator from Hawaii is correct. That is the amendment at the desk.

Mr. INOUYE. If that is the case, I have no objection.

Mr. BINGAMAN. Mr. President, could I ask the Senator from Hawaii a question.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. BINGAMAN. Mr. President, I wanted to just clarify, it is my understanding at least the intention here would be that the Appropriations Committee would endeavor, as they have in prior years, to keep as much in the way of specific identification of contractors and grantees out of the House bill, or out of the final conference report that comes back even in areas not covered by the newly modified amendment. Is that correct?

Mr. INOUYE. If I may, I would like to assure the Senator from New Mexico that I will do my very best.

Mr. BINGAMAN. The one other point I wanted to just clarify, that is, it was the consensus of all that whatever general statements and general policy in this area should be done as part of our authorizing process?

Mr. INOUYE. The Senator is correct.

Mr. BINGAMAN. I thank the Senator.

Mr. STEVENS. Mr. President, do we have time remaining?

The PRESIDING OFFICER. All time has expired.

Mr. STEVENS. Mr. President, I ask unanimous consent to proceed for a minute or so.

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

Mr. STEVENS. I still have reservation as to the provision which deals with the grants that may be made to non-Federal governments. I believe that grants that must be made, particularly under the program of community adjustment or under environmental restoration, must be made to cities, counties, and States, and when we determine those are to be made to them, that should be a valid exercise of our authority over the appropriations process.

I am not going to amend it now, but I just want to express my reservation that that provision goes too far.

The PRESIDING OFFICER. All time has expired. The question is on agreeing to the McCain amendment.

Mr. McCAIN. Mr. President, I ask unanimous consent for 1 additional minute.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. McCAIN. I thank the Senators from Alaska, Hawaii, and New Mexico for their willingness to see—especially the chairman and the ranking member—the objections and concerns of the Senator from New Mexico, I, and others have. I appreciate their willingness to work out something which I believe will be very helpful to all concerned.

I thank the Chair.

Mr. SMITH. Mr. President, I rise in strong support of the McCain-Bingaman amendment.

Mr. President, as Yogi Berra once said, "It's deja vu all over again." Every year when we consider the Defense appropriations bill, we debate the issue of congressional earmarks and the steering of appropriated funds to parochial interests. And although the consensus always seems to be that earmarks are wrong, somehow they show up in the bill again, and we are forced to revisit this unpleasant issue.

Let me begin by saying that I appreciate the diligent effort of the Senate Appropriations Committee to reduce the number of earmarks in this year's Defense bill. We are making progress in the quest to institute competition and merit based selection procedures and I commend the appropriators for their constructive efforts.

Unfortunately, the House Appropriations Committee has not acted with similar restraint. In fact, the House bill contains some $350 million in specified, noncompetitive, earmarked funding. This is simply unacceptable.

Mr. President, defense spending is in free fall. We are laying off tens of thousands of excellent soldiers against their will. Readiness is suffering. Recruitment is down. Depot maintenance backlogs are increasing. The procurement and research and development accounts are being ravaged. In short, the United States Armed Forces are on the verge of becoming hollow.

In this constrained fiscal environment, we do not have the luxury of earmarking our limited defense resources for pork-barrel programs. The stakes

are too high, and the dangers too great, for the Congress to continue this irresponsible and dangerous practice. Our defense expenditures must be based on national security, not parochialism.

I understand that those who support congressional earmarks often argue that the established competition guidelines are not sufficiently objective. If that is the case, we should be focusing our attention on the process and how it can be improved. The answer is not to circumvent competition; but rather, to enhance competition and equity in the selection process. Let us work together to reform the existing system, not ignore it.

The section 800 process is an excellent example of the type of reform to which I am referring. In the next few weeks, I will be joining with colleagues from the committees on Armed Services, Government Affairs, and Small Business to introduce a comprehensive package of acquisition reforms based on the recommendations of the so-called section 800 panel. This initial draft will serve as a focal point for member and industry input on how best to streamline and reform the acquisition process. With effective communication and bipartisan commitment, I am optimistic that the Senate will take firm and constructive action on this important issue.

In the meantime, I strongly urge my colleagues to support the McCain-Bingaman amendment. The amendment represents a responsible and appropriate statement of Congress' policy that contracts and grants funded through the defense department should be awarded through merit-based selection procedures, not parochial, pork-barrel politics. When free and fair competition occurs, our constituents benefit, the taxpayers benefit, and the national interest is advanced.

I urge my colleagues to support this important amendment, and I yield the floor.

The PRESIDING OFFICER. All time has expired. The question is now on agreeing to the McCain amendment as modified.

The amendment (No. 1071), as modified, was agreed to.

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

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

The motion to lay on the table was agreed to.

Mr. INOUYE. Mr. President, I ask that the Senator from Pennsylvania be recognized as though in morning business for 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Pennsylvania is recognized.

CONSUMER HEALTH CARE REPORT CARD

Mr. WOFFORD. Mr. President, 2 years ago this week I came to the Senate floor to set out the principles I thought were essential to national health care reform, an issue that was on the cutting edge of my own special election campaign. As a matter of fact, 2 years ago I think I was still about 10 points down.

Soon thereafter, I teamed up with Senator DASCHLE, because he and I shared the basic concerns about health care reform. We introduced our own comprehensive reform bill, the Daschle-Wofford American Health Security Act. The health care bill I actually introduced 2 years ago this week was a symbolic one. It was to end the free health care those of us in the Senate and the House were then receiving from the attending physician, because I said it was wrong for Members of Congress to receive such free care while opposing reform that would guarantee coverage for the American people.

A lot has happened since then. Today, Members of Congress do pay for their health care from the attending physician but, far more importantly, you cannot find many who still oppose health care reform.

We have Democrats, Republicans, the President, and Congress committed to such reform. What is most remarkable is the amount of common ground we now share, common ground that simply did not exist 2 years ago. We have already won the debate about whether we are going to reform health care. Now we are in the discussion about how to do it. Senator DASCHLE and I, and many of our colleagues, like Senators KENNEDY, ROCKEFELLER, PRYOR, JEFFORDS, RIEGLE, KERREY, and BOXER, to name a few, have worked hard with Hillary Clinton and her team to see that our opinions are included in the President's health care proposal.

But the fact is there are now a lot of health care plans on the table. Very few of them have actually been introduced as legislation. But so far, almost all of the public debate has been about the extensive draft of the President's proposal. That has been worthwhile, and there will be months more of focus on the President's proposals. But it is time also to take a full and critical look at some of the other key proposals and to tell you how we think they stack up and why and where we think they fall short.

Our friends at the Republican National Committee livened things up yesterday with their new commercials, joining the other misleading ads of the Health Insurance Association of America. But we welcome that debate. Nothing will do more, I believe, to build support for the President's proposals than explaining to Americans what the actual alternatives are, alternatives such as the Chafee, Cooper, and Gramm proposals.

As Uwe Reinhardt put it in the New York Times on Monday, we think the burden of proof ought to shift to those who claim to have better answers. To varying degrees, each of those plans fails our fundamental test of real health care reform. They do not guarantee comprehensive coverage for everyone, and they do not guarantee control over skyrocketing costs. Chafee, Cooper, and Gramm in that respect are a tourniquet, a Band-Aid, and snake oil, respectively.

When measured by the realities of the current system and against the shortcomings of the alternatives in changing what is wrong and preserving what is right with the current system, the President's plan does the best job of meeting those tests.

Everybody, every newspaper, every news magazine, every Member of Congress pretty soon will have some kind of chart comparing the different alternatives. But it may not deal with the kinds of points that people keep asking me around Pennsylvania and are being asked right now at the Pennsylvania Health Care Forum organized by Congressmen MURTHA and WELDON, where I will be going in a little while.

Senator DASCHLE and I offer our consumer checklist, a report card on how we think some of the major proposals meet our tests of comprehensive health care reform.

It is not from the perspective of the Senators or Congresspersons, or reporters or policy people. It asks what the alternatives would or would not mean for families and companies in our States across the country.

First, let me talk about the Chafee plan. Here is our consumer checklist. Guarantees coverage for all, and the current system does not; ensures comprehensive benefits package, and the current system does not; promotes prevention and primary care, and our system today does not; includes coverage for retirees, long term-care, prescription drugs, which are not covered today; preserves choice of health plan for doctors, and that plan is being diminished all the time today; guarantees cost control for families, companies, and Government programs; inflation is out of control for families, companies and Government programs; increases market power for consumers and small business; that is what is missing in the system today; cuts red tape for consumers and business; we are being drowned in such redtape.

I can tell you what it was like to be a billing clerk in Jefferson University Hospital a while ago, where I saw the flood of paperwork that consumers and businesses must deal with.

Reforms insurance industry practices; obviously, there is a crisis today.

That is why today this is a blank on our chart for consumers. Every one of those things is a critical problem for families, and businesses in America. Mr. President, the comparisons we need to make are not between the President's plan and perfection, they

are between the failures of the current system and whatever we can do to make it better.

So let me first speak about the Chafee plan.

The proposal introduced by Senator CHAFEE is a serious attempt at comprehensive health care reform and I salute him for his very fine work over the years in this field.

Two years ago I would not have believed that 23 Republicans would have come together on a plan that reflects so many of the things that I have been fighting for. The Chafee proposal recognizes the importance of prevention and primary care. It gets a red check for increasing the market power for consumers and small business. And it includes necessary insurance reforms in full, strong red check.

But in three of the key areas, guaranteed coverage, comprehensive benefits package, and cost control, the plan does not go far enough. That is why I call it a tourniquet, because I think its potential impact will be to squeeze out comprehensive benefits.

I give Senator CHAFEE great credit for proposing to guarantee universal access to health coverage, but to achieve that coverage the Chafee proposal requires that all individuals buy their own health insurance. But the plan will not guarantee that coverage until projected savings are realized. And since the tough cost controls are not in the plan, there is no telling when or if those savings and, therefore, the guaranteed coverage, will ever be achieved.

Nor does the Chafee proposal ensure a truly comprehensive benefits package for all Americans. All qualified health plans will be required to offer either the standard benefits package or a catastrophic benefits package alone.

We assume the standard benefits package would be broadly defined in legislation, but we do not have the legislation proposed yet. But the job under the plan is to be left largely to a national benefits commission and an up-or-down vote later by Congress. It is uncertain. That is why we put a big question in terms of the comprehensive benefits package by the Chafee plan. If costs go up faster than expected, benefits could be cut back. Insurance plans could still impose lifetime limits on services.

In short, the benefits package leaves too many areas unclear and leaves people insecure, as they are today. That is the problem people face now, and they want an end to just that kind of insecurity.

While we agree that cutting back inflation in Medicare is a key source of funding, inflation in Medicare, Mr. President—remember every time anyone writes or talks about reductions in Medicare we are talking not about reducing Medicare but about reducing the increases in Medicare which are now three times the cost of living. We are trying to ratchet down those inflationary increases. Not cutting Medicare, but impeding that inflation. This is a major source of funding. But the Chafee bill does not apply those savings to the benefits that early retirees and other older citizens need so much, including prescription drugs and long-term care assistance in the home.

The Chafee plan does not include a comprehensive plan to control health care costs because it relies largely on market competition, administrative simplification, and malpractice reforms to control costs in the private sector.

Those are not guarantees. The plan would cap the growth of spending for Medicare and Medicaid, but without stronger cost containment provisions for private sector spending. Thus, this proposal will not eliminate the current cost shifting from the public to the private payer, to families and businesses, to individuals and companies. That cost shifting is a major part of our present problem. And this plan does not solve that problem.

The likely result will be that individuals, families, and businesses will continue to pay more. The only serious cost control that will work must work for everyone, the public and the private sector at the same time, so we do not push the balloon of inflating health care costs down in one area, only to see it pop up and press more heavily upon American businesses and families.

As a final note on the Chafee plan, it does include purchasing alliances—it includes them and it is part of our common ground, common to several of the plans, including the Cooper plan. But the Chafee plan only provides alliances for small firms with fewer than 100 employees, and it calls for them to be voluntary.

Under this system, any group that can get a better deal for premiums outside of the alliance will stay outside. But by pooling vulnerable small businesses with the poor and the uninsured, it almost guarantees that premiums in the alliance are going to be higher than outside.

So in spite of some very important steps forward, which I endorse and applaud, the Chafee plan still fails the consumers' fundamental tests of health care reform. It cannot guarantee a comprehensive benefits package that will be easily portable from job to job and into retirement, and it does not guarantee cost controls for families and companies. So it is just another way of forcing people to accept fewer benefits.

I hope we can work together with those supporting the Chafee plan to find a stronger common ground.

I commend Congressman COOPER for offering a serious proposal, which reflects his deep commitment to health care reform. The Cooper plan has been well analyzed just now by my colleague, Senator DASCHLE. Therefore, I would like to finally talk about the Gramm proposal.

This is the snake oil. It is called medisave, but it is really medispend. Medispend down your life savings. It has the rhetoric of choice, but the only real choice it provides is to help American families spend their life savings on a health care system whose costs are already out of control.

Senator GRAMM's proposal fails miserably against our proposed goals for health care reform. While the proposal does include some insurance industry reforms and some administrative simplification, even that is inadequate. Senator GRAMM's proposal does not even claim to insure universal coverage, and does not even come close to moving us in that direction. Americans would have the same lack of security in their health insurance coverage as they do today.

The Gramm proposal does not only lack a guarantee of comprehensive benefits, but it encourages the purchase of bare-bones policies that cover only catastrophic health care costs.

The medical savings accounts promoted under this plan would discourage the use of preventive care. Without proper preventive care, families will pay huge human and financial costs down the line. People will wait until they are really sick before seeing their doctor for treatment. That is the point at which their illnesses are most difficult and most expensive to treat. People will have to spend their savings on care, whose costs are out of control. The bottom line: costs go up and families' savings go down.

The Gramm proposal does not include any additional assistance for the elderly and leaves our older citizens also vulnerable to today's spiraling health care costs. The Gramm proposal does nothing to preserve a consumers' choice of plan or choice of physician. These kinds of choices would continue to erode under the Gramm reform plan, as companies try to curtail their costs and reduce the benefits, and people find themselves with fewer and fewer choices of plans or of doctors.

As far as controlling costs, Senator GRAMM's proposal relies on consumers being prudent shoppers. That is like leaving Bambi to fight against Godzilla. It does not give consumers any kind of real purchasing power to deal with the big insurance companies.

The Gramm proposal allows small businesses to group together voluntarily to purchase health insurance, but this change will do virtually nothing to improve the market power of consumers. In fact, under the Gramm plan, there would be strong incentives to shift people from the comprehensive benefits packages they have today to

bare bones coverage. The Gramm proposal includes some changes in insurance industry practice, including a prohibition of preexisting condition exclusions, which everyone, I am glad to say, now agrees must happen. Yet, without a community rating requirement, people with unfortunate health conditions will still be charged more for health insurance.

As you can see, the Gramm proposal does almost nothing to change the status quo—shown by the blanks here, all the way down to the half check on "reforming of insurance industry practices." It is not comprehensive; it is not real reform. For all of the talk about freedom of choice, it leaves American families to sink or swim in an ocean of insurance industry red tape and fine print.

The Gramm plan does almost nothing to reform a health care system in which costs are out of control. Millions of Americans are losing their coverage, and millions more are worried about it. It does not even accept the idea that coverage ought to be guaranteed, that benefits ought to be comprehensive, or that costs ought to be controlled. It leaves consumers and providers also alone to sink or swim in that ocean of redtape. It is medispend, not medisave.

We believe the Clinton plan fulfills the fundamental test of comprehensive reform. It guarantees coverage for everyone throughout their lives, no matter where they live or work. It guarantees cost controls for both the public and the private sector, and it assures that benefits will be truly comprehensive—no lifetime limits, preventive care, consumer choice of health plan and doctor, real simplicity through the health security card and electronic billing system. It is a serious reform proposal which reflects the essential principles which Senator DASCHLE and I and many of our colleagues have worked for and campaigned for.

In that spirit, with this consumer checklist being included in the debate, I call on us to stop thinking solely in terms of all of the structures and all the policy problems that we face today and put ourselves in the shoes of the American consumers. If you do not like our checklist for consumers, you can add to it or subtract from it; but let us test all of these plans so that we can work together to get a plan that passes these and maybe some other tests that will be added.

Mr. President, I yield the floor.

Mr. BOND. Mr. President, I ask unanimous consent that I may proceed for 10 minutes as in morning business.

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

Mr. BOND. I ask my friend from Pennsylvania if he would be so kind as to share his chart with me? I happen to be one of those on the Chafee plan. Unfortunately, I am farther down the food chain, so my name does not appear there. But I am most interested in the Senator's comments, and I certainly appreciate the comments that he has made. Is my colleague willing to share his chart?

Mr. WOFFORD. Yes, I am.

Mr. BOND. I thank my colleague from Pennsylvania, because I think there are some very interesting points that need to be raised here. I do believe that there are many areas of agreement where people of good faith and commitment have looked at health care and say that we need to make reforms. Certainly, reform of the insurance market is one area in need.

A year ago, I introduced a bill in this body to ban the exclusion of conditions that were preexisting, to assure portability, and to stop the practice of offering low-ball insurance premiums, cheap insurance premiums, to a healthy population and then jacking up the costs when somebody gets sick. In my own State—and I am sure my colleague from Pennsylvania has examples in his State, and in every State—we can cite examples of families who have been bankrupt when, say, the birth of a child with a significant birth defect has resulted in cancellation of their policies, and the family has gone broke trying to pay for the care of that infant. That is an outrage. I hope and believe there is broad agreement that we must deal with this.

Second, as I look down this chart, when we talk about assuring that we cut out red tape for consumers and businesses, I gather that we are talking there about the electronic filing of health care information, filing of claims, processing of claims, and paying claims.

Mr. WOFFORD. If the Senator will yield a moment. I salute the Senator from Missouri for his leadership in that area in this bill, and I look forward to working with him in regard to electronic billing and a single claims form.

Mr. BOND. I am grateful for the comment that my colleague from Pennsylvania made. I wonder if he could give us a bright red check mark, because last year the Senator from Michigan and I—and again this year—have introduced a measure to provide for an electronic claims billing.

There has been a lot of controversy over this health security card. Some people think that the health security card is the be-all and end-all. I have even heard it sold as being such a great cure-all that if one is sick, one bites into the card and becomes healthy.

Basically, it is the same as a bank ATM card. It does not create benefits that are not there, but it gives you access to what you have. It means that we will save several billions of dollars in administrative costs. It means we will save doctors and health care providers some of the time they now waste on paper forms. The AMA has said that may be as much as 30 hours a month for a doctor. It will help us eliminate waste and fraud in Medicaid and Medicare, and it will assure a consumer, when traveling outside of the area or away from home, that if he or she becomes sick or has an accident, they can get information immediately in the emergency room. I think that is very important.

I hope we get a bright red check on that. We have the bright red check for reforming insurance industry practices and on the other areas on this chart, increasing market power for consumers and small business. The Chafee plan gets a little orange mark instead of a big red mark. Frankly, I think there is one way that we can make some progress in health care, and that is by using the marketplace. Right now, we do not have a marketplace when people have first-dollar insurance. They go in and buy whatever they want, without regard to cost.

Mr. President, if we had a grocery insurance card which said that any time you went to the grocery store somebody would pick up the bill, then you would go in and buy the most expensive cuts of meat, and also the grocer would raise the price of those expensive cuts of meat.

I believe we can give consumers power, and we can do that by voluntary purchasing cooperatives. I believe that having a choice between where you choose your plans is more important and more significant than the mandatory single health alliance that the Clinton plan prescribes. The Clinton plan says that if you want to get health care, you are going to have to go to a federally designated—maybe State elected, but federally designated—health alliance. It is like going to the post office and knowing that you do not have the option of UPS, or Federal Express or DHL; you have one place, and if they do not give you any service, you are turned away.

I believe that you can make competition work, and I think competition is working in those areas where large employers have gotten together. We would say that all employers, employees, and self-employed people would have the opportunity.

I am a little bit concerned about the big red checkmark, because if you read the 290 pages of the Clinton health care plan—and I have done it and I guess everybody should do it—I find in there many, many things where the health alliance can allocate who gets to get in which plan. Also the health alliance is administering a global budget, which I think is absolutely impossible to implement.

The health alliance that is mandated under the Clinton plan actually gives less market power for consumers and small businesses than the Chafee plan, in my opinion.

Let me speak just a moment about curbing cost, cost control. If this big

red checkmark here and the absence of a checkmark here for the Chafee plan means that we do not have Government price controls, we do not have global budget or premium caps, I think there ought to be no checkmark here.

Mr. President, wherever had we seen a system under which the Government has been effective in controlling prices or allocating budgets throughout the economy? If central governments were that good, I submit that the Soviet Union would be the economic powerhouse in the world today.

We have enough trouble and we have enough problems trying to make our own budget decisions. Frankly, part of the problem that we have in health care today comes about because the Government has done a bad job, a bad job of trying to control prices.

This body has been unable to deal with the exploding cost of Medicare and Medicaid, other than by lowering the reimbursement rates. You know what happens when you lower the reimbursement rate for Medicare. You cost shift. The estimates are $15 million a year is cost shifted on to the private payers because the Federal Government has been reimbursing these services on the cheap.

I will tell you something else that is even more tragic in individual situations. I travel around my State, and I talked to people in small communities. They find that doctors are only able to take so many Medicare patients. Many Medicare patients say, "I can't get service because my doctor says the reimbursements are so low he can only take so many Medicare patients and still cover his costs."

So to the extent we disagree on this one, I think that is a very significant disagreement.

Now, as to coverage for retirees' long-term care and prescription drugs, we take a different approach than the Clinton plan.

The Clinton plan has outlined every kind of possible health care service that could be desired. Surely, we would all like to have every service. But can we afford it?

That gets to the very real question raised by many economists, and others, who have examined the Clinton health care plan. Can we afford it—two-thirds, three-quarters of a trillion dollars?

Mr. President, I am afraid that that package promising all these many things that they promised, including early retiree health care benefits, drives the price out the ceiling.

In the Chafee-Dole-Bond plan, we would have a commission recommend a minimum basic benefits package which would be

These options, in my view, would cover prescription drugs. They would be available for everybody. We also include in the Chafee plan equal tax treatment for long-term care.

I know this is an important area, but when we promise many of these things, I do not think that the American people want to have a program that promises more than it can pay for.

We have taken a conservative approach, and there are some that my friend has done who object to a pay-as-you-save approach.

Mr. President, if any of us looks at the experience that Congress has had in controlling health care costs, I think we have every reason to be humble. If I recall, when we voted for that 1990 budget agreement, we were assured that it would cut $45 billion off Medicare and Medicaid over 5 years. Three years later—and I think some nine technical reassessments or readjustments, which is the Federal Government term for "Whoops, we missed it"—it now appears that we will not save $45 billion; the expenses will be $120 billion more.

That is the kind of error that has cost us. It has cost the credibility of Congress. But, more importantly, it has cost the economic stability and welfare of this country and driven the deficit up.

So while I say to my colleague we appreciate the work that he has done, we are delighted with the kind comments that he has even though I would give us a brighter red checkmark and saying we are only promising what we can provide. In some areas, we are proud not to have a checkmark.

I think there are areas of definite disagreement, but I believe we do have a number of items where we can agree. I look forward to working with my colleague and other colleagues as we move forward on this vitally important health care debate.

There are a lot of bombs that we can throw at each other, but I think we might succeed again by working on those areas where we can work together, such as insurance market reform and electronic data filing for health insurance claims and cards.

I thank the Chair, and I particularly thank my colleague from Pennsylvania, and yield the floor.

The PRESIDING OFFICER (Mr. ROBB). The Chair recognizes the Senator from Pennsylvania.

Mr. WOFFORD. Mr. President, I appreciate the spirit of the remarks of the Senator from Missouri.

My previous remarks included the Chafee plan for the point of view it made. I believe it is a real start. That includes common ground. I look forward to working together with the Senator from Missouri. I look forward and add as often as welcome sharing this chart with the other side of the aisle. I will take it back for a few minutes.

First, to answer why the two checks on the cutting of red tape and increasing the market power for consumers and small business are faint and not big and bright and red.

The electronic billing and the single claims form and the card, of course, will be a smart card which will help in making that possible. It is a part of what gets the redness in the check. But where it fails is on a T-score, that it does not take the burden—I am talking about now, first of all, the redtape—it does not take the administrative burden off the hundreds of thousands of millions of businesses in this country.

Secretary Bentsen and I were the day after the President's first launching of the plan in the joint session visiting small businesses in Pennsylvania. The chief executive of Stockwell Rubber Co. in Philadelphia assigned out his most talented vice presidents and managers who spent about a half day or more per week dealing with their employees' health care questions and problems in a company that has less than 100 employees.

He said just imagine the burden on business all over this Philadelphia area with thousands and thousands of businesses doing just what I am doing, administering these separate plans, answering our employees' questions about them, negotiating with them at contract time as to what the plan will be, trying to deal with our costs to bring those plans down, having the problems with labor, lack of morale as you reduce benefits or reduce costs.

He was saying if the regional alliance, the purchasing cooperative, includes all employers in an area, that burden gets shifted. They pay their 80 percent of the average premium in that region, but they no longer have the rest of the administrative cost.

That is a huge administrative load on American businesses today.

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

Mr. WOFFORD. I yield.

Mr. BOND. I thank my colleague.

I would say to him that the idea of having private purchasing cooperatives is to provide a means for handling the administrative burdens. I would certainly agree that the administrative cost of small business is one of the things that is a very real burden. That is why purchasing cooperatives are available, to do this under the Chafee plan.

And they are also available to bargain. If you have a single, exclusive health alliance, as planned by the Clinton proposal, a mandatory alliance, they cannot bargain because anybody they cut out is out of business. They have life or death powers to cut people off.

Second, do you really want to have the Post Office handling all of the administrative details for your business, or even for your own insurance policy?

I believe that the one way that you could get effective administrative service is by having the cooperatives compete. I wonder if we could redden up the mark on the chart that my colleague has for the purchasing cooperatives voluntarily established and voluntarily chosen that would do the administrative work?

Mr. WOFFORD. Not yet, Mr. President; not yet.

I cannot, as much as I would like to—and I hope we can work together and we will get redness back on the check. The major reason I cannot get redness in on the plan just described is that the plan is, as the Senator from Missouri said, voluntary. Some companies will do it; some will not. People will be left out, sink or swim, who are not in it. The individuals who are not in a company who has chosen to work with the voluntary alliance is left out, left in the lurch.

Mr. BOND. Mr. President, I wonder if my colleague from Pennsylvania realizes that the purchasing cooperatives must be open and available to individuals, and either businesses or individuals can purchase through the purchasing cooperatives which are voluntary and the subject of choice under the Chafee plan, but limited to the health alliance under the Clinton plan?

Mr. WOFFORD. Mr. President, since the Chafee plan makes such employer participation voluntary and not mandatory, and there is a mandate for every individual to have health insurance, how that is to be enforced, I am not certain; but there is to be an individual mandate.

What we are facing now—because once again, I want to stress that we are comparing these plans not with perfection but with our present system; and what is wrong with our present system very much is that every employer has the incentive today to get out of contribution, which is so costly to them. But if it is not a universal mandate, it will be an invitation to every employer—if they have a union, in every bargaining period; if they do not have a union, on their own—to reduce benefits to get out of contributing at all. So the security that comes from the guaranteed coverage for all is gone, and the consumer power for most of the consumers who are the citizens of this country gets very short shrift.

Mr. BOND. Mr. President, I would ask my colleague from Pennsylvania, if the employers now are not required to provide insurance, but they do so, why do they do so? It seems to me, quite simply, because providing health insurance coverage is a valuable employment benefit.

Now, will that benefit be more or less valuable to employees once everybody has to have it? I submit it would be more important. It is an important benefit, and employers who can do it want to do it because they know that it is an attractive way to get employees to choose their business rather than a competitor who does not have a mandate.

So I say that there is likely to be more employer-provided health insurance, particularly when the administration can be done through voluntary purchasing cooperatives. And for anybody who is not in the plan, whether they be a self-employed person—the farmer in my State and across the Nation today, who is only able to deduct 25 percent and has to do all the paperwork, clearly is heavily burdened. But here he would have the opportunity to get the administration done through the purchasing group.

And I ask why that will not give the same benefits to everybody through the voluntary, self-selected, competitive purchasing group that would be available under a mandated single, one-size-fits-all alliance.

Mr. WOFFORD. Mr. President, I will return to the one-size-fits-all misunderstanding or inaccurate description in a moment.

But the first answer to the Senator from Missouri is that, yes, there are maybe two-thirds of the American people who work for employers that now are providing health insurance. But if you look around today—come with me to Pennsylvania; I am sure it is the same in Missouri—the pressure on employers to reduce benefits, to reduce choice, to force the employees to have only one plan, an HMO plan, to go to a low-cost plan and, preferably, if they can, to get out of benefits altogether, the economic pressures on those employers, in a situation where the costs are increasing for employers three times the cost of living, those pressures are enormous today. And they are being reflected in what is happening.

Just look at what is happening to retirees. A major corporation in the country and in Pennsylvania canceled benefits for its retirees because of the financial crunch. The crunch is terrible. And the retirees all over this country are living under the shadow that those benefits, for which they thought they were working and for which they gave up wage increases, are going to be taken a way. I do not understand how, under the Chafee plan—to paraphrase a leader I do not usually quote—the sucking sound of employees withdrawing, withdrawing from their benefits, reducing their benefits, why that is not going to be greater.

And let me make another point in terms of equity to the employers that are enlightened and have been doing it for the reasons the Senator from Missouri gave: Is this equity that some employers do it and their competitors do not?

I say to the Senator from Missouri—if I could just finish the point for one moment, and then I will yield the floor to him—we had hearings in Pittston, PA, about a week ago on small business and the impact on small business of the President's proposals and the other proposals that are being presented. The president of the National Federation of Independent Businesses came, presumably opposing employer mandates.

I cannot speak for the process that led to the answers he gave, but as we finished this very penetrating hearing with his own very good testimony about his own experience as a small businessman, who does provide insurance and whose competitors, in many cases, do not, he ended, when asked, "Isn't the logic of everything you said, these facts that you are piling up, that it should be asked of all employers, the way Hawaii did, without any drastic effect or any measurable negative effect on business or small business in Hawaii?" When asked why the logic of facts did not point to a universal employer mandate, he said, "I guess they did."

I am not quoting him directly, but the thrust of what he said was very strong and clear. The New York Times reported it firsthand. He said: I suppose that is the logic. I think we have to do it. It is the fairest thing to do. We might as well get on with it.

It is only if you get to the universal employee mandate that you can control costs, that you can guarantee coverage for all, and that you can pay for this without shifting the burden to the individuals, which, under the Chafee plan, is being proposed, or to the Government for additional subsidies.

I yield the floor.

Mr. BOND addressed the Chair.

The PRESIDING OFFICER. Th Chair recognizes the Senator from Mi souri [Mr. BOND].

Mr. BOND. Mr. President, I regret t advise my colleague from Pennsylva nia, I understand there are people who want to get back to presenting amendments and debating the bill. As much as I have enjoyed this exchange, I d feel that we need to get back to th bill.

But a couple of points.

No. 1, the employer mandate d hide costs. If you can stick somethi on employers, then you do not have pay for it off budget. But it is not free benefit.

There is no question among econ mists that mandating more costs businesses will cost jobs. You can g an argument whether it will co 600,000 jobs or 3 million jobs or mor jobs. But the businesses that are af fected—many, many individual business people, such as retailers, fast foo operators, and restaurateurs—hav said they will have to cut back employ ment.

At that point, when you throw the person out of work who had a job and who did not have health coverage, the you still have to get that person hea coverage, and you shake your h that your mandate has just cost th job for the employee.

We have a system in the Chafee p for providing vouchers, 100 perc vouchers up to the level of poverty i come, sliding vouchers scaled to redu to 200 percent, full deductions for t

standard employee benefit above. And economists who tell you that the burden of paying for those benefits does not ultimately rest on the consumers on one side, and the employer on the other, do not understand economic theory.

There are obviously some political benefits to an employer mandate. The last time I checked, there were a whole lot more employees out there voting than there are employers. And that is one of the reasons it is more attractive to say employer mandates.

But we, frankly, looked at the employer mandates and we concluded that having employer mandates was a significant step away from providing the jobs and keeping the jobs that we need to provide in this country.

With that comment, I thank my colleague from Pennsylvania and yield the floor.

Mr. WOFFORD. Will the Senator from Missouri yield 1½ minutes more to the Senator from Pennsylvania?

The PRESIDING OFFICER. The Chair will remind Senators any debate under the Pastore rule is appropriate. The Senator from Missouri currently controls the floor. At such time as he yields the floor the Senator from Pennsylvania may be recognized.

Mr. BOND. I yield the floor, Mr. President.

The PRESIDING OFFICER. The Chair recognizes the Senator from Pennsylvania [Mr. WOFFORD].

Mr. WOFFORD. Mr. President, I look forward to continuing this debate with the Senator from Missouri. I think there is plenty of good evidence that jobs are not going to be lost, but that there is going to be a net gain of jobs. We heard good testimony to that effect in the Labor and Human Resources Committee yesterday. We will debate that in full and will go into detail in the hearings.

Just imagine what would be the incentive for business to move forward if the present, ever-increasing cost burden of health care is reduced for American business; if the present cost-shifting onto the employers who are covering it is removed and they are on a level playing field with others.

But I want to close primarily on a clarification of the health alliance, the purchasing cooperatives. The kind of health alliance that I will be fighting for, and I believe the President will be proposing, is a nonprofit corporation run by consumers' and employers' representatives—not a Government entity.

The reason you do not want a variety of competing health alliances is that that creates, again, the whole maze of different plans. You want one regional nonprofit corporation, consumer driven, to run it like a supermarket or run it like the Federal employees and State employees plans and the best corporate plans that give the choices to the individuals, that let those plans compete in a region. To establish a new maze of competing regional purchasing cooperatives takes the redness totally out of the check for cutting bureaucracy and red tape.

I yield the floor.

The PRESIDING OFFICER. Does any Senator seek recognition?

Mr. BOND. Mr. President, as I said, we are going to have to get on with other debate. I thank my colleague. I only point out that, if the supermarket analogy is correct, and I believe it is, you can choose what supermarket you go to. I believe that is not swimming in a sea of red tape. I believe that is the marketplace. That is free competition, which gives us the best of all systems.

Again, I thank my colleague for his analysis, for the kind words, and the red and orange checkmarks. I look forward to working with him as this debate continues.

Mr. President, I yield the floor. In the absence of any Senator seeking the floor, 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. HELMS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT OF 1994

The Senate continued with the consideration of the bill.

Mr. HELMS. Mr. President, may I inquire whether the understanding of the Senator from North Carolina is correct that the pending business is an amendment offered by the distinguished Senator from Arizona [Mr. MCCAIN]?

The PRESIDING OFFICER. The Senator is not correct. The pending amendment is the third committee amendment on page 154, lines 7 through 22.

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

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

The Senator from Vermont is recognized.

ARAB BOYCOTT OF ISRAEL

Mr. LEAHY. Mr. President, the hopes of all Americans for peace in the Middle East soared with the historic meeting between Prime Minister Yitzhak Rabin and Chairman Yasser Arafat on September 13 on the lawn of the White House. The image of the leaders of two peoples who have warred for decades shaking hands in front of the President of the United States is marked indelibly in our minds. All of us who witnessed this dramatic event believe it symbolized the beginning of a long and difficult process of reconciliation.

Recently, Prime Minister Rabin and Chairman Arafat met in Cairo under the aegis of President Hosni Mubarak. According to press reports, the talks were serious, although Prime Minister Rabin is said to have complained to Chairman Arafat that it is time to get beyond generalities and to begin negotiating detailed arrangements and agreements. These press reports do stimulate concerns in my mind that the peace process must now move quickly beyond symbolic gestures, however dramatic, to the practical steps of working out how Isrealis and Palestinians can live side by side in peace.

One of the most important of those steps toward reconciliation and normality would be the ending of the Arab economic boycott of Israel and of foreign firms that do business with Israel. Last June, some encouraging steps toward easing this obsolete and counterproductive economic boycott were taken. Kuwait announced publicly that it intended to cease enforcing the secondary boycott of firms that do business in Israel, although it apparently could not bring itself to terminate the primary boycott against Israel itself. The State Department reports that some Arab States indicated an intention to ease other aspects of the boycott, such as requiring certification that goods did not originate in Israel, accepting passports with Israel stamps in them, and similar measures.

Unfortunately, these positive steps, though grudging and far short of what was required, have been eclipsed by the astonishing declaration by many Arab States in the wake of the historic September 13 meeting that the economic boycott of Israel is to continue. This was a blow to the peace process. Now, on the heels of his White House meeting with Foreign Minister Shimon Peres, Crown Prince Hassan is reported to have said for the Arabs to terminate the boycott would be "economic suicide." This is economic suicide? This is economic baloney.

There is no excuse or justification for such a position by the Arab States. Immediately terminating the economic boycott of Israel would be a major first step toward the economic cooperation among Israel and her Arab neighbors, including the Palestinians, that holds the key to a tremendous future for this region. Reportedly, Crown Prince Hassan said the Arabs must "get something" for lifting the boycott. How about an opening of the door for economic investment and growth that will

stimulate the economies of the entire region, Jordan included? Is not that getting something? If they lift this boycott, there will be economic advantages to their own people, as many Arabs already recognize.

There was a fascinating article in the Washington Post this morning on the potentiality for Israeli-Arab economic cooperation. Many Arab business people are already positioning themselves for the economic boom that is likely to follow on measures to implement Palestinian autonomy. They, too, recognize that the boycott stands in the way of Arabs sharing in that boom.

Mr. President, I ask unanimous consent that an article from the Washington Post of October 12, 1993, entitled "Arab and Israeli Businessmen See Gold in Accord" be included in the RECORD at the end of my remarks. I also ask unanimous consent that an article on the Arab boycott from the New York Times of October 11, 1993, also be included at the end of my remarks.

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

(See exhibit 1.)

Mr. LEAHY. Mr. President, let me close with this, because I see Senators on the floor now who wish to offer amendments to this bill. I just want to say the primary and secondary boycotts of Israel are anachronisms, they are holdovers of wars fought long ago. They are totally out of place in an era of peace, an era that is being born right before our eyes.

I call on all Arab States, but most especially the moderate Arab States such as Jordan, Kuwait, Saudi Arabia, Morocco, and Tunisia, to take immediate steps to end this obsolete, blunted weapon of economic warfare. If they did that, it would collapse throughout the rest of the Arab world.

I also would like the administration to make it abundantly clear to these nations which look to us for political, military, and economic support that we expect them, too, to play their parts in making peace a reality in the Middle East.

Frankly, Mr. President, they are unwilling to. When the United States is being called upon to carry so much of the burden and cost of the peace in the Middle East, then I think that each one of us, with the legislation we write and votes we cast, ought to consider that factor when issues involving these Arab States come up.

EXHIBIT 1

[From the New York Times, Oct. 18, 1993]

DESPITE U.S. URGING, ARAB LANDS HOLD FIRM TO THEIR ISRAEL BOYCOTT

(By Chris Hedges)

CAIRO, October 17.—Diplomats said today that the 43-year-old Arab ban on commercial and financial ties with Israel would not be lifted anytime soon and that the official blacklist of foreign companies that do business with Israel might even be expanded at the urging of hard-line countries.

Arab League officials are to meet in Damascus on Oct. 24, to discuss increasing the blacklist despite appeals from United States officials, who argue that the boycott of 10,000 companies should be lifted soon to add momentum to Middle East peace talks.

Assistant Secretary of State Edward Djerejian told the Senate Foreign Relations Committee on Friday in Washington that the Arab blacklist was "totally unacceptable."

THE WRONG DIRECTION

He said the Clinton Administration had told several Arab countries, including Syria, that adding companies to the list "would be a step, obviously, in the wrong direction" after the signing of an accord last month by Israel and the Palestinians.

But Arab diplomats in Damascus and Cairo said that hard-line Arab countries like Syria, Iraq and Libya were seeking to widen the boycott, in part because they were unhappy with the accord.

"Any lifting or alteration of the boycott," said a senior Arab diplomat, "would have to be unanimous, and since unanimity is impossible, it will remain in force."

Even moderate Arab governments like Saudi Arabia's are reluctant to support a repeal because they do not want to give ammunition to their Islamic hard-line critics, the diplomats said. Militant Islamic groups have denounced the pact on self-rule in the Israeli-occupied Gaza Strip and Jericho as a sellout that compromises Palestinians' interests.

Several Arab officials said they would be reluctant to give up the boycott as long as Israel has nuclear weapons, continues to occupy Gaza, the West Bank, the Golan Heights and southern Lebanon and fails to reach an agreement with its neighbors on sharing scarce water.

The boycott was adopted by Arab countries in 1950 to isolate and cripple Israel. The Arab League operates a Boycott Office in Damascus where Arab representatives are to meet this month to consider adding new companies to the list, the Arab diplomats in Cairo and Damascus said. During its last meeting, on May 1, the Boycott Office added 13 new companies to the list, including Rubbermaid and General Dynamics.

"It is too soon to talk about lifting the boycott," Fahem bin Sultan al-Qasimi, the Secretary General of the Gulf Cooperation Council, was quoted today as saying by the Arabic daily Al-Hayat.

THREE ASPECTS

The boycott includes a ban on commercial activity with Israel and a "secondary boycott" that blacklists companies doing business in Israel. A tertiary boycott targets companies dealing with blacklisted companies.

The Federation of Israeli Chambers of Commerce estimates that the boycott has cost the country $20 billion in lost exports and $16 to $32 billion in lost investment. But Arab officials contend that the losses are probably much smaller because of Arab violations of the ban. Saudi Arabia, along with other Arab states, already ignore the boycott when it is commercially convenient, these officials said.

Israel sells agricultural products, furniture and electrical appliances, valued at several hundred million dollars a year, to Arab countries—including Lebanon, Libya and Iraq—through third countries, including Greece and Cyprus, Arab diplomats and Israeli officials say.

Most gulf countries buy weapons from American companies that are also Israel's main military suppliers. "When it is in the Arab interest, they turn a blind eye to the sanctions," said Harry Wall, director of the Israeli Office of the Anti-Defamation League, in a telephone interview from Jerusalem.

SOME DO BUSINESS ANYWAY

Ford, General Dynamics, General Electric, Hilton, General Motors, Coca-Cola, Hertz and Avis are among the companies that do business with Israel and some Arab countries. Most major international banks and large financial institutions, however, refuse to do business with Israel because of a fear of Arab restrictions.

President Hosni Mubarak of Egypt said in 1991 that he would push for an end to the "secondary boycott" or blacklist if the Israeli Government, then led by Yitzhak Shamir, stopped building settlements in the occupied West Bank and Gaza Strip.

But the proposal was never accepted by other Arab nations.

"It was refused by Shamir at the time," Mr. Mubarak said in a recent interview.

Israel's current Prime Minister, Yitzhak Rabin, has said that he will not link the lifting of the boycott to the current autonomy negotiations with the Palestinians.

"Israel cannot at present demand the lifting of the boycott as a condition for talks with the Palestinians," Mr. Rabin said last week.

SEEN AS AN INSULT

But Israeli organizations that have tried to fight the boycott said the move was a slap in the face to Israel.

"The continuation of the boycott, the most tangible symbol of the refusal to recognize Israel's right to exist, is incompatible with the goal of the peace process," Mr. Wall said.

The determination to extend the boycott has stirred anger in many Western nations and in Japan. The leaders of the Group of Seven leading industrialized nations called last summer at a meeting in Tokyo for an end to the boycott.

Some Arab states, including Kuwait, have already officially eased restrictions on companies that do business in Israel.

Even Egypt, which has been at peace with Israel since 1979, has failed to develop significant trade links with its neighbor, despite numerous commercial agreements.

[From the Washington Post, Oct. 12, 1993]

ARAB, ISRAELI BUSINESSMEN SEE GOLD IN ACCORD

(By Nora Boustany)

AMMAN, JORDAN.—Eilun Meni, an Israeli who manufactures fitness equipment, used to enjoy traveling from Ashdod in Israel to the West Bank town of Bethlehem to visit his Palestinian client Issa Abuaita in his office. They would sip coffee and talk about their dream for the future—a partnership for expanding business to other parts of the Arab world.

The day the Palestine Liberation Organization and Israel signed a milestone peace accord that also sets the stage for economic cooperation, Abuaita, a specialist in the plastics industry, got a telephone call. "I told you that our cups of coffee will one day be real. They were not wasted," Meni said excitedly, Abuaita recalled recently.

Despite official mutterings that the decades-old Arab trade boycott of Israel will continue, businessmen and financiers are convinced that things are going in a new direction—unless politicians intervene. It is too early to speak of Arab-Israeli joint ventures before a comprehensive political settlement has been reached, the cautious insist.

But as money comes pouring into the new Palestinian entity to be created in the Gaza Strip and the town of Jericho in the West Bank, the only question now is how prosperous this new peace will be for everyone, and who will get in first—strong pressures that could turn the boycott into an anachronism.

"From a business point of view, when there is an opportunity one has to grab it. Emotionally and morally, however, people may need more time," one Palestinian here remarked.

"If the Israelis demonstrate their goodwill with more concessions to Palestinians, the time will come very shortly when we will be sitting together with the Israelis after all the prohibitive [boycott] laws are lifted," said Tawfiq Kawar, managing director of Amin Kawar and Sons Shipping and Chartering Agents, one of the firms looking into plans to build a harbor in Gaza.

Although a Palestinian administration is not yet in place, Palestinian investors already have formed holding companies. Those groups are expected to develop cement factories that will supply the expected construction boom of hotels, banks, an airport and seaport, television and radio stations, hospitals and schools.

French firms reportedly are planning to build a 70-mile highway fro Gaza across Hebron to Jericho and to the King Hussein Bridge, linking the West Bank to Jordan, according to business sources here.

Many of the big Palestinian contractors, engineers, bankers and former cabinet ministers who helped build up oil-rich Kuwait, Jordan and other Arab countries are putting their hearts, heads and money together to contribute toward the evolution of an entity that, they hope, will resemble Singapore more than Somalia.

If the new momentum persists, some businessmen say, and the region remains tranquil, private investment may prove to be more important than the $2 billion pledged by the United States, the European Community, Japan and Saudi Arabia over the next five years to help the Palestinians take administrative control of the territories.

"Those [Palestinians] who built Jordan and Kuwait will go back to building their own country," Nadim Zaru, a former transport minister in Jordan, said. "Now the private sector is excited. If there is stability they will perform miracles." Zaru has been rallying Palestinians from throughout the world to chip in.

"I think for the first time, we see an opportunity for better living," said Sabih Masri, a Palestinian-born Saudi businessman and one of 20 financiers who have joined Palestinians in setting up a holding corporation capitalized at $200 million for investing in the new Palestinian entity. "Before, there was always an excuse that there was an enemy next door. This excuse does not exist anymore for a lot of people."

Questions still unanswered include how the new administrative areas will be structured through the planned transitional period—whether there will be tariff borders, or how customs duties will be imposed and enforced to prevent smuggling, as well as a key question to many here: How will it all be linked to Jordan?

"Israelis are contacting us continually, trying to establish relations in the hope that there will be future cooperation," West Bank businessman Abuaita said. "I tell them it all depends on what kind of entity, what kind of markets, what kinds of laws we will have. Will we have part of the Israeli market, for example?"

While economic dealings with Israelis may become the last taboo to be dropped in the peace process, the vision of businessmen is proving to be more clear-eyed than others. "Some say Israelis will swallow us," mused Kawar, "but they are as afraid of us as we are of them."

Abuaita, 45, a business graduate of the Technical College in Cambridge, England, shuttles between his plastics plant in the West Bank and his office on Gardens Street here in Amman, a thoroughfare buzzing with new enterprises started by wealthy Palestinians expelled from Kuwait during the Persian Gulf War.

"What we need from the Israelis is technology. Joint ventures? Why not?" Abuaita said. "Israelis always considered that it is a privilege for them to get into the Arab market. I think eventually they will. They have some unique technology in the field of agriculture."

"Israelis could have a competitive edge over Western suppliers, because they are sitting in the Middle East," he added. "After the interim period is over, Arab buyers could just drive over, and they will not have to buy in container loads as they do from Europe."

At a recent conference in Ireland, Abuaita described what it was like to survive as a businessman under military occupation, with unrealistic income taxes imposed to discourage free enterprise.

"Two month ago I was living in economic depression. We were not going anywhere," he said. "Now I have high hopes that new ideas can be implemented and that they will be profitable as well. I can't forget the past so easily, but I definitely have to look for the future. I hope Israel will help us."

"I benefited from being in contact with Israeli producers, by seeing what technology they have, how they work, organize, market and export their products," he said.

"Israel is a large consumer and it has a good export network for Europe," Abuaita said, adding: "This could be good business for Arabs and Israelis."

Mr. LEAHY. Mr. President, I appreciate the courtesy of the Senator from North Carolina who made it possible for me to go forward at this time.

Mr. HELMS addressed the Chair.

The PRESIDING OFFICER. The Senator from North Carolina.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT OF 1994

The Senate continued with the consideration of the bill.

AMENDMENT NO. 1072

(Purpose: To limit the use of funds for conducting operations in Haiti)

Mr. HELMS. Mr. President, I send an amendment to the desk and ask that it be stated.

The PRESIDING OFFICER. The clerk will report the amendment.

The bill clerk read as follows:

The Senator from North Carolina [Mr. HELMS], for himself and Mr. BROWN, proposes an amendment numbered 1072.

At the end of the committee amendment on page 154, insert the following:

SEC. 8142. None of the funds appropriated or otherwise made available by this Act may be obligated or expended for the Armed Forces of the United States to conduct operations in Haiti unless (1) operations of the Armed Forces of the United States in Haiti are specifically authorized in a law enacted in advance of the operations, or (2) the President certifies in writing to Congress that United States citizens in Haiti are in imminent danger and that a temporary deployment of the Armed Forces of the United States into Haiti is necessary in order to protect and evacuate United States citizens in Haiti. In the event of a certification under clause (2) of the preceding sentence, funds referred to in that sentence may be obligated and expended for the Armed Forces of the United States to conduct operations in Haiti only to the extent necessary for the Armed Forces to provide the protection and complete the evacuation certified as necessary.

Mr. HELMS. Mr. President, I wonder if the distinguished occupant of the chair will inquire for me of the Parliamentarian as to whether I have the section number correct. Is 8142 correct?

The PRESIDING OFFICER. The Chair informs the Senator that the clerk is reviewing the bill at this time and will be able to respond to the Senator's question momentarily.

Mr. HELMS. I believe I will suggest the absence of a quorum until that is settled.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from North Carolina is recognized.

Mr. HELMS. I have a slight modification, changing the section number to 8137A. I send the modification to the desk.

The PRESIDING OFFICER. The amendment is modified accordingly.

The amendment, as modified, is as follows:

At the end of the committee amendment on page 154, insert the following:

SEC. 8137A. None of the funds appropriated or otherwise made available by this Act may be obligated or expended for the Armed Forces of the United States to conduct operations in Haiti unless (1) operations of the Armed Forces of the United States in Haiti are specifically authorized in a law enacted in advance of the operations, or (2) the President certifies in writing to Congress that United States citizens in Haiti are in imminent danger and that a temporary deployment of the Armed Forces of the United States into Haiti is necessary in order to protect and evacuate United States citizens in Haiti. In the event of a certification under clause (2) of the preceding sentence, funds referred to in that sentence may be obligated and expended for the Armed Forces of the United States to conduct operations in Haiti only to the extent necessary for the Armed Forces to provide the protection and complete the evacuation certified as necessary.

Mr. HELMS addressed the Chair.

The PRESIDING OFFICER. The Senator from North Carolina, Mr. HELMS.

Mr. HELMS. Mr. President, this amendment, as we always say around here, is very simple. It allows United States forces to be sent to Haiti under two conditions only: The first one

being if the President asks and receives approval from Congress; and the second one being to protect and evacuate American citizens.

President Clinton has temporarily pulled back United States troops bound for Haiti. They are now at Guantanamo Bay awaiting his order to sail back to Port-au-Prince.

Stopping ships bound for Haiti with six United States Navy warships constitutes a blockade, by definition and otherwise, no matter what anyone else chooses to call it, including the President of the United States or any part of his administration or any Member of this Senate. It is a blockade. Many of the newspapers—not that it makes any difference as to accuracy—are describing the President's actions as a blockade. This time they are correct—it is, indeed, a blockade. You can look in this morning's paper and see the word "blockade" in just about all the headlines.

So, for all practical purposes, whether we like it or not, the United States is technically at war with Haiti. But the President has yet to explain what United States interests may be in Haiti that are worth risking the life of even one American soldier or one American sailor.

In my judgment, the United States' only interest in Haiti is to stem the flow of illegal immigrants into the United States. But the United States Government has established offices throughout Haiti to process Haitians' requests to emigrate and the procedure is working satisfactorily, I am informed. Most important, the majority of these refugees are leaving Haiti for economic reasons, not political. If they were political refugees, they would simply walk across the border to the Dominican Republic and, so far as I know, few are doing that.

So it appears that the President, under the auspices of the United Nations—and this frightens me; anything under the auspices of the United Nations frightens me these days—the President and the United Nations obviously wish to remake Haiti in the image of the United States. But this should never be United States policy in any country, as to any country, certainly not in Haiti and certainly not with President Aristide installed by use of United States military force.

Now, Assistant Secretary Watson and United States Ambassador to Haiti, Mr. Swing, acknowledged during their confirmation proceedings that the State Department has ample evidence that Aristide incited mob violence and encouraged necklacing when he was in power.

In case there may be somebody somewhere who does not understand the term "necklacing," that means the practice that originated in South Africa, with the Mandela crowd, which delighted in assembling their political enemies, taking bicycle or automobile tires, hanging them around the neck of victims, tying the victims hands behind them, putting gasoline in the tire and setting them afire.

Now, that is "necklacing," and Mrs. Mandela, I am bound to observe, made a fiery speech on one occasion when she advocated "necklacing," and she said, "We have the tires and we have the gasoline and we have the matches."

Now, who is this President Aristide whom so many in United States political circles want to put back in office? The State Department's own report of 1991 said this about Mr. Aristide. Mind you, this is the U.S. State Department, the same crowd that is pushing to get Artistide back in office today. The State Department Human Rights Report in 1991 said:

> President Aristide appeared less concerned about prosecuting members of the military accused of human rights abuses if they were supporters or appointees of his government. * * * President Aristide also failed to condemn categorically all recourse to popular justice through mob violence.

This is the State Department—U.S. State Department. I continue to quote:

> The Aristide Government made no effort to identify and to bring to justice those responsible for the wholesale killing, looting, and burning.

On September 27 of 1991, Aristide made a speech to his followers in which he encouraged necklacing.

Yesterday, I looked at a videotape in my office of that speech. Clearly, Aristide described necklacing, which is putting a burning tire filled with gasoline around a victim's neck and setting it afire. What this man Aristide said—And he is talking about the guy who was about to die a horrible death at the hands of Aristide:

> A faker who pretends to be one of our supporters, just grab him; make sure he gets what he deserves—
>
> Meaning necklacing—
>
> with the tool you now have in your hands.
>
> The burning tire—
>
> What a beautiful tool—
>
> He said.
>
> What a beautiful instrument. It's fashionable. It smells good. And wherever you go, you want to smell it.

Now, I have a reproduction of a piece of art and I ask that a staff member bring two charts with him, placing them on the easel here beside me.

I hope, for the benefit of Americans who are viewing this on television, C-SPAN will focus its camera on it.

First of all, on Aristide's statement on this necklacing—this is a direct quote: "Make sure he gets what he deserves"— talking about the victim—"with the tool you have now in your hands." And he was referring to the burning tire.

That was a speech Aristide made on September 27, 1991 in Port-au-Prince.

If my associate will put this "work of art" up—this is the painting that intelligence sources assured me was hanging in Aristide's office. I hope the C-SPAN cameras will zoom in on that. It is hard to make a whole lot out of it, but there is the throne of the President, you see, and the burning tires are here, you see. And the rest of it—an absolute advocacy and glorification of the most horrible killing of one's political enemies that can be imagined.

President Aristide kept this painting on the wall of his presidential office. It depicts Aristide smiling down on a crowd brandishing the automobile tires. On the other side is another pile of tires, and a bottle of gasoline and a book of matches. And on the painting are these words which translated read:

> If our power is threatened, Little Aristide, if you have a problem, command us to march and solve them with necklacing.

Back to the State Department's own Human Rights Report of 1991, in January 1991, Aristide's supporters forced the Archbishop of Port-au-Prince to flee for his life because he had dared to criticize President Aristide who, by the way, is himself a defrocked Catholic priest. Aristide's mobs also attacked and destroyed the Embassy of the Vatican.

Aristide has publicly cursed the United States. He has condemned a President of the United States, President Reagan. He has blamed Hatian deaths and that country's misery on America. He even promised to give Hatians what Fidel Castro has given to the Cuban people, whatever that means.

So this is the man that is extolled by so many and one who some Senators declare deserves to be restored to office having been elected in free elections.

In my judgment, this man is a psychopath. I do not think we have any business whatsoever, Mr. President, risking the life of one soldier or one sailor or any other American to put Aristide back into office. Let the Hatians decide that.

Aristide is not a symbol of democracy. He may have won an election but he is not likely to win a medal for promoting true democracy.

Parenthetically, Mr. President, let me say that my associates recently received a CIA briefing on President Aristide. I do wish there were some way to persuade the distinguished majority leader and the distinguished Republican leader of the U.S. Senate to call the CIA to Capitol Hill and ask them to explain to Senators what this man Aristide is and what his background is. Certainly, we should do that. We owe that to the young men and women in our Armed Forces to do that before we send them into harm's way, into Haiti.

Aristide has known ties to Fidel Castro. He is a human rights abuser who controls Haiti through his bloodthirsty mobs. He has yet publicly or privately to renounce violence and necklacing. I have my doubts that he

will ever rule democratically if he should regain office.

I do not mind telling Senators that "Papa Doc" Duvalier was also elected President of Haiti. That was back in 1957. I had one Senator shout at me and say he had never been elected. Not so. He was elected in 1957 in what was described as a free election. I do not think anybody today would say "Papa Doc" Duvalier was any kind of advocate of democracy.

Let us look at the truth of it. Haiti is one of the most violent societies in the world. It is not a Western Judeo-Christian society, nor has it ever been. Earlier in this century, six Haitian Presidents met violent deaths in a 4-year period. Politics and violence are motivated by voodoo factions warring against each other—conducting wars and violence against each other.

And the State Department's Human Rights Report to which I alluded earlier admits that the majority of the Haitian people practice voodooism. How do you feel about sending American soldiers and sailors in there now?

Either the State Department does not understand the terrible effect that this has had on Haitian society, or they may be just a bit embarrassed to admit this very dirty little secret. But the fact remains that if we now make a misstep, if the President of the United States makes a misstep on this one, a lot of American lives could very well be lost.

I heard President Clinton say the other day that United States troops will be sent to Haiti to "restore"—that is the President's word—"restore" democracy. But I have to reiterate that democracy has never existed in Haiti in the first place.

If anyone has gathered that I am contemptuous of the actions of President Aristide and his henchmen, you got it right. But that does not mean that I support the commander of the Haitian military for his actions, a pox on both of them.

Let me state clearly my position: The United States does not have a dog in this fight, and I am unwilling to risk the life of even one American soldier or sailor for that hornet's nest in Haiti.

And there are several points that need to be made, must be made.

First, the commander in chief of the Haitian military should relinquish power, which, as I understand it, he wishes to do. I do not know, but I have been informed of that. But he did not have to retire on October 15, or before Aristide returned to Haiti, as those in the media have reported. That is another mistake that the news media have made. They do not know what they are talking about. The October 15 date was set arbitrarily by the U.N. envoy, without the general's agreement, the commander in chief of the Haitian military.

Contrary to what the administration has said and what U.N. officials have asserted, there is no specific date in the Governors Island accord.

Mr. President, I have obtained a letter that the commander in chief of the Haitian military wrote to President Aristide over the weekend telling Aristide that he will retire and discussing the so-called amnesty. The problem is that President Aristide merely announced an amnesty. His representatives never submitted it to the Haitian parliament for approval, as agreed to by all political parties in a pact signed by the United Nations on July 16. So, as it stands, the amnesty is absolutely meaningless, and Aristide knows it.

There is one reason, and one reason only, why the United Nations wants a military force in Haiti before Aristide returns. They want to reinstate Aristide as President. All of this gibberish from Foggy Bottom about civic action projects and retraining the Haitian military and the police is just plainly a subterfuge. I hope no Senator will be taken in by that.

So the administration's pursuit of a globalist agenda puts American forces in jeopardy without competent command, all in the name of—and you have heard it time and time again—nation-building.

Why would anyone want the United States to be the peacekeeper of the world? It is an impossible job, and it is never going to happen. A State Department official recently made this comment in reference to Haiti:

> Never before has the international community been so united.

Of course, the international community is united because the United States will be sending in virtually all of the troops that are sent in, while the other countries sit back and watch. I am against that. That is the reason I have offered the pending amendment. Senators can vote it down if they wish. But I would like to be a fly on the wall when they go home and try to explain it to the American people in their respective States.

A high-level State Department official said recently that United States troops will go into Haiti "to show the Haitian military what a professional soldier looks like."

Well, then, if that is our mission, President Clinton should send a videotape of our military to the Haitian military and keep our boys the heck out of there. If the Haitian military wants to learn about American soldiers, they can fly to Fort Benning or Fort Bragg and take a look. Do not send our troops or our sailors into Haiti.

Call it what you want to, Mr. President—peacekeeping, monitoring, civic action, all of these bullish words—but there should be no misunderstanding. If the President of the United States, Mr. Clinton, plans to send United States servicemen into Haiti, where peace has never existed, into a society where voodoo-induced violence is the answer to many problems, and into a land where our Armed Forces will not be welcome, I say that is a bad deal. It is the worst possible deal for the soldiers and sailors who will be sent into that tragic set of circumstances. There are no acceptable rules of engagement, no clear objectives, and, most important, no strategy for getting out of there. In the judgment of this Senator, the planned Haiti operation does not meet President Clinton's own criteria for sending troops abroad under U.N. command.

The President and Ambassador Albright outlined quite to the contrary at the United Nations what they proposed to do, but this does not qualify in one instance. The distinguished Ambassador to the United Nations was before the Foreign Relations Committee this morning. She is a very, very charming lady, very intelligent. I asked her some questions, and she is going to give me some written answers because, frankly, she did not know the answers to some of the questions I asked. I will await hearing from her in writing.

The sum total of what I have tried to say here this afternoon, Mr. President, is that Mr. Clinton should reconsider his decision, and he should redirect United States policy concerning Haiti. He should bring home the young men and women waiting at Guantanamo Bay, and he should ask the United Nations to undertake this mission with armed forces from other member countries who are willing to send their soldiers and their sailors into Haiti.

You are going to see a lot of other countries rushing for the boondocks. They are not going to send their soldiers and sailors in there either. That is how bad they read the attitudes of the American people. I hear from an awful lot of them. They do not want their sons and daughters to be sent to Haiti. That is putting it mildly. You ought to hear some of the telephone calls. You ought to read some of the mail that I have received.

The U.N. plan is just another pie-in-the-sky experiment in nation-building—whatever that is—in which U.S. service men and women will be guinea pigs. I am against that, and I assert that the vast majority of the American people are likewise opposed to it.

There is no reason, I reiterate, no reason to risk the life of even one American sailor or soldier in Haiti.

Mr. President, I ask for the yeas and nays on the amendment?

The PRESIDING OFFICER (Mr. AKAKA). Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. HELMS. Mr. President, I yield the floor.

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

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

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

DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 1994 DISTRICT OF COLUMBIA SUPPLEMENTAL APPROPRIATIONS AND RESCISSIONS ACT, 1993—CONFERENCE REPORT

Mr. INOUYE. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives on H.R. 2492, a bill making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1994, and for other purposes.

The PRESIDING OFFICER laid before the Senate the following message from the House of Representatives:

That the House insists on its disagreement to all the amendments of the Senate and asks for a further conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. INOUYE. Mr. President, I move that the Senate further insist on its amendments and agree to the conference with the House, and that the Chair be authorized to appoint conferees on the part of the Senate.

The motion was agreed to, and the Presiding Officer appointed Mr. KOHL, Mrs. MURRAY, Mrs. FEINSTEIN, Mr. BYRD, Mr. BURNS, Mr. MACK, and Mr. HATFIELD conferees on the part of the Senate.

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

Mr. LEVIN. Mr. President, I wonder if the Senator from Hawaii would withhold on that request so I can make a unanimous consent request that I be permitted to proceed in morning business for 5 minutes.

Mr. INOUYE. I have no objection.

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

The Senator from Michigan is recognized.

Mr. LEVIN. I thank the Chair and I thank my friend from Hawaii.

NAFTA MATH: IT DOESN'T ADD UP

Mr. LEVIN. Mr. President, today I am releasing a booklet I prepared to explain how the administration is using distorted math to claim job gains from NAFTA. It's called "NAFTA MATH: It Doesn't Add Up."

This booklet challenges the administration's often stated claim that we will gain 200,000 jobs from NAFTA.

Obviously, people will make their own decision about whether or not to support NAFTA, but they should do so based on a full picture of the facts, not just on what they get from listening to the supporters of NAFTA.

Let me explain. The underlying premise supporting NAFTA is that United States exports to Mexico will increase and all exports create jobs.

The Commerce Department hands out a book—this book, which I have here—showing State-by-State exports to Mexico and the Commerce Department translates every billion dollars in exports into roughly 20,000 additional American jobs.

President Clinton himself has said: "Every time we sell $1 billion of American products and services overseas, we create about 20,000 jobs."

The administration has estimated that exports to Mexico will rise by "$10 billion over the next 3 years with NAFTA." And, according to the administration's math, or NAFTA math, since each $1 billion in exports creates about 20,000 jobs, $10 billion in additional exports would create about 200,000 jobs.

The Secretary of the Treasury, Lloyd Bentsen, says: "We calculate we'll pick up 200,000 more jobs" from NAFTA.

But that claim of 200,000 more jobs and NAFTA's very foundation is based on highly distorted export figures.

First, those calculations are based on export figures alone. The projection of 200,000 additional jobs from NAFTA conveniently ignores the job loss which results from imports from Mexico to the United States, which will be increased under NAFTA. It is a major distortion to only look at half the picture and claim job gains based on exports alone. It is like looking at half a ledger sheet—the revenue half—and ignoring the expense half of the ledger.

The administration has even acknowledged, after being pressed in a Washington Post article, that it does not deduct job losses from the added imports which will result from Mexico in its overall job gains claim.

An October 13 article by Howard Kurtz says a "USTR official confirmed that the 200,000 estimate is not a net figure." In other words, it only looks at the alleged gains from exports and does not deduct the jobs which will be lost as a result of increased imports. The Commerce Department does not give us figures on job losses from increased imports; it does not give us net job figures. All it gives us is the 200,000 additional jobs claim and totally ignores the job losses from imports.

Second, Mr. President, even if you only look at exports, one-third of American exports to Mexico go across the border for a few days or weeks for assembly and then come right back to America for consumption.

But, believe it or not, the Department of Commerce classifies as exports those American parts that are temporarily sent to Mexico for assembly and then shipped right back to the United States for consumption here. In reality, one-third of American exports represent little more than trading with ourselves. It is a little like an actor mailing himself fan mail and then citing that as evidence of his box office appeal.

What is more, Mr. President, that same one-third of American exports that the Commerce Department shows going to Mexico not only does not represent jobs gained, they often actually represent lost jobs to Americans.

Let me just give you an example. Take an assembly plant in the United States with a thousand workers that closes and moves to Mexico—1,000 jobs are lost. But some United States parts suppliers continue to supply the new Mexican assembly plant.

Mr. President, according to NAFTA math, if every American assembly plant closed and moved to Mexico, we would have a big jump in job creation in America. Because as long as some of the parts and components previously assembled here go to Mexico for assembly, they count as exports. And since exports are translated into job creation, the closing of every assembly plant in America would be a big job increaser, according to the Commerce Department, just so long as some of the parts and components are shipped to those assembly plants after they move to Mexico.

Now NAFTA math, which excludes the impact of additional imports and counts as exports items which actually have cost jobs in America, is math which would make most elementary school math teachers wince. It is a gross distortion. NAFTA math would make most elementary schoolteachers wince. The new jobs claimed by backers of NAFTA based on this NAFTA math is a gross distortion. It is based on a false assumption that all exports should count as job producers, even the ones representing lost jobs while job displacement for increased imports need not be counted at all. It is also based on the false assumption that although a significant portion of United States exports to Mexico are of parts and components to be assembled and promptly returned to the United States, that they still all count as job producing exports.

I put together this booklet to demonstrate in simple terms why the administration's NAFTA math does not add up. I am delivering copies of my NAFTA MATH booklet to the Department of Commerce, the U.S. Trade Representative, and the Treasury Department.

I am asking the administration to drop its use of the 200,000 jobs gained claim.

I am also asking the administration to give us a new figure—not the 200,000 figure—but one that includes job displacement from imports and excludes

exports that are merely parts and components that were once assembled here in the United States.

We have asked the Commerce Department, and we are asking today, that they withdraw the 200,000 figure, that they give us accurate numbers on both job gains that they project, but also that they deduct job losses that they admit will occur.

It is time for the administration to abandon attempts to sell this agreement with distortions and NAFTA math.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT OF 1994

The Senate continued with the consideration of the bill.

The PRESIDING OFFICER. The Senator from Connecticut is recognized.

Mr. DODD. Mr. President, I ask we return to regular business.

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

The Senator from Connecticut is recognized.

Mr. DODD. Mr. President, I rise to oppose the pending Helms amendment. I would like to take a few minutes to address the issue of Haiti generally, if I may, and then I will urge my colleagues to reject this amendment for the reasons I will outline in these remarks.

The American people are looking for some very clear answers about our foreign policy. We have had an extended debate now, going on almost a week, regarding events in Somalia, culminating with the resolution adopted early last Friday morning. We have had a debate about the role of U.S. forces in multilateral peacekeeping operations. We have had amendments proposed on Bosnia and Haiti. And we now have one before us which, in effect, would prohibit the President from taking some very specific action should events warrant it, outside of the protecting of American lives, as I understand the amendment offered by the Senator from North Carolina.

I think it is important to point out that each one of these situations is different. Somalia is not Haiti. Bosnia is not Somalia or Haiti. Each situation needs to be looked at in its own right: How we have arrived at the situation we are in, what are the interests of the United States, and how we ought to respond to those interests in an appropriate fashion.

I think the point raised by Senator BOREN of Oklahoma and others yesterday is important. We are in a new age, an age that many thought might never come in our lifetimes. Who would have imagined, 4 or 5 years ago, that we would be debating a world situation in which the Warsaw Pact no longer existed; that the Berlin Wall had been torn down and was nothing more than a collection of mementos on people's desks and mantels; that debate about the Soviet Union would be merely a historical discussion and not something that was a major focus of our attention every single time a foreign policy bill or a foreign aid bill was brought to the floor, every time a Defense appropriations bill was brought to the floor?

There was not a debate, not an amendment that was ever raised in which the subject of the Soviet Union and the threat posed by the Soviet Union was not an integral part of that debate. Yet here we find ourselves in the fall of 1993, talking about a completely different world, a world that no one—or very few people—could have imagined would have existed. So it is critically important at this juncture that we start to reconfigure a foreign policy where we are the only superpower left in the world, the only one. The only comparable time in this century was in the immediate aftermath of World War I, when there were other similar debates, I might add, in this very Chamber about the League of Nations and the role of the international community and the role of the United States.

That debate and that discussion collapsed. What took its place, basically, was a vacuum. Many highly respected historians will argue that the collapse of that debate and that discussion, and the absence of formulating an architecture for the U.S. foreign policy in the 1920's and 1930's contributed to the events that unfolded in the late 1930's and early 1940's and, of course, the events thereafter.

So it is very important we take time to think about what we are doing here and not just lurch from one foreign policy crisis to the next with amendments being offered here on the floor of the Senate as a way of trying to deal with these issues.

Let me, if I can, focus specific attention on Haiti. As I said a moment ago, the American people want some clear answers. They want to know what initiatives we intend to pursue, how long they will take, how much they are going to cost, and whether these initiatives will involve placing the men and women of the U.S. military in potential harm's way. I believe the American people are certainly entitled to the answers to those questions, and I believe they are entitled to know exactly why we remain involved in Haiti, what we hope to accomplish there, and how we intend to accomplish these goals.

At the same time I also believe we should not let these difficult questions prevent us from taking appropriate steps, where necessary, to restore democracy to a people who have been long suffering in the island nation of Haiti.

Since taking office President Clinton has, in my view, clearly articulated the direction he believes we should take with respect to Haiti. Whatever legitimate criticisms people may have had about Somalia, do not apply those criticisms to Haiti. They do not apply to Haiti.

From the very outset, President Clinton has been publicly committed to a process that would lead to the restoration of democracy and the return of President Aristide to Haiti. I fully support that policy and so do most Americans. I was pleased to see early on that President Clinton turned to our allies in this hemisphere and around the globe, just as President Bush did when facing the crisis in Iraq. He was not going to go it alone, but he tried to build a coalition to respond to the coup d'etat that threw out President Aristide, the only democratically elected President in the almost 200-year history of that country.

Haiti is the second nation in this hemisphere ever to achieve its independence, in 1804. Until just a few years ago, it had never had a democratically elected President. The first time it occurred was in December 1990, when President Aristide was elected by almost 70 percent of the people of that country. Whether or not each and every one of us like President Aristide is totally irrelevant. Whether or not you like the artwork in his office is totally irrelevant. What he has on his desk, what he hangs in his closet is totally irrelevant. He was elected in the most free and most fair election that the people of that country have ever held. We in this Nation ought to be willing to support that process. That is in our interest to do so. It is in our interest to do so, to support nations that seek democratic alternatives.

That is what happened in that country. Then a group of thugs threw him out into exile.

President Bush and President Clinton have tried to come up with some answers on how you could restore that democracy. You do not need to remind people in this country of what happened afterward when the thugs threw him out. Remember the picture on the television screens of boatloads of people in rickety crafts making their way across the Windward Straits to find their way to the shores of Florida?

I promise you this, Mr. President: If the Helms amendment is adopted, I guarantee that those flotillas will start again. Remember how it occurred.

I also promise that if this amendment is adopted, you will see unprecedented carnage in that country, with the thugs absolutely and systematically taking the lives, as they have over the last 2 months, of people who tried to fight for democracy.

I also guarantee it will be very difficult, if not completely impossible, for President Aristide to return as the democratically elected President of that country. President Clinton has worked hard from the very outset of

his administration to come up with some answers here on how this might occur.

He has worked with the United Nations and the Organization of American States. Dante Caputo, a distinguished diplomat in this hemisphere, has been the U.N. Special Envoy and has been active in attempting to restore this democracy. This agreement, which many may recall is known as the Governors Island accord, sets forth a series of sequential measures to be taken over a 4-month transition period culminating with the return of President Aristide to Haiti on October 30.

Among the measures set forth to occur during that transition was the development of a group of military experts by U.N. members to assist in the professionalization of the Haitian military and to undertake other civic action programs.

Not everyone may have agreed with the sequencing of the measures contained in the Governors Island accord. However, the most important point to keep in mind is that upon signing the document each side pledged before the international community to abide by its terms. Each side made that pledge.

Clearly, for reasons that are best known to himself, the military commander in Haiti, Gen. Raoul Cedras, has had second thoughts about what he signed in New York. That was made abundantly clear when a frigate containing 218 United States and Canadian troops attempted to dock in Port-au-Prince last Monday, to carry out the U.N.'s commitment to professionalize the Haitian military. This frigate was met by an armed gang of thugs who prevented the troops from landing, and attacked the U.N. and U.S. officials who were there to greet the military personnel.

The message was made even more explicit with the brutal murder last Thursday of President Aristide's Justice Minister, Guy Malary, and the subsequent refusal by General Cedras to step down last Friday, which was part of those accords, as was called for, as I said, in the Governors Island accord.

There can be no doubt that the current military leadership of Haiti has very little intention of living within the bounds of the agreement it entered into only a few short months ago.

In response to this obstruction by General Cedras and his followers, President Clinton has wisely, in my view, made it clear that reneging on this commitment is unacceptable to our country and to the international community. The unanimous vote by the Security Council and the decision of our allies in this hemisphere and elsewhere to participate in the decisions that we have made in response to the reneging of the Governors Island accord, I think, bear witness overwhelmingly to the soundness of those policies.

We expect and demand that General Cedras and his military colleagues will stay the course outlined in that accord or suffer the consequences of sanctions and other possible manners of retaliation by the international community. Specifically, the President has delayed the deployment of United States military trainers and engineers to Haiti, sought the reimposition of economic sanctions through the U.N. Security Council, and has sent six United States warships to enforce a naval embargo to cut off the provision of supplies to the de facto Haitian leadership.

The United Nations has responded quickly and positively to these important U.S. initiatives, voting last Wednesday to renew the economic sanctions—it did so unanimously, I might add—and voting on Saturday to approve the U.S. naval blockade—also unanimously—as well as sending other countries to participate in that blockade.

That only came about as a result of the international effort from the very beginning to come up with some answers to the problems of Haiti and the coup that caused the ouster of President Aristide.

Mr. President, at this juncture, it is far too early to tell whether the agreement reached at Governors Island last July can be put back on track. We hope it will. We do not know the answer to that. We know that elements of the Haitian military and the business sector were responsive to international sanctions when they were proposed earlier this year. In fact, I do not think you would have had a Governors Island accord had we not imposed those sanctions. Indeed, I think it is what helped to make the July agreement possible.

I have no reason to believe that they will be any less susceptible to economic pressure today. We hope that is the case. In fact, perhaps reactivating sanctions will help them to clarify their thinking with respect to their obligations. I certainly hope this will be the case so that President Aristide can return to Haiti at the end of this month. However, I also know that it is possible—I think all of us do—that these efforts at economic leverage will fail and more difficult and direct methods to restore democracy will have to be considered, including perhaps the use of U.S. forces, as part of a multilateral military intervention.

Let me say here, I can assure my colleagues that President Clinton has no more desire to engage in that option than any of us do. None of us do. We want to avoid that at all cost. But to write into statutory law that this is absolutely to be prohibited, except to save American lives that may be in jeopardy, sends one clear and unequivocal message to General Cedras and his friends. And that is: "Just stay the course; stay where you are; don't worry about a thing; do whatever you want to do; we are really not that interested; and that ultimately, sanctions and embargoes leak like a sieve and you will end up getting exactly what you want."

I am not advocating the opposite to what our colleague from North Carolina is proposing in his amendment. I do not want to see United States forces sent into Haiti. We have a history of having been involved in that island for many years. It has not been forgotten by many people in Haiti. So we want to avoid that option, if we can.

I do not think at this juncture, given the steps that the President of the United States, the Commander in Chief, has gone through to bring us to this point that alternatively we want to adopt an amendment that absolutely precludes and sends a message to our enemies about what steps we will take or not take. That is the danger inherent in this approach.

So I hope this amendment will be rejected. Clearly, I can agree that we need close consultation with the administration before any action is taken. Clearly, closer consultation between the administration and Congress before any steps are taken is not only advisable but absolutely essential, in my view.

But I think we would make a tremendous mistake if we went the route the Senator from North Carolina is advocating here. It would be a wrong mistake for the reasons I mentioned. Not only do I think you guarantee President Aristide would not go back to Haiti, not only would you guarantee that Raoul Cedras and his cronies would stay in power, but I also think you can guarantee what I said a moment ago, and that is that you would have a massive exodus—a massive exodus—of Haitians heading for our shores. I also think you would have a significant and systematic slaughter of innocent people in that country.

I disagree with those who say we have no interest in those kinds of events. I think they do interest us. It is in our hemisphere. It is important to try and at least do what we can. I point out to my colleagues that at no point in the history of this hemisphere have we ever had as many democracies as we do today. No one ever imagined, in some places, that we would have the kind of governments we do.

It is in our interest, Mr. President, to support and nurture, where possible, those democracies, to give them root. That strengthens our cause. If we have governments and countries that share like-minded values with us, then it is easy for us to safeguard those ideals and values around the world. If we abandon democracy here, as some are suggesting, if we say that we have no interest and who cares what goes on there, then the signal to others who may have similar intentions in other places where the interests are not as

clear as they are here, is that they can do anything they want and the United States, basically, does not care at all about what happens.

I do not think we want to send that message today. I do not think that is our intention, nor should it be our purpose. Nor is it, am I suggesting, by rejecting this amendment, that we are advocating a military intervention policy. At this point in time, that would be a mistake as well.

So I hope that this amendment will be rejected; that President Clinton's efforts will be given a chance; that we will do what we can here to bring adequate pressure on those in Haiti. Let them know there is a sense of solidarity here in support of restoring the legitimately elected President of that country, to get him back to his nation.

In fact, I will tell my colleagues, in a few short minutes, President Aristide will be here on Capitol Hill to meet with Members of the Senate and talk with them. If they have questions or would like to raise questions and get an update as to what is transpiring in Haiti, I invite them to come to that meeting and to listen.

Again, I emphasize that this notion somehow that we have to like every aspect of President Aristide's life has little or nothing to do with the question of whether or not we ought to support the will of the Haitian people as expressed when they freely chose President Aristide to lead their country.

That is in our best interest to support that decision and to try and effectuate his safe return to that country. It will be hard under any set of circumstances.

I would argue forcefully, Mr. President, it would be a lot harder to effectuate that goal if the amendment of the Senator from North Carolina is adopted. That narrows and shortens and abbreviates considerably our ability to achieve the desired results that I hope and believe most Members of this body support.

So for those reasons, I urge the rejection of the Helms amendment this afternoon. Instead I support the proposals and the efforts that are presently being undertaken by the international community to restore President Aristide as President of Haiti and to give democracy a chance in a country that has never had a chance before and to give people in a little country—the poorest in this hemisphere, the most desperate in this hemisphere—a chance for a better life.

We, by voting today, can express our desire and our determination that we do care; that we do care what happens even in the poorest of countries in this hemisphere, even in the most uneducated and the most desperate; that we do care about what happens there and that we are willing to stand up and to fight for the restoration of democracy in that country.

Mr. President, I yield the floor.

Mr. STEVENS. Will the Senator yield?

Mr. DODD. I will be glad to yield.

Mr. STEVENS. Has the Senator examined the series of quotes the Senator from North Carolina provided us, "Aristide on Aristide"?

Mr. DODD. Mr. President, I looked at quotes from colleagues made here, from politicians all over the country. This is a pretty trivial game we sometimes play about quoting out of context or selecting quotes that are made in various places.

I say to my friend from Alaska, I am sure people may go back in my political career, or his political career, and find some convenient phrases or speeches or something that we have made that we would not necessarily want to have pulled out of context.

My point to my colleague from Alaska and others is, look, the people of Haiti expressed a choice. I certainly was troubled by some of the remarks attributed to President Aristide. I get disturbed by the remarks of a lot of different people, different Presidents around the world, when they say things about my country or things in their own country.

But I think we have to step back and say, is it our job, necessarily, to act as critic here on every statement or every speech that gets made? I do not think so. The fact is that 70 percent of the people of that country elected this gentleman to be their President.

Mr. STEVENS. Mr. President, that is not my question. Should the power of the United States be used to return to the Presidency of Haiti a person who has made these statements concerning not only the United States, but Presidents of the United States and the policies of the United States? It is not a question of what they want. It is a question of should we use our power to restore him to power.

Mr. DODD. If I may reclaim my time, Mr. President, I think what the Senator from Alaska is advocating is that we ought to walk away from Haiti altogether, not be involved in any way. I do not believe that is what we ought to do. You start playing that game around the world and there is no end to it, in my view. Either you support a process here that we think is in our interest to perpetuate, and that is democratic institutions, democratically elected leaders in these countries, or not.

If we are going to make the decision about whether or not we support democracy based on whether or not each of these candidates or Presidents passes our particular political correctness test, then we will have a never-ending problem in this body.

I hear a lot of people complain about political correctness. Now we are going to apply it here, as well. Was this man democratically elected in this country? Yes or no? The answer is yes. According to every international observer and everyone else there, it was one of the freest elections that could ever be held. Is it in our interest to see democracy supported, underpinned, in Haiti? I believe the answer is yes. Does that mean we necessarily would have voted for this candidate or support this particular candidate or have to support this particular President in every step we take? No. We are supporting a process and a decision made by the people of Haiti.

So I think it is in our interest.

Take President Yeltsin, for instance—or Gorbachev, for that matter. Had we made a decision in this Chamber whether or not to support a reform process in the Soviet Union based on every quote of Mikhail Gorbachev or Boris Yeltsin, we would not have done anything. We would not have done anything at all.

We saw something larger and more important instead of political speeches, or quotes from those speeches.

Mr. STEVENS. Will the Senator yield again?

Mr. DODD. I will be glad to yield.

Mr. STEVENS. Does the Senator remember any time when we sent a blockade to help either Gorbachev or Yeltsin?

Mr. DODD. I think we were prepared to provide whatever support was necessary. I think the President's decision the other day to lend the full force of the United States behind the events that were unfolding in Moscow is a critical example of our willingness to stand up and support that process in that country.

If my colleague will note, had the elements that had taken over the parliament building in Moscow prevailed, is there any doubt in anyone's mind here about what actions we would have taken in response to that activity? Would we have had a speech on the floor saying, well, Boris Yeltsin had some art work in his office, and so the fact a bunch of thugs had thrown him out means we would not help? I do not believe we would have said that. We would have been outraged by it, and we would have taken steps to try to do something about it. We would not have had a description about Boris Yeltsin's office as a justification for deciding not to support democracy in that country.

That is all I am saying here. The same thing has happened, unfortunately, here. The thugs won in Haiti. They threw a democratically elected President out. Now the issue is, will this country, that believes in those ideals and values, support his return? I think we ought to. I think it is in our interest to do so. In the absence of doing so, I think it is far more dangerous than the particular statements that this individual may have made. And that is the point I think needs to be made in this particular case.

Mr. President, I yield the floor.

Mr. STEVENS addressed the Chair.

The PRESIDING OFFICER (Mr. KOHL). The Chair recognizes the Senator from Alaska.

Mr. STEVENS. Mr. President, I find it hard to support, on the one hand, the amendment of the Senator from North Carolina. On the other hand, I do not find it hard to reach the conclusion that "Aristide on Aristide" is a very enlightening document, and it certainly should make every Member of the Senate think as to whether or not we want to support the use of American force to restore this person to control of a nation in this hemisphere.

The Senator from Connecticut has some interesting points, but I think he fails to really look into the basis of the presentation of the Senator from North Carolina. I have not heard anyone talk about necklacing yet. I have asked the CIA to confirm or to not confirm the statements made by Senator HELMS today concerning necklacing and the use of that and the advocacy of that by Aristide.

I really find it abhorrent that we would use our power to put in charge of a nation of this hemisphere a person who has this kind of venom for the United States. What are we doing?

On the other hand, the real question is whether we should take action to so tie the hands of the President of the United States, as suggested by my good friend. The real problem is it appears the President has already made the decision to do it. The Senator from Connecticut has indicated he thinks that is perfectly fine.

I find very great difficulty with the idea that we should restore a person of this caliber to power. I am very worried about what the Senate is about ready to do today.

Mr. GRAMM addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Texas [Mr. GRAMM].

HEALTH CARE DEBATE

Mr. GRAMM. Mr. President, I will be brief in imposing on my colleagues.

I understand that Senator WOFFORD from Pennsylvania today engaged in an attack on the Republican health plans, and it strikes me that the members of the Democratic Party are obviously panicked that the American people are rejecting the President's program of socialized medicine. It seems to me that since the President cannot quite write a plan that the Democrats could have any hope of paying for, they are now forced to attack the only real proposals to deal with the medical problems of America by attacking Republican plans.

Let me say to my dear colleague from Pennsylvania that I am going to be in Pittsburgh having a townhall meeting on health care in general, and the Clinton plan in particular, and I would be delighted to have our dear colleague come and join with me in that forum and debate that issue.

I would also be happy to go on over to Philadelphia and do it again, should he be happy to do that. I think America needs to hear about these issues. I look forward to the day coming when we can have this debate. I think it is very important, and I believe when all is said and done, the American people are going to conclude that there is not enough money in the world to pay for the Clinton health care plan and that they would not want it even if it were funded.

Mrs. FEINSTEIN addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from California [Mrs. FEINSTEIN].

(The remarks of Mrs. FEINSTEIN pertaining to the introduction of S. 1571 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Hawaii is recognized.

Mr. INOUYE. Mr. President, I wish to commend the Senator from California for this most extraordinary and illuminating presentation of immigration and related problems in her State. I hope that my colleagues will give Senator FEINSTEIN's legislation concerning southwest border control and drug interdiction their most serious consideration.

Once again, I wish to commend my colleague.

Mr. GRAHAM addressed the Chair.

The PRESIDING OFFICER. The Senator from Florida [Mr. GRAHAM].

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT OF 1994

The Senate continued with the consideration of the bill.

Mr. GRAHAM. Mr. President, I believe that the pending business before the Senate is an amendment to the Department of Defense appropriations bill, as introduced by the Senator from North Carolina [Mr. HELMS]. Is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. GRAHAM. Mr. President, the amendment which has been proposed states that "None of the funds appropriated"—in the Defense appropriations bill—"shall be obligated or expended for the Armed Forces of the United States to conduct operations in Haiti unless" those operations "are specifically authorized in a law enacted in advance of the operations, or (2) the President certifies in writing to Congress that the United States citizens in Haiti are in imminent danger and that a temporary deployment of the Armed Forces of the United States into Haiti is necessary in order to protect and evacuate United States citizens in Haiti," and to the extent that such a deployment is necessary, funds can be expended for that purpose.

Mr. President, I believe this is an extremely pernicious and negative amendment in terms of U.S. interests.

I would like to discuss this amendment around a series of questions. Why is Haiti important to United States national interests? What is the role of the United States military in advancing our national interests in Haiti? What would be the consequences of the adoption of this amendment in Haiti? And what would be the consequences of the adoption of this amendment on the conduct of American foreign policy?

This amendment, Mr. President, looks around a globe which has approximately 180 nation states and selects one, Haiti, and says that in that nation, the United States cannot utilize its Armed Forces in the manner that the President is authorized in every other nation, unless these extreme limitations are met. That would indicate that we have less national interest in Haiti than in virtually any other nation in the world.

I would suggest that that conclusion is fundamentally wrong, that, in fact, the United States has very major national interests in Haiti.

What are those interests?

First, Mr. President, we have an interest in avoiding Haiti becoming the role model for democracies across the Caribbean and Latin America.

If we were holding this session of the Senate 20 years ago, and had a map of the Caribbean and Latin America, and had the countries designated by those that were ruled by a democracy and those ruled by an authoritarian government, the map would be a sea of authoritarian government flags. Today, the map would be exactly the opposite.

In 20 years, this hemisphere has become a garden of emerging democratic governments, but it is a garden in which the roots of most of those democracies are still relatively shallow. There are, in the barracks of the Caribbean and Latin America, the sons of fathers who used to rule those countries, sons who feel that it is their right to one day rule those countries, not through the democratic election process, but by a restoration of a military dictatorship. Those in the barracks are looking to Haiti as an example of how much resolve, how much commitment, does the international community have, particularly the democracies of the Western Hemisphere and specifically the oldest democracy, the United States of America, how deep is our will to protect the still fragile plants that are growing throughout this hemisphere.

The United States has a tremendous interest in the protection of those democracies, in the stabilization of those

governments, and through those stable political institutions to begin to have countries that will grow in their economic strength and prosperity and become contributing and participating members in the world economy.

Second, Mr. President, we have an interest because Haiti is not thousands of miles away. It was suggested last week, almost as an axiom, that Somalia was bad. Haiti is Somalia. Therefore, Haiti is bad. We should be out of Somalia. Therefore, we should be out of, or never enter, Haiti.

Haiti is not Somalia. Haiti is 800 miles from the United States of America. Somalia is many thousands of miles away.

As much as we grieve for the circumstances in Somalia which led to the United States entering that beleaguered country, the consequences of a collapse in Somalia are relatively limited on the United States. The consequences of what has already happened in Haiti, and what could happen if there was a further deterioration of conditions, will be direct and immediate on the United States of America.

One of those forms of immediate impact will be refugees. We already have seen waves of refugees from Haiti, not only in the United States but also from other countries in this region such as the Bahamas. Those are just an indication, a harbinger, of what will happen if the hopes for restoration of democracy in Haiti are crushed.

Haiti has also become a major transshipment point for drugs as other countries throughout the Caribbean have turned away from authoritarian governments, as they have developed effective law enforcement and judicial systems. Haiti has increasingly stood out as a place in which it was relatively comfortable, accommodating, and highly profitable to conduct drug operations.

One of the principal sources of income of the military coup which has controlled Haiti for the past 25 months has been through the expansion of drug trafficking, using that country almost on a lend-lease basis to the worst elements of the drug trade. The United States has an interest in preventing a further use and expansion of Haiti for that purpose.

I know, Mr. President, it is somewhat unpopular now to talk about the U.S. interest from a humanitarian standpoint. In some ways, to suggest that the United States has an interest in human rights and how people are treated around the world puts you in a category of those who are out of touch with a tougher standard of America.

I had the recent experience of visiting the Holocaust Museum here in the Nation's Capital. As I left that museum, I was haunted with some questions.

One of those questions was, why did the United States act as it did during the 1940's when it was informed of what was happening in Nazi Germany and had some capabilities to moderate, to resist, to make it at least significantly more difficult for Hitler to carry out his horrendous program of elimination of the Jews of Europe?

The second question is, where is something that has those same seeds of hatred and bitterness happening around the world today, and what is the United States doing about it?

Mr. President, I was in Haiti a week ago. I would not analogize Haiti in 1993 to Nazi Germany in 1943. But there are tremendous human rights violations which are occurring in Haiti.

Last week, a very promising young man, trained both in Haiti and the United States, the Minister of Justice of Haiti, was assassinated in front of a church where another member of the opposition to the military coup was assassinated just a few days earlier.

Those are two examples of the level of violence which is occurring in that country, which I think should move the hearts of Americans who are concerned about human rights, who believe that when Thomas Jefferson wrote in the Declaration of Independence that all men are born with certain inalienable rights, that he was not speaking just to those men who happen to occupy the British colonies along the Atlantic coast but was making a universal statement that would influence the way the United States would use its role in the world. I believe in those words of Thomas Jefferson, and I believe they are another reason the United States has a national interest in what is happening in Haiti today.

Finally, Mr. President, if you are not moved by humanitarian concerns or by concerns of democracy or by the potential of refugees and drugs arriving on our shores or even concerned about the United States citizens who are in Haiti, of which there are somewhere between 1,000 and 10,000, depending on your definition of single and dual citizenship persons, we should be concerned about the fact that the United States has entered into some binding, legal obligations to the international community.

We were not a parent of the Governors Island accord, the set of negotiations which concluded in early July of this year with an agreement signed by President Aristide and by Commander in Chief Raoul Cedras, but we were certainly the godparents after that negotiation. We fostered, nurtured, and led to the completion of those agreements.

Under those agreements and subsequent United Nations resolutions, we took on certain national obligations. And that moves, Mr. President, to the second question.

What is the role of the United States military in advancing the United States national interests in Haiti?

There has been a long history of relationship of the United States military with Haiti. It is well known that we occupied Haiti from 1915 to 1934. What is less well known is that we have since that date had a continuing role in the training and equipping and basic acculturation of the Haitian military. When you go to Haiti and look at their military and look at their equipment, look at their arms, they look very much like an American military unit because almost every piece of equipment from the clothes worn to the rifle carried are American.

The United States has had a significant role in the training of the Haitian military. On one of my visits to Haiti prior to the 1987 election, I met with Gen. Raoul Cedras who, at that time, was one of the three people in control of the Haitian Government setting up for what was hoped to be a democratic election. I asked Gen. Raoul Cedras if he ever visited the United States and he said he had on several occasion. I said: "In what capacity?" He said, "Participating in a United States military training exercise." I asked him, "What were you being trained to do?" He said, "Fight World War II as an infantry officer."

That is what we have essentially trained the Haitian military to do. The fact is the Haitian military had relatively limited prospects of participating in World War II. They have used the skills that we have largely provided them, as well as the equipment, to terrorize their people rather than serve as a force for positive good within an impoverished country which needs every positive institution available to it.

And so what is the role of the United States military in fulfilling our national interests in Haiti? They were spelled out in these series of U.N. resolutions and the Governors Island accord, and they were that the Haitian military was to be divided. It was to be divided with the police becoming an independent law enforcement agency and the military becoming a defense institution.

Today those two operations—police and defense—are merged. It would be the responsibility of the set of nations, largely French-speaking nations such as France, itself, Canada, and others to help in the professionalization of this newly created independent police function.

It was felt that because of their linguistic capabilities, their familiarity with some of the French law enforcement traditions which will be the traditions of the Haitian police, that they represented the appropriate institutions, the appropriate nations, to be assisting in the police training.

But, as it came to the defense training, we stood out as the one nation in the world, because of this long history of involvement, best equipped to carry out that function.

So we set about committing ourselves to two essential tasks: One task

was to work with the Haitian military in terms of educating it as to how a military functions in a democracy; how does a military organization itself become responsible to civilian direction and control.

I think we have a lot to contribute to the Haitian military in that regard. For 200 years, we have had a military that has functioned in that manner.

Also, Mr. President, a second task of our military was to assist the Haitian military in acquiring a new set of skills. It was not by accident that the military personnel on the U.S.S. *Harlan County* in the port of Port-au-Prince last Monday and Tuesday were Seabees, Corps of Engineers; they were construction workers; they were civil engineers.

They were going into Haiti to assist in rebuilding some of the shattered infrastructure of that country. The very first project was going to be to put a roof on a school. At the same time, they were going to be educating elements of the Haitian military as to how to conduct those type of operations in hopes that over time—and neither of these two functions, the cultivation into democracy or conversion into a Corps of Engineers-Seabee type of operation, are going to occur quickly—this would be a beginning toward that fundamental conversion of the defense component of the Haitian military into an institution that would be one of civic action and assistance to the country rather than one of repression.

I think those are in the best traditions of the U.S. military.

The amendment that we have before us would preclude those type of activities from occurring.

I believe that those are exactly the kind of roles that the U.S. military will increasingly be called upon to play, particularly in this hemisphere as we begin to assist in converting militaries that have previously had a repressive role into militaries that will be positive and constructive.

Now, because of that role, our troops, had they landed, would have been relatively lightly armed. The understanding was that they would carry only sidearms.

The fact is that their entry into Haiti was conditioned upon two circumstances: One, that there would be a permissive environment; that is that there will be sufficient tranquility; that they could actually climb up on this roof of this school and put it up without being in danger. And, second, that the Haitian military would guarantee their safety—safety coming off the boat, safety at the encampment which was going to be established near the international airport.

Neither of those two conditions on Monday or Tuesday of last week happened, and the President exercised absolute prudence in his decision to not allow the troops to disembark. To do so would have meant that our troops would have been unable to carry out their mission and it would have acquiesced into a violation of the commitment the Haitian military had made to provide safety and security for these United States Seabees and Corps of Engineers.

So I believe that the United States military has a very important role in advancing our national interest in Haiti and contributing to deepening the roots of democracy in that country.

Mr. President, the third question is what would be the consequences of passing the amendment that is before us, first, in Haiti, and then what would be the consequences in terms of United States foreign policy?

The consequences in Haiti are very clear. It would send the strongest signal to the military dictators that they had won; that, by intimidation, by refusal to meet their international commitments, they had been able to overturn the strongest nation in the world. It would give to those military tyrants the comfort of knowing that they were not going to be held to account for the violations they had committed against the human rights of their own people and the jeopardy in which they had placed other nations in this hemisphere.

It would also mean, Mr. President, that we would be held responsible for the final collapse of the Governors Island accord. The Governors Island accord still, today, on October 20, represents the best hope of restoring democracy to Haiti with a limited amount of bloodshed. Granted, it is a hope which is flickering, but the patient still has a slight heartbeat. I do not believe that the United States should take the responsibility for disengaging the patient from the life support system. The adoption of this amendment would be such an act of disengagement.

Finally, it would mean that the United States, not only in Haiti but assumedly by extension to other nations, particularly in the Western Hemisphere, would not be prepared to play a role in deepening the institution of democracy by participating in those ways in which important institutions, particularly the police and military, can be brought into a new relationship with the democratic government. All those things are going to happen, in addition to the direct impacts on the United States of refugees and drugs.

Fourth, Mr. President, what will be the consequences of the adoption of this amendment on the conduct of the U.S. foreign policy?

I do not profess to be a Ph.D. student on the history of U.S. international relations, but I know of no instance in which the Congress would have singled out one nation in the world and imposed such severe restraints on the President's ability to conduct foreign policy, including the requirement of prior approval of a President's actions for any action other than the evacuation of U.S. citizens.

I know of no example in American international history in which we have set such a limit on our U.S. President.

I would say this is an especially inappropriate place and an especially inappropriate time to be considering such a limitation on the President.

In today's Washington Post, there is an article written by the former National Security Adviser to both President Bush and President Ford, Brent Scowcroft, and the former Under Secretary of State for Political Affairs to President Bush, Mr. Arnold Kanter.

I ask unanimous consent that at the conclusion of my remarks, the full column be printed in the RECORD.

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

(See exhibit 1.)

Mr. GRAHAM. I would like to read, however, one paragraph of this very illuminating column entitled "Foreign Policy Straitjacket."

> Maneuvering in the complex environment of a Somalia—or of a Haiti, Bosnia or the other crises that loom on and just over the horizon—requires the agility of a ballet dancer, not the Mack truck of legislation. In a world that increasingly places a premium on a rapidly adaptable foreign policy, codifying highly detailed requirements in a public law is a recipe for ineffectiveness. It undermines the president's ability to threaten, cajole and pressure our adversaries by publicizing the costs we will and won't pay and by broadcasting the conditions and constraints under which our forces will operate. At the same time, it leaves our friends and allies, whose cooperation we seek, to wonder whether Congress will permit the president to follow through on his promises and commitments. Finally, it stays on the books, continuing to tie the president's hands as circumstances change and Congress's attention shifts to other priorities. Now more than ever, trying to legislate foreign policy is simply a bad idea.

Mr. President, this amendment denies the fundamental reality that Haiti is a neighbor and what happens in that country is going to affect our neighborhood. It denies the fact that the U.S. military has a very positive, constructive role to play in converting a nation which for the better part of two centuries has been wracked by despots and by a poverty unknown in any other country in the Western Hemisphere.

To deny to those people the best chance they have had for the establishment of a government of respect and dignity and hope, and our assistance in converting institutions which have stood in the way of all of those promises, would have devastating consequences today in terms of what will happen in Haiti. It will have even greater potential consequences in what will happen to democracy throughout this hemisphere. And, at a time when

the United States is searching for what its role will be in the post-cold-war era, while we are looking for an adept leadership to respond in our national interests to a whole set of challenges the likes of which we have not seen in the world since at least the interwar period, to use this time as the time we will single out this one country of Haiti and impose this highly legislative, restrictive set of constraints on our President's ability to carry out America's national interest I think will be the height of folly and a folly for which this Nation would long pay.

I urge the defeat of this amendment. Rather, I urge, positively, that the United States look for some of the positive things that are in Haiti and can happen in Haiti. We have the best chance of restoring democracy. There is an absolutely superb Prime Minister, Robert Malval, who is currently leading that government. The international financial institutions have indicated their desire to be quickly available to assist in the economic restructuring of that impoverished country as soon as there is political stability.

The leadership of the country has a vision for its future, which is one that Americans should share and rejoice in. I believe this is not the time to turn our back on a neighbor, but rather to continue to extend the hand of friendship, knowing through that friendship not only would the interests of the people of the United States be advanced, but that a neighbor who has been for too long held in poverty and in oppression will soon be at the point where they can live in the full sunshine of democracy.

EXHIBIT 1

[From the Washington Post, Oct. 20, 1993]

(By Brent Scowcroft and Arnold Kanter)

FOREIGN POLICY STRAITJACKET

Following intensive negotiations with the administration, the Senate last week passed the Byrd amendment to the fiscal year 1994 defense appropriations bill, setting a variety of conditions on U.S. military involvement in Somalia. This action has been described as a good example of bipartisan leadership in the Senate, of the spirit of constructive compromise between the executive and legislative branches and as a political victory for the administration.

But it was something more. Whatever its impact on our Somalia policy, the Byrd amendment also sets an important precedent in redefining the respective roles that the president and Congress will play in deciding when, where, why and how U.S. military forces are used. It is a precedent that has disturbing implications for this or any president's ability to conduct an effective foreign policy in the post-Cold War world.

This is not the place to debate whether our Somalia policy is sensible or misguided, or whether the particular provisions in the Senate bill are wise or foolish. Somalia may be the case at hand, but what is at stake is nothing less than defining the proper role of Congress in the conduct of foreign policy and the use of our armed forces as an instrument of that policy. Not only may the "Dole amendment" on Haiti present that issue again in the days ahead, but we are likely also to face it with increasing frequency as part of the larger debate about the purposes and limits of U.S. engagement in the world. It is important that we get it right.

From this broader policy perspective, the Byrd amendment poses two kinds of problems. First, it goes beyond the legitimate congressional role in establishing policy parameters to spell out in detail what the president may and may not do in carrying out that policy, including setting a deadline for the withdrawal of U.S. troops from Somalia, specifying the military mission of our forces while they remain there, describing the capabilities they are to possess and even defining the command arrangements that are to govern them. Second, it sets out all these requirements in legislation that is intended to become the law of the land.

There are sound constitutional grounds for arguing that wherever one reasonably draws the line that separates the foreign policy responsibilities of the president from the job of Congress, the Byrd amendment crosses it. But there also are practical reasons for being concerned that if the Byrd amendment becomes the model for future congressional involvement, U.S. foreign policy will be the victim.

Maneuvering in the complex environment of a Somalia—or of a Haiti, Bosnia or the other crises that loom on and just over the horizon—requires the agility of a ballet dancer, not the Mack truck of legislation. In a world that increasingly places a premium on a rapidly adaptable foreign policy, codifying highly detailed requirements in a public law is a recipe for ineffectiveness. It undermines the president's ability to threaten, cajole and pressure our adversaries by publicizing the costs we will and won't pay and by broadcasting the conditions and constraints under which our forces will operate. At the same time, it leaves our friends and allies, whose cooperation we seek, to wonder whether Congress will permit the president to follow through on his promises and commitments. Finally, it stays on the books, continuing to tie the president's hands as circumstances change and Congress's attention shifts to other priorities. Now more than ever, trying to legislate foreign policy is simply a bad idea.

The alternative is not for Congress to give the president a blank check and abdicate its constitutional responsibilities in foreign policy. Congress is a valuable sounding board and source of wise counsel. It can offer invaluable assistance in rallying public opinion behind the president and is uniquely positioned to run political sanity checks on the president's proposed policies and actions, offering its distinctive insights into the mood of the country and how best to take the voters' concerns into account.

Nor is Congress without leverage in helping presidents remember this essential lesson. It can hold the president accountable for his actions before the bar of public opinion—and ultimately the ballot box—by calling hearings and requiring the administration to send reports detailing the progress, problems and prognosis of particular issues. If all else fails, of course, it can resort to the power of the purse to enforce its will.

The president too must do his job. First, he must exercise the foreign policy leadership that is his unique responsibility, or Congress surely will be tempted—or feel obliged—to cross the constitutional line and fill the vacuum. Second, he must build and sustain public and congressional confidence in that leadership by means of frequent, serious consultations with the Hill and clear explanations to the American people about our purposes and stakes. The recent congressional actions on Somalia and the current debate about Haiti can be read as evidence of what happens when the president does not accomplish both these tasks.

All presidents know—or learn—that their foreign policy cannot succeed and their tough foreign policy decisions will not be sustained without bipartisan support borne of clear, honest dialogue between the two branches of government. But Congress cannot exercise foreign policy leadership, and the president must not acquiesce in its ill-considered efforts to do so. Congress cannot conduct a successful foreign policy; only the president can. Likewise, Congress cannot formulate and execute an effective political-military strategy to accomplish foreign policy objectives; only the president can.

Put simply, our country can ill-afford 535 secretaries of state, and still less 535 commanders in chief. Congress, for its part, must participate in the grand debate about the scope and nature of American engagement in the new world order, but it also must resist the temptation to legislate our foreign policy and how military forces will be used to support it. For his part, the president should encourage and benefit from Congress's legitimate participation, but he also must stand ready to veto any legislation that undermines his ability to fulfill his foreign policy responsibilities.

The PRESIDING OFFICER. The Senator from Pennsylvania, Mr. SPECTER.

Mr. SPECTER. Mr. President, in considering the pending amendment by the distinguished Senator from North Carolina, I believe the Senate should be cautious in undercutting Presidential authority based on our constitutional power over the purse, even where the circumstances show the U.S. foreign policy is most unwise.

It is understandable the temptation is present to bring amendments to limit Presidential authority in light of the serious miscalculations in Somalia and in Bosnia and in Haiti. But I suggest that this is a time for prudence before we undercut the delicate balance of constitutional authority between the President, as Commander in Chief and the principal architect of foreign policy, and the authority which the Congress has in a variety of ways, including the power of the purse.

For most of the time prior to coming to the Senate and after being here, my concerns have been over excessive exercise of Presidential authority in derogation of the sole power of the Congress to declare war. I recall very well, as a student at the University of Pennsylvania majoring in international relations, the concerns which I had about the involvement of the United States in a war, the Korean war, without the appropriate constitutional declaration of war by the Congress. I remember well the day the Korean war started, on June 25, 1950, because I was among several thousand Reserve Officer Training Corps Cadets at Lowry Air Force Base in Denver, CO, on a Sunday, June 25, 1950.

As that conflict started, most of us who were issued khakis that day

thought we would never return to the universities for our final year in college, but we did. That was a very special recollection for me about a war which Congress never declared. I have raised that issue on this floor on a number of occasions, including a debate with Senator Percy, then chairman of the Foreign Relations Committee, when we were considering the War Powers Act in about 1983, concerning Lebanon, and Senator Percy concurred with my assessment that Korea was a war.

I have sought, on a number of occasions, as the distinguished Presiding Officer may recollect, in Judiciary Committee hearings, to ascertain the status of Korea as a war in terms of some guidance from Supreme Court nominees as to how they might view the congressional authority to declare war contrasted with the President's authority as Commander in Chief. Korea is an event which will never recur, so it is not a matter to come before the Court in that form.

This is a matter which has been of real concern. I also expressed the concern in the debates on the War Powers Act during Lebanon when it seemed to me the President was beyond his power, with the failure of the Congress to invoke the War Powers Act and the challenge of the President to the constitutionality of the War Powers Act.

We have seen a significant shift, I submit, in the course of the past several months, as we have had indecisive and vacillating policy from the President in three major areas: Bosnia, Somalia, and now Haiti.

There have been a series, really a raft, of amendments; a number by the Senator from West Virginia [Mr. BYRD]; by the Senator from Arizona [Mr. MCCAIN]; the Senator from Oklahoma [Mr. NICKLES]; and now by the Senator from North Carolina [Mr. HELMS]. It seems to me that we have to be cautious and not create the constitutional confrontation and the upsetting of this delicate balance.

When we talk about the constitutionality of the War Powers Act, it is worth noting, as I mentioned briefly on the floor yesterday, that there had been an effort made to have a test case of the War Powers Act back in about 1983, an effort that was encouraged by then majority leader Howard Baker, when a number of us prepared legal papers seeking the agreement of the President, but that was not forthcoming, and there was never a constitutional test in the Supreme Court.

I think had the War Powers Act been sustained, it would have taken a lot of pressure off the challenges which are now being made.

Turning to the specific language of the amendment offered by the distinguished Senator from North Carolina, it calls for a cutoff of funds where there are "operations of the Armed Forces of the United States in Haiti unless * * * specifically authorized in * * * advance of the operations, or the President certifies * * * to Congress that United States citizens in Haiti are in imminent danger and that a temporary deployment of armed forces is necessary in order to protect and evacuate United States citizens. * * *"

In my view, Mr. President, it is inappropriate and, beyond being inappropriate, dangerous to prescribe limitations on the actions of the President as Commander in Chief in advance as to what he may do. It seems to me that the War Powers Act struck the appropriate balance in not disallowing the involvement of U.S. troops and hostilities for at least 60 days and then calling for their withdrawal at the end of a 60-day period, unless specifically authorized by Congress. But there are too many emergency situations for the Congress to cut off funding, as drastic a remedy as that is, in advance of the operations.

Further, it is my view that there may be other reasons why the President would have to act, beyond the protection of United States citizens in Haiti, and that language limiting such Presidential action through a temporary deployment is also unwise.

There are, of course, very substantial reasons why the intuitive reaction is opposed to having United States troops involved in Haiti. There are very serious questions about the national interest of the United States going there. There are very serious questions about the propriety of the role of the United States in trying to put President Aristide in power. But it seems to me that under our constitutional form of government, those are judgments which have to be made by the President, and that, if there is to be appropriate Executive authority, it would be a very bad precedent for the Congress to exercise its authority to cut off funds, as proposed by this amendment.

The constitutionality of such an amendment, I think, is in real question. Certainly, if there is to be a challenge of the President's authority as Commander in Chief, the strongest grounds for such congressional action would most likely be the cutoff of funds since the Constitution expressly authorizes the Congress to control the purse.

But as a matter of prudence and as a matter of long-term institutional stature and stability, it is my view that we should not interfere in this way with the power of the President to operate as Commander in Chief.

There is a considerable body of pressure in the political arena and in the political context that may be exerted to preclude unwise actions by the President. There is certainly opportunity for consultation and for Congress to make its views known, but the precedent for cutting off funds on the limited circumstances prescribed by this amendment, and especially requiring authorization in advance of emergency action by the President, I think, would be very unwise.

Although I understand the reasons for which my colleague from North Carolina has brought this amendment forward—because of his very substantial disagreement with the policy—I believe, in the first instance, that policy appropriately remains with the President, with the power of the Congress to act thereafter in pursuit of the provisions of the War Powers Act, which I believe to be constitutional and enforceable.

I yield the floor.

Mr. HATFIELD addressed the Chair.

The PRESIDING OFFICER (Mr. WELLSTONE). The Senator from Oregon.

Mr. HATFIELD. I thank the Chair.

(The remarks of Mr. HATFIELD pertaining to the introduction of S. 1572 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. HATFIELD. I yield the floor.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT OF 1994

The Senate continued with the consideration of the bill.

Mr. MACK addressed the Chair.

The PRESIDING OFFICER. The Senator from Florida is recognized.

Mr. MACK. Thank you, Mr. President.

What is the pending business?

The PRESIDING OFFICER. The pending business is amendment 1072 offered by the Senator from North Carolina.

Mr. MACK. I thank the Chair.

I rise in opposition to the Helms amendment on Haiti. There are several reasons why I do so. The first of which I wish to speak about, which several others have already touched on, is that it restricts the power of the President by limiting his options.

I should like to read a portion of a letter that the President has sent which touches on a lot of different amendments that have been proposed or that are being offered during this debate.

The letter says:

> I am fundamentally opposed to amendments which improperly limit my ability to perform my duties as Commander in Chief.

He goes on further to say:

> And which could weaken the confidence of our allies in the United States. Such amendments would provide encouragement to aggressors and repressive rulers around the world who seek to operate without fear of reprisal.

That letter could have been written by any President of the United States. It addresses an argument and debate that has gone on in this country for over 200 years regarding the role of the Congress and the role of the President with respect to foreign policy.

MAZZOLI, BRYANT, FISH, and MCCOLLUM.

As additional conferees from the Committee on Merchant Marine and Fisheries, for the consideration of sections 1351, 1352, and 1354–1359 of the House bill and sections 654 and 3501–3506 of the Senate amendment, and modifications committed to conference: Messrs. STUDDS, TAUZIN, LIPINSKI, FIELDS of Texas, and BATEMAN.

As additional conferees from the Committee on Merchant Marine and Fisheries, for consideration of sections 265, 1314, and 3137 of the House bill and sections 328, 2841, 2851, 2915, 3103, and 3135 of the Senate amendment, and modifications committed to conference: Mr. STUDDS, Mrs. UNSOELD, and Messrs. REED, FIELDS of Texas, and BATEMAN.

As additional conferees from the Committee on Natural Resources, for consideration of section 2818 of the House bill and sections 2855, 3132, 3139, and 3147 of the Senate amendment, and modifications committed to conference: Messrs. MILLER of California, VENTO, LEHMAN, and YOUNG of Alaska, and Mrs. VUCANOVICH.

As additional conferees from the Committee on Post Office and Civil Service, for consideration of sections 364, 901, 934, 943, and 1408 of the House bill and sections 523, 1064, and 3504 of the Senate amendment, and modifications committed to conference: Mr. CLAY, Mr. MCCLOSKEY, Ms. NORTON, Mr. MYERS of Indiana, and Mrs. MORELLA.

As additional conferees from the Committee on Public Works and Transportation, for consideration of sections 2816 and 2841 of the House bill and sections 1063, 1087, 2833, 2842, and 2917 of the Senate amendment, and modifications committed to conference: Messrs. MINETA, APPLEGATE, WISE, SHUSTER, and CLINGER.

As additional conferees from the Committee on Rules, for consideration of section 1008 (relating to funding structure for contingency operations) of the House bill, and modifications committed to conference: Messrs. DERRICK, BEILENSON, FROST, SOLOMON, and QUILLEN.

As additional conferees from the Committee on Science, Space, and Technology, for consideration of sections 215, 262, 265, 1303, 1304, 1312–1318, and 3105 of the House bill and sections 203, 233, 235, 803, and 3141–3148 of the Senate amendment, and modifications committed to conference: Mr. BROWN of California, Mr. VALENTINE, Ms. E.B. JOHNSON of Texas, Mr. WALKER, and Mr. FAWELL.

As additional conferees from the Committee on Small Business, for consideration of section 829 of the House bill, and modifications committed to conference: Mr. LAFALCE, Mr. SMITH of Iowa, and Mrs. MEYERS of Kansas.

As additional conferees from the Committee on Veterans' Affairs, for consideration of sections 1071 and 1079 of the Senate amendment, and modifications committed to conference: Messrs. MONTGOMERY, SANGMEISTER, and STUMP. Provided, Mr. SLATTERY is appointed in lieu of Mr. SANGMEISTER solely for the consideration of section 1079.

As additional conferees from the Committee on Ways and Means, for consideration of sections 653, 705, and 1087 of the Senate amendment, and modifications committed to conference: Messrs. ROSTENKOWSKI, GIBBONS, PICKLE, ARCHER, and CRANE.

There was no objection.

□ 1930

CONFERENCE REPORT 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 call up the conference report on 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.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. MFUME). Pursuant to the rule, the conference report is considered as having been read.

(For conference report and statement, see proceedings of the House of Thursday, October 14, 1993, at page 24542.)

The SPEAKER pro tempore. The gentleman from Iowa [Mr. SMITH] will be recognized for 30 minutes, and the gentleman from Kentucky [Mr. ROGERS] will be recognized for 30 minutes.

The Chair recognizes the distinguished gentleman from Iowa [Mr. SMITH].

GENERAL LEAVE

Mr. SMITH of Iowa. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the conference report and the amendments in disagreement on H.R. 2519, the Departments of Commerce, Justice, and State, the Judiciary and Related Agencies Appropriations Act of 1994, and that I be permitted to insert a table and extraneous matter following my remarks on the conference report.

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

There was no objection.

□ 1940

Mr. SMITH of Iowa. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I will only take about 1 minute. This conference report has been available for the Members for 5 days. I think most everybody knows what is in the report. I will just summarize very briefly.

The total amount of money for budget authority is $23,396,781,000. Of that, $3.8 billion is to continue various programs for technology enhancement, economic development incentives, scientific research, fisheries development, weather forecasting services, international trade and tourism promotion, and for small business development.

There is $10.1 billion in discretionary appropriations for the Department of Justice and the law enforcement agencies. The conference report also includes $2.7 plus billion for the judiciary. The conference agreement also includes funding for related agencies such as, $374.4 million for the Maritime Administration, $400 million for the Legal Services Corporation, $657 million for the Small Business Administration, and $1.142 billion for the U.S. Information Agency.

Mr. Speaker, 178 amendments were added to the bill when it went to the Senate. We have been able to resolve all of these. I think there is only one upon which we will probably have a vote. It is my hope that that is the case.

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

Mr. ROGERS. Mr. Speaker, I yield myself 17 minutes.

Mr. Speaker, I hope not to take that entire time.

Mr. Speaker, I rise today in strong support of the conference report to accompany H.R. 2519, the fiscal year 1994 Departments of Commerce, Justice, State, the judiciary, and related agencies appropriations bill.

Mr. Speaker, the chairmen of the House-Senate conference committee, and all the members of the conference committee, are to be commended for their diligence in crafting a conference report which I believe all Members should support.

Under the leadership of the chairmen of the conference committee—the gentleman from Iowa and the gentleman from South Carolina—and with the help of a revised 602(b) allocation, the conferees were able to make some important improvements over the House-passed bill, particularly in high priority areas such as law enforcement, and immigration controls. In addition, the conferees have placed controls on U.N. peacekeeping.

For the Department of Justice, an area of particular concern to many Members of this body, the conference agreement provides a $130 million increase over the House-passed bill. A sizable portion of this increase finances a comprehensive immigration initiative which will allow us not only to detect and apprehend, but also to detain and deport, illegal aliens. The conference report provides a $90 million increase over the House-passed bill for

democracy are spotted on the open seas—I might add many times, and thank God they are spotted by their Cuban brothers in airplanes flying over the Florida straits—the United States Coast Guard goes out and picks them up and brings them to Florida where they are welcomed with open arms.

But in the case of the Haitians, as soon as they get in their boats they are interdicted by that same Coast Guard and returned to the island.

It is a policy that will not hold up very much longer. So I say to my colleagues, who have trouble and who are concerned about what our policy in Haiti should be, I would ask you to reject this amendment because this amendment really does not address the situation in Haiti and, in fact, hamstrings the President's ability to deal with that situation.

In conclusion, I would say to my colleagues I hope that they will reject this amendment because this Nation should continue its commitment to the projection of the principles and the ideas of freedom and democracy around the world.

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.

Ms. MOSELEY-BRAUN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Ms. MOSELEY-BRAUN. Mr. President, what is the pending business?

The PRESIDING OFFICER. The pending business is the Helms amendment.

Ms. MOSELEY-BRAUN. Thank you.

I would like an opportunity to address that amendment.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Ms. MOSELEY-BRAUN. Mr. President, the debate on this amendment raises two fundamental, basic sets of issues. One set of issues goes to the question of Haiti directly and what the United States policy should be with regard to that country, which is only 600 miles off of the coast of Florida.

The second issue is a much larger one. It is the relationship between Congress and the Presidency on the conduct of U.S. foreign policy in the post-cold war world. The key question is whether our foreign policy is going to be driven by CNN and opinion polls and political expediency, or a race for the Presidency, or whether coherent architecture and criterion can be developed in the new era.

As my colleagues know, the situation in Haiti is complex and fast moving. Our policy, however, Mr. President, must not simply be reactive. Instead, it must be based on the fundamentals of the situation there, and establish a framework for dealing with the events as they arise—based on our interests and on our values.

Mr. President, Haiti has a long history of dictatorship and oppression. Their recent legacy is of the Duvalier's "Papa Doc" and "Baby Doc" and a succession of military coups. The people of Haiti, however, want an end to military dictatorship and corruption. They want a chance to choose their own leaders. Mr. President, they want democracy.

The first time the people of Haiti were given the opportunity to vote in December 1990, they elected President Aristide with an overwhelming 67 percent of the vote. This was an enormous victory for the deepening of democratic institutions in that country.

Unfortunately, 9 months later, President Aristide was ousted in yet another illegal coup that has been condemned by the entire international community, including the administrations of both Presidents Bush and Clinton.

The U.S. Government under President Clinton's leadership, working under considerable handicaps, in a fast moving, fluid situation, has consistently worked diplomatically to bring about the conditions for the restoration of democracy.

It executed a policy of sanctions intended to isolate the Haitian military and bring them to the negotiating table. The President revoked the visas of coup supporters and their family members. At the request of Ambassador Albright, the U.N. Security Council passed Resolution 841 on June 23 imposing an arms and oil embargo on Haiti.

Mr. President, these sanctions were extremely successful. Haiti does not have large storage facilities for oil, and the military leaders did not impose strict rationing. As a result, after only 2 weeks, the sanctions began to have real bite, and General Cedras was negotiating with President Aristide at Governors Island in New York.

Those of us in Washington who followed this event knew that there was an accord signed by President Aristide and General Cedras on July 3. This agreement committed both sides in the Haitian conflict to peace and democracy. The Governors Island accord was not widely reported in the media as an important breakthrough. But this agreement, Mr. President, is critical to the future of a peaceful Haiti.

The Governors Island accord is a nine-step process to deny a dictatorship and restore democracy. The accord required both sides to make significant compromises, and until last week, was well on track.

In step 4, the suspension of U.N. sanctions occurred at the end of August.

In step 6, an amnesty granted by President Aristide to those participating in the coup that overthrew him was declared October 3.

The first six steps had been completed.

Step 7 was for Police Commissioner Francois to step down and the Haitian Parliament to implement legislation separating the police from the military. This was supposed to happen on October 15. But Mr. Francois did not step down, breaking, instead, the terms of the accord.

He decided to defy the Governors Island accord by arranging that the only slip in the port of Port-au-Prince that could hold, the U.S. *Harlan County*, would be occupied. It is important that the *Harlan County*, the ship, was not bringing in an occupation force. Instead, the ship carried United States forces who were to train the Haitian police and begin to work on restoring the country's devastated infrastructure.

Mr. Francois, head of the police, controls the port, so if he wanted the slip to be opened, it could have been. Instead of assisting efforts to implement the accord, he organized a group of armed thugs to protest at the port. Those protests, and pictures of the mob harassing U.S. Chargé d'Affaires, Vicki Huddleston, the highest ranking official at the U.S. Embassy at the time, as she tried to meet that ship, were broadcast into our living rooms.

After the military's abrogation of the commitment, the U.N. Security Council passed Resolution 875, which reimposes the oil and arms embargo against Haiti. President Clinton sent six warships to ensure that oil and arms do not sail into Haiti. The United States is being joined in this effort by Canada, Argentina, France, the United Kingdom, and the Netherlands. I support the enforcement of sanctions, and I support the President's decision to send those warships.

This policy is prudent. It sends a signal that the United States will not permit business as usual in Haiti, will not allow a coup to go forward because, unfortunately, business as usual means dictatorship, oppression, and poverty for all but a handful of elites.

In the specific case of Haiti, the practical effect of this amendment is to embolden those elements in Haiti that are committed to blocking the implementation of the Governors Island accord, which undermines the government of President Aristide.

I believe, Mr. President, the U.S. Government in this situation, and in many other situations, that, we are taking up now, must speak with a single voice. We must tell the illegitimate dictators of Haiti that they cannot indefinitely defy the will of their own people and of the international community. We must tell them they cannot destroy democracy. We do not want to reward the forces of oppression and instability by overly restricting President Clinton's ability to handle the situation in Haiti and its ramifications. It

is not prudent policy to weaken the President's hand and ensure that the situation we are trying to avoid in Haiti, namely, the further entrenchment of the military, occurs. It is the President's concern that this is exactly what would happen if this amendment were to pass.

I would like to quote a letter from President Clinton to the majority leader with regard to this subject generally. It says:

With regard to the potential amendment on Haiti, let me caution against action that could aggravate that nation's violent conflict and undermine American interests. The situation on the ground in Haiti is highly unstable. Limiting my ability to act, or even creating the perception of such a limitation, could signal a green light to Haiti's military and police authorities in their brutal efforts to resist the return to democracy, could limit my ability to protect the more than 1,000 Americans currently in Haiti, and could trigger another mass exodus of Haitians at great risk to their lives and potential costs and disruption to our Nation and others.

Mr. President, the United States has a clear interest in making sure that the Haitian Government can provide a secure environment for its citizens. But if the Haitian people believe the current human rights abuses and political oppression will continue indefinitely, they will begin to build boats and sail for our shores.

The people of Haiti will travel at great risk to themselves in search of freedom. It is imperative the people of Haiti be able to live in freedom in Haiti.

Let me say clearly that Haiti's crisis cannot be solved entirely by us. It can only be solved by the Haitian people. All segments of Haitian society must participate. In the current climate of violence and intimidation in Haiti, the majority cannot participate.

This amendment would continue the instability because it would be interpreted by the military that they can indefinitely delay the return of democracy.

Mr. President, there are some comparisons in the discussion between this and the crisis in Somalia that are ongoing as well. This is not the same situation. This is not the same as the crisis in Somalia. The American people understand that. But for timing one would not be compared to the other.

I would like to quote from an editorial a few days ago from a major daily newspaper in central Illinois, the Peoria Journal Star:

Somalia has important lessons for future missions. The Haitian one is not one among them. In the case of Haiti the cause is callous repression and misery 600 miles off our shores. Wholly apart from the humanitarian argument, a stable, peaceful democratic Haiti is very much in the interest of the United States.

Mr. President, I ask unanimous consent to print in the RECORD the entire editorial.

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

While Somalia has important lessons for future missions, the Haitian one is not among them * * *. In Somalia * * * for humanitarian reasons we dropped nearly 30,000 American soldiers into a civil war in a country 8,000 miles away, where we had not been invited. We assumed our hosts would be so grateful they would put away their guns. We were wrong. In the case of Haiti, the cause is chaos, repression and misery 600 miles off our shores * * *. If the fledgling government falls again to the military, refugees will fall again this way. For us, they will create an impossible dilemma. We cannot afford to absorb all of those who will have a legitimate claim for political asylum, but neither can we afford to exempt only Haitians from our asylum policy. Wholly apart from the humanitarian argument, a stable, peaceful, democratic Haiti is very much in the interest of the United States.

Ms. MOSELEY-BRAUN. Mr. President, last week the Senate passed the Byrd amendment to pull United States troops out of Somalia by March 31. We had a major debate about our policy toward that country. That debate was important and it is just as important for this body to debate United States policy toward Haiti. But we do not want to do so in a way that creates precedent on the relationship between Congress and the Presidency on an ad hoc basis. That can have enormous consequences in the future.

The conflict between the Congress and the President over their respective roles and responsibilities concerning the conduct of foreign policy toward Haiti is not unique. We are likely to find ourselves in similar situations in the future.

While, the Congress has the power to declare war and fund military actions, the Nation's founders intentionally created a tension between the executive and legislative branches of Government, as the distinguished minority leader so eloquently explained on the Senate floor on July 20, 1973, during the debate on the War Powers Act where he says:

The draftsmen of the Constitution clearly intended to divide the war power between the President and the Congress, but just as clearly, did not intend to precisely define that boundary. They rejected the traditional power of kings to commit unwilling nations to war to further the king's international political objectives. At the same time, they recognized the need for quick Presidential response to rapidly developing international situations. The Framers of the Constitution, in making this division of authority between the executive and legislative branches, did not make a detailed allocation of authority between the two branches. But nearly 200 years of practice has given rise to a number of precedents and usages, although it cannot be confidently said that any sharp line of demarcation exists as a result of this history.

The distinguished Senator from Kansas went on in that debate to,

* * * dispel any notion that the United States engage in armed hostility with a foreign power only if Congress declared war. From the earliest days of the Republic, all three branches of Government has recognized this is not so, and that not every armed conflict between forces of two sovereigns is "war."

Mr. President, there are many armed conflicts in our history in which Congress did not declare war:

In 1801 President Jefferson sent American naval vessels to the Mediterranean to protect commerce against attack by the Barbary pirates.

In 1846 President Polk ordered military forces to Mexico and the independent Republic of Texas in order to prevent interference by Mexico with the proposed annexation of Texas to the United States.

In 1861, President Lincoln called for 75,000 volunteers to suppress the rebellion by the Southern States and proclaim a blockade of the Confederacy.

In 1900, President McKinley sent 5,000 United States troops as part of an international force to stop the Boxer rebellion in China.

In my lifetime, the Korean war was not declared as such by the Congress. And finally, the military action in Vietnam never received explicit congressional authorization, although the Gulf of Tonkin resolution was sometimes cited as congressional approval for that conflict. It was that conflict that caused Congress to assert its role in the decision on whether to go to war by enacting the War Powers Act of 1973.

The War Powers Act was passed to ensure if U.S. troops were to be used extensively, for a period longer than 60 days, Congress would have a veto. It was approved over President Nixon's veto, by a vote of 75 to 18 with overwhelming bipartisan support.

The War Powers Act, with its more precisely defined relationship between Congress and the President in this most critical of policy areas, was not entered into lightly. Extensive hearings were held in both the House and Senate beginning in March 1973. That bill did not pass until November of that year, a full 8 months later. This was not an example of congressional gridlock. It was an example of appropriately thorough investigation and deliberation, because this body recognized the significance of the War Powers Act and the precedent it set.

Mr. President, we should not revise the relationship between the Congress and the President set out in the War Powers Act by forcing the President to get congressional authority for United States policy in Haiti before he takes action. That would be extraordinary change in the latitude and the authority of the President to conduct foreign policy.

This kind of change must not be made without full hearings and without careful thoughtful consideration. Acting on an appropriations bill, as this is, on a rushed, ad hoc amendatory basis, ties the President's hands, sets a precedent for future situations, and is an unwise way to address the serious issues involved with Haiti policy. It is a bad policy. It is bad for the United States. It is bad for our leadership position in the world. It is bad not only for this President but for future Presidents, and one that we should stop and seriously consider before we act.

There is no good reason to have a rushed debate on this appropriations bill. We are 20 days into a continuing resolution. This is not the vehicle, nor is it the time, to take action with consequences that go well beyond this specifics of Haiti. This amendment would affect all Presidents in the future and not just this President. But with this amendment and the amendment that was defeated yesterday, we are acting on legislation which will fundamentally change the relationship between the executive and the Congress.

Mr. President, in the last few years with the fall of the Iron Curtain in the Soviet Union, the world has changed. This administration has not created this change. Circumstances have created change, and the old framework just does not necessarily apply. Putting a new framework into place is not going to happen overnight. While that process is underway it is not in the best interest of our country to hastily revise the relationship between Congress and President, just to respond to the situation of the moment.

To pass this amendment is not only to damage this President, but future Presidents as well. It will be ill-considered and unwise precedent for us to adopt.

Mr. President, in conclusion, I just left a meeting that I was fortunate enough to be able to attend with President Aristide just moments ago.

It was heartening to hear President Aristide talk about the situation in Haiti, how he was committed to the Governors Island accord, and how he was committed to the restoration of democracy.

He said something that was really very crucial, given the debate that happened on the floor here about an hour ago. He said that he has gone to great extent—and these are my words—to say yes to democracy; that he has gone to great extent to say "yes" to non-violence.

He gave an account of the circumstances of his deposition, if you will, as the President of that country when he was actually held under armed guard and said, even at that point, he said yes to non-violence as a way of approaching the situation in his country.

He is working and doing everything that he can to bring about a peaceful resolution of the coup there, of the situation there in Haiti, so as to bring peace and prosperity to his people.

He spoke, and I think eloquently, about the need to establish peace in Haiti, to give people some security precisely so they will not build boats and risk their lives to leave their country out of fear for that security.

He spoke of the need to bring a halt to the drug trading that has so characterized the thugs that are now in power in that country right now.

And he spoke about his love for Haiti and his love for nonviolence as an approach to resolution of issues. He spoke of saying mass, and I will remind the Members of this body that President Aristide is a priest. He spoke of saying mass while 50 people in the church were killed, the church was burned when it was over, and he still called for nonviolence and he still called for peace.

Mr. President, the question before us now is whether or not we will, as the old typing test used to tell us, whether or not this is the time for all good men and women to come to the aid of democracy. That is the question before us—whether or not we are going to stand up for the values that we say we believe in to the rest of the world and protect a budding democracy not 600 miles mile away from our own border.

It seems to me that we have an obligation to ourselves as well as to our values, as well as to our future, as well as to the economies of our region and our hemisphere, to do everything we can to send a signal to the tyrants and the despots that this kind of military action, this kind of violence, this kind of coup today will not be tolerated. We will stand by those who believe and stand up for the principles that we say we believe in. Democracy in this hemisphere is important enough a value for the American people to stand in full support of the restoration of President Aristide to the Presidency of Haiti, of the restoration of democracy to that country, and of the development of an infrastructure and a construct for peace and prosperity for the Haitian people and for the people of our hemisphere.

I, therefore, Mr. President, urge my colleagues to oppose this ill-considered amendment.

Mr. DODD addressed the Chair.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. DODD. Mr. President, I just want to commend our colleague from Illinois for a very eloquent statement, and a very thorough and comprehensive analysis of the events that led us up to the position we are in today, in going back and discussing the events of the last 2 years, particularly the events of the last several months that led to the July 3 Governors Island accord. I also want to thank her for her very thorough analysis of the 1 hour and 15 or 20 minute meeting that a rather large group of us from the U.S. Senate had with President Aristide. It was a very frank and open and blunt conversation, I might say, raising some of the very issues that some people have raised here today in the context of the amendment that is before us.

Our colleague from Illinois is providing an invaluable service in relating those responses of President Aristide, particularly the point that she has made about his nonviolent commitment in terms of the restoration of democracy. She said something else that I think was particularly important, because we have had a lot of discussion here today in this room about the implications of various speeches and pictures—which, by the way, he denies completely.

She said:

> This is not about President Aristide; this is about democracy. It is not about an individual here; it is about whether or not this country has a chance at all to have democracy restored.

And aside from the fact that President Aristide has unequivocally denied the allegations that have been raised against him personally, it is important, I think, for our colleagues to heed the words of our colleague from Illinois: This is an issue that transcends individuals. It is about a country that has never known, in its almost 200-year history, a minute of democracy outside of the 7 months that President Aristide served as President of this country. And we have a chance to express ourselves in this body in terms of trying to do what we can to see to it that democracy has a chance.

That is really what all this is about.

So I commend my colleague from Illinois again for her thoughtful and comprehensive statement about the situation in Haiti.

Ms. MOSELEY-BRAUN addressed the Chair.

The PRESIDING OFFICER. The Senator from Illinois.

Ms. MOSELEY-BRAUN. I thank the Chair.

Mr. President, I would just like to take a moment to thank my colleague from Connecticut for his gracious support. He is an expert on this situation. He is an expert on Haiti. He spent, as I understand it, years in the Peace Corps in Haiti. I daresay that was at least 30 years ago.

Mr. DODD. Be careful.

Ms. MOSELEY-BRAUN. I am joking.

But he spent some time in that country. He knows it very well. He knows its people and he knows the issues. He is committed, again, to making certain that our response to the issues raised by this is an appropriate one, and is consistent and in the best and highest interest of U.S. foreign policy.

I am just very grateful to him for his leadership in that area.

Mr. PELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. PELL. Mr. President, I rise in opposition to the pending amendment. Only 2 days ago, the United Nations reimposed an embargo that is designed to bring the military leaders to the negotiating table. The United States and other members of the United Nations have demonstrated their resolve by enforcing that embargo. Along with the rest of the international community, we have sent a strong message to the military leaders and their plainclothes attaches—the thugs who have terrorized Haiti for 2 years—that it is committed to the restoration of democracy and that it will hold them accountable for promises made at Governors Island.

This amendment sends the opposite message. If this amendment is adopted, the message heard on the streets of Port-au-Prince would be that the United States is not committed to the restoration of the democratically elected government and the Governors Island accord contrary to President Clinton's statements. As President Clinton has stated, it would "signal a green light to Haiti's military and police authorities in their brutal efforts to resist a return to democracy."

This amendment severely restricts the President's ability to conduct his foreign policy in Haiti—it even prohibits the United States from sending destroyers to enforce the embargo without prior congressional approval. The President has articulated a good policy in Haiti. He has worked closely with the international community to use economic pressure to restore the democratically elected government to office and acted wisely by withdrawing the ship carrying United States military personnel from Haiti's harbors to ensure the safety of United States personnel.

As I understand, there are alternative amendments which address the issue of sending Armed Forces to Haiti that provide the President greater flexibility while retaining a key congressional role. Mr. President, I urge my colleagues to defeat the pending amendment.

Mr. DODD addressed the Chair.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. DODD. Mr. President, I thank our colleague from Rhode Island, the chairman of the Foreign Relations Committee, for his statement.

I would just like to make one other point, because I did not make it earlier.

Mr. President, in the context of the implication of this amendment, it is without much question that Haiti has become a significant conduit for illegal drug trafficking. That is not my conclusion. That is the conclusion of those who follow these issues very, very closely. That has grown considerably, I am told, since the coup d'etat 2 years ago when President Aristide was thrown out of the country. And the principal beneficiaries of that drug trafficking are the very people today that are in control of Haiti.

The implications of this amendment—putting aside other issues that have been addressed—the implications of denying us the opportunity to utilize resources to be able to deal with that very issue, I think, ought to be considered by our colleagues in weighing whether or not such an amendment ought to be approved.

Certainly, one would hope other means might succeed. But to deny us the opportunity to deal with that problem—as we have, by the way, in other countries in the hemisphere—by utilizing U.S. military forces, I think, would be a significant mistake. Not that we would jump to that alternative, but to deny us that alternative or deny the President that alternative seems to me to be a mistake of significant consequences.

President Aristide specifically raised this issue in our meeting with him this afternoon. And I note that the Presiding Officer was also present today at that meeting, along with others who heard him talk about the serious implications of the pending amendment.

They say there is no U.S. interest here at all—that is the statement of the authors of this amendment. One of the major transit points of drug trafficking seems to me to be an interest. It is an interest of people in my State, and I presume it is an interest of people in every State in this country.

To deny the President of the United States one of the means available to him for dealing with that issue would be, I think, a significant error to make.

Second, I note that in the last 2 years, 40,000 Haitians have fled Haiti, many of whom have sought refuge in this country. Obviously, we cannot absorb every refugee who seeks to come to the United States.

I do not think it is an exaggeration at all, Mr. President, to suggest that if this amendment is adopted, if the force that today control Haiti remain in power, I think there is a very strong likelihood that we will once again revisit the kind of human floodtide that washed toward our country in the previous 2 years.

I note that during the 7 months of President Aristide's tenure, the departure of refugees from Haiti virtually stopped. In fact, emigration from this country to Haiti began to increase—people going back to their country that they had left—because they thought there was a future for them once again.

So, again, when the authors of this amendment say the United States has no interest, tell that to the people in this country who are already finding it hard enough to find jobs or keep jobs, when we find ourselves once again being inundated with refugees seeking political asylum.

I would argue that we would see that happen once again, were this amendment to be adopted. The message to General Cedras and Police Chief Francois, if they were to receive this evening the good news that the Helms amendment has been adopted: Relax; stay where you are. And the message to the people of Haiti would be: Pack your bags; leave. To the drug dealers: Relax; it's OK. Haiti is still a good place. Transit that illegal cargo to the United States.

I do not think anyone here wants to be a party to that. So, again, Mr. President, I urge the rejection of this amendment.

The PRESIDING OFFICER. The Senator from Hawaii is recognized.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. WELLSTONE. Mr. President, I will just take a few moments to speak to the Helms amendment.

There have been a number of arguments made on the floor of the Senate, so I do not think I want to repeat those arguments. Some of them have to do with constitutional questions dealing with the balance of power between the executive branch and the congressional branch of Government. Some of them have to do with national interests and how we define national interests and how we define our goals.

There has been some fairly powerful discussion on the floor of the Senate about our national interest as defined. Both Senators from Florida talked about the number, really the floodtides, of men, women, and children coming here from Haiti, having to flee persecution—having to flee, I would argue, murder.

Argument was made by the Senator from Connecticut that, as we think about what has happened in Haiti, let us understand another definition of our national interest which has to do with the drug trafficking, much of it coming from that country. How do we intend to respond to that?

I would like to just add one more dimension to the definition of national interest. I really love this country and I really believe in the people in the United States of America. I think people in this country believe that it is in our national interest—and it is in our national character—to stop killers. That is exactly what we have right now when we look to Haiti: Coup leaders who are killers. They are murderers.

I simply argue, among the many, many problems with the amendment

on the floor is that right now we have 15 ships that are interdicting oil and arms sales to Haiti. That is the way it should be. By the way, that is a very bold action. If you look at that action with a sense of history, it is not insignificant. Whether or not it will be enough, I do not know. Whether or not poor people in Haiti, those who have nothing to do with the violence and the murders, will suffer—I worry about that, as a Senator. But the last thing in the world we want to do is to send a message to these murderers, to these killers in Haiti—and that is exactly who they are—that there will be no additional pressure beyond sanctions.

We do not know what the next step is yet. But the last thing we want to do is agree to an amendment that essentially says to them the role of the United States will be to take some action but no more, and they can continue with impunity murdering their own citizens.

I hope my colleagues will vote down this amendment.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

RUSSIAN DUMPING OF LOW-LEVEL RADIOACTIVE WASTE IN THE SEA OF JAPAN

Mr. STEVENS. Mr. President, I want to take a few moments to alert the Senate to a serious environmental hazard that I think our Government should monitor. Last weekend a Russian naval vessel dumped nearly 2,000 tons of low-level radioactive waste in the Sea of Japan. This action, which was witnessed by representatives of Greenpeace and confirmed by top Russian officials, is in direct defiance of an international moratorium on such dumping, a moratorium, incidentally, that the former Soviet Union pledged to uphold. In fact, the dumping came less than a week after President Boris Yeltsin visited Japan and signed a declaration expressing concern about the dumping of radioactive waste.

It is time for our Government to express a greater level of concern on this issue. This is not the first time Russia has used the seas as a dumping ground for radioactive garbage. Last year, Congress included $10 million, at my request, in the Defense appropriations bill to identify nuclear waste disposal by the former Soviet Union and determine what threat, if any, that waste poses to the United States.

Incidentally, those funds were the only resources that have been made available to our Government to make such an assessment. It is one of those notorious earmarks we have been hearing about today. Oversight of the investigation was headed by the Office of Naval Research, which we call ONR. What they have reported to us is most disturbing.

With the help of a report written by a committee led by Dr. Alexei Yablokov, Boris Yeltsin's environmental adviser, ONR found that since 1950, the former Soviet Union dumped at sea: 13 nuclear reactors from submarines; one complete submarine with a liquid metal cooled reactor; three damaged reactors from the ice breaker *Lenin*; and more than 17,000 containers of liquid and solid radioactive waste.

ONR has documented that the Russian powerplants and nuclear plants have dumped untold amounts of radioactive contaminants into major rivers which flow into the world's oceans.

Last May, I met with Dr. Yablokov in Moscow, and he assured me that Russia was getting a better handle on its control of nuclear waste. Clearly, Russia has a long way to go to meet Dr. Yablokov's goals.

Our Government's preliminary investigation of this threat and the assessment of these wastes will continue, I hope, next year under another $10 million that I have urged be set aside for ONR under this bill that is before us now. There may be additional dump sites that the United States will identify that contain radioactive waste dumped by the Soviet Union or Russia.

We are just now beginning to reveal the troubling history of what the former Soviet Union dumped. And, unfortunately, now Russia, as its successor, is dumping more.

When I learned of the Russians' latest action this last weekend, I had my staff contact an old friend in Alaska, Dr. Tom Royer, to determine whether any of that radioactive waste might come over to the North Pacific, over our way in the North Pacific. Dr. Royer is professor of marine science at the University of Alaska's Institutes of Marine Science. He is an expert in Pacific Ocean currents and circulation.

He predicted for me with amazing accuracy the path that the oil from the *Exxon Valdez* would take after the tragic spill in 1989. I might say, he predicted with amazing accuracy. He was really on point and told us where the oil would go, unfortunately.

Dr. Royer has sent me some maps which we have produced today. I want to call these to the attention of the Senate.

The first is Dr. Royer's map that shows that waste could be carried to the northeast where some of it would pass through the straits north and south of Hokkaido and will enter into the Oyashio Current. The Oyashio then goes on—and this is the second chart he sent to me—to join the northeastward flowing Kuroshio Current that eventually forms the sub-Arctic or North Pacific Current—which is this one—most important to us. This is the most important current to the North American Continent in the Pacific. That is the bad news.

This current carries water across the North Pacific where it splits. Some of it goes south down by California. The other goes up to the Alaska Current, up into Alaska waters. It will go through Falls Pass and then up on into the Arctic. It will be regurgitated by the polar seas and then come back down south again. That is the bad news, Mr. President. This radioactive waste could eventually find its way into our waters.

The good news, Dr. Royer tells me, is that it probably will take several years to reach us and the level of radiation so far detected is low.

Mr. President, as Dr. Royer's analysis suggests, United States fisheries will not be affected immediately by this latest Russian dumping. But how many more times can we sit by and watch Russia dump more and more radioactive wastes into our oceans?

Today, we can boast in Alaska of the purest fish in the world. Our fish come from cold, clear, pure water. But I am afraid the Russian and Japanese fishermen will not now be able to make the same claim. That is not in our best interest. Fish caught in the North Pacific are the envy of the world, and I believe they should stay that way, not only for our North America, but for all the Pacific nations. We should join together and send a clear message to Russia that nuclear dumping in the North Pacific area will not be tolerated.

Russia's defense for this recent act is that the storage facilities on land—two in the North and two in the Far East—are full and there is no place else for them to dump this radioactive waste.

I am quite hopeful that we can secure the cooperation of the Secretary of State to ask for this administration's help to protect the fisheries resources of the North Pacific. We ought to put an end to this practice and protect the fisheries of the North Pacific for future generations.

I think that we ought to see to it and ask that the President put this issue on the next summit with Russia to raise the question. We really ought to open the eyes of the administration and the American people to the fact that this nuclear dumping now will continue. If what they tell us as their defense is true—that there is no storage space left for them on land; that there is no place else for them to dump spent radioactive fuel and they are going through this downsizing of their nuclear systems—we can expect more radioactive dumping, more and more and more.

This is an issue that cannot wait if we are to protect the fisheries of the North Pacific. I am pleased to see the current occupant of the chair, who I know is very, very interested in this issue, is here today to see these charts that have been sent to me by Dr. Royer.

As I said, I think he is the most eminent American scientist in knowledge of the currents of the North Pacific. He tells me that it is just a matter of

time—this dumping place, Mr. President, again was down here. As time goes by, the currents will carry it out across the Pacific where the current will split and take these wastes. The radioactivity of these wastes will come to us just as they did in the days gone by when the Russians had their nuclear test in the air.

I remember so well the problem of strontium 90 being found in the meat of caribou and reindeer being consumed by our Eskimo people. We wondered where it was coming from, and our studies showed the prevailing winds at that time brought the fallout of the nuclear tests in the air conducted by the Soviet Union to Alaska.

Eventually, unfortunately—I hope it is not too soon—the radioactivity of this spent radioactive fuel will come to the North Pacific and will come to our shores. We ought to make sure that this is the last; that they do not continue this ocean dumping of radioactive spent fuel.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. HARKIN. Mr. President, I would like to take some time to discuss some of my feelings about the situation in Haiti, perhaps to respond to some of the comments that have been made earlier on the floor of the Senate.

I understand at the present moment there is a briefing going on in S-407 by Under Secretary of State Watson regarding Haiti. I would like to be there for it, but I am told if I do not exercise my right to the floor at this time I may not get that right to speak about Haiti.

So while I wish to be involved in that briefing, I do want to talk about the situation in Haiti, what I think our interests are there, and to comment on some earlier statements made about President Aristide and the situations that occurred while he was in office.

I have been disturbed by some of these comments regarding our interests in Haiti. Some have effectively said we have no interest there. Some have said we have no interests worth pursuing even with the use noncombat U.S. military forces, even a statement somebody made that President Aristide is not worth one U.S. soldier's life.

Mr. President, if we cannot support a duly elected democratic government of a nation just 800 miles from our shores, what kind of a message does that send to other potential coup leaders, military leaders who might be considering the overthrow of other democratically elected governments? How can we turn our backs on all those Haitians who have bravely backed the government of President Aristide through their votes, through their voices, and all too many with their lives?

At a recent briefing, President Aristide said that since the coup over 4,000 Haitians have been killed; just since the Governors Island accord this summer, over 100 Haitians have been killed by the killers, the thugs, the attachés and the members of the military in Haiti. So we cannot any longer turn our backs on the carnage that is happening there.

We must, indeed, stand up for the right of the people of Haiti to determine their own future. They did decide their future by electing President Aristide in an election that everyone has conceded was open and fair, in which the military—again I compliment General Cedras for that—did not intervene and in fact protected the people's right to exercise their vote. About 68 percent of the people voted for Mr. Aristide to be their President. As Ambassador Albright said, he received more votes than any other democratically-elected President in this hemisphere.

But to really understand Haiti one must understand a little bit of the history. The people of Haiti have never really had an elected government as we know it for almost two centuries. They received their independence in 1804 and the United States Marines occupied Haiti 18 years, from 1915 to 1934. When they left, they left behind a corrupt U.S.-trained military.

Again, I might add, Mr. President, that during all of our incursions in Haiti in the earlier parts of this century and since, our dealings with Haiti have been to prop up military rulers and other governments like Duvalier who basically did the bidding of certain private interests here in this country.

I am reminded of a comment that was attributed—I cannot say whether it is real or not—to a Marine general who had said, at least was purported to have said, that he spent all of his life in Haiti fighting for the United Fruit Co. No wonder the peasants and poor people of Haiti did not have too high an opinion of the United States of America, because for all those years we had propped up, recognized, dealt with governments that brutally repressed their people.

Haitians suffered for 29 years under the absolute dictatorship of a Duvalier, "Papa Doc" from 1957 through 1971, and his son "Baby Doc" from 1971 through 1986. Again, that whole history is one of torture, repression, and most violent kinds of acts by the Duvalier Tonton Macoutes against the people of Haiti.

But in 1986, after many years of struggle, the people of Haiti finally threw out the Duvalier regime. A new constitution was unveiled in 1987. Five interim governments were formed and fell over the next 4 years because none were popularly based. In December 1990, Jean-Bertrand Aristide was elected President of Haiti with 67.5 percent of the vote, the largest majority any elected leader ever got in the Western Hemisphere. The U.S.-backed candidate—sort of backed by the United States—was far, far behind.

The election was widely held as fair and honest, with the 7,000-member Haitian military, effectively protecting the election process. A large contingent of international observers may have helped to constrain the military, the same mechanism proposed now to restrain the Haitian military when President Aristide is scheduled to return on October 30.

But after only 8 months in office, President Aristide was overthrown and sent into exile on September 30, 1991, by those same military forces. General Cedras, whom we have seen often on CNN lately, reportedly was a reluctant participant in that coup. He said that Aristide was deposed for "meddling in army affairs." Given all of the atrocities committed by the Haitian military over this century, obviously some meddling was definitely called for by the civilian elected President to make the Haitian military subservient to the President and accountable to the elected representatives of the Haitian people.

Now, some observers charge that President Aristide incited some of the violence during his brief 8 months in power. Some say that he even incited the members of the coup who forced him into exile.

Quite frankly, I have reviewed some of the speeches, not all of them, that Father Aristide gave during his Presidency. He gave some rather strong speeches as the leading opponent and critic of the Duvalier family dictatorship. I am sure his rhetoric made Duvalier sympathizers very uncomfortable, and some of it was pretty strong language. I have been known to use some pretty strong language myself in debates here in the United States, and certainly he did. But, again, when you look at the history of Haiti and what they had to overcome, you can understand strong language to get the people to understand that they did not have to live under the violence and terror of the Tontons, attachés, and the military of Haiti.

President Aristide wanted his people to join together because he understood that in unity there is strength and that it was the military and the attachés that continued to divide the people up so they could not form these strong popular organizations to protect and defend themselves.

But to blame President Aristide for inciting violence? That reminds me of J. Edgar Hoover's efforts to falsely charge that Rev. Martin Luther King,

Jr., started the violence that accompanied the civil rights movement. Both charges are outrageous.

During his 8-month government, President Aristide reduced crime in the city and started to bring the military under civilian control. More importantly, the civil society that sprang up in the rural regions of Haiti after 1986 flourished under President Aristide's rule. Again, he wanted people to have more power, to empower the poor, to give them some control over their lives. Peasant cooperatives, church groups, students, literacy programs, rural development programs, and other popular organizations began to take control of their own lives.

During the 8-month period of Aristide's government, there was a marked decline in violence and murders in Haiti. Only 25 deaths were recorded by human rights observers—25 during his 8-month period versus 241 murders in the 10 months of the Truilliot government that preceded Aristide and 89 deaths recorded during the 10 months of the Avril government before that. Our State Department has stated that there were no reported cases of disappearances during Aristide's period in power whereas dozens of disappearances have occurred since the coup.

During the coup that overthrew Father Aristide on September 30, 1991, the State Department claims, over 300 were killed, while Amnesty International says the toll was well over 1,500 killed by the military during that coup.

Since President Aristide was driven from the nation that he was elected to lead, human rights violations escalated in Haiti. The Lawyers Committee for Human Rights stated, in September 1992, that "the human rights situation in Haiti is worse than at any time since the Duvalier era." Again, this report from the Lawyers Committee for Human Rights went on to say:

> The military has executed, tortured, and illegally arrested countless Haitians. Government harassment and intimidation of journalists, human rights monitors and lawyers, priests, nuns, and grassroots leaders is intense. Popular expressions of support for ousted President Aristide are routinely met with violent reprisals by the military.

That is a report of the Lawyers Committee on Human Rights.

Similarly, Amnesty International stated, in October 1992:

> The security forces and thousands of civilians acting in collusion with them carry out a wide range of abuses with total impunity. The old repressive structures, which the deposed [Aristide] government had partly succeeded in dismantling, are back in place.

Again, from Amnesty International.

Mr. President, these statistics on death do not begin to tell the full story of the horror ripping Haiti today, threatening it with a return to the Duvalier past. Fully 70 percent of Haitians live in rural areas. Although they pay most of the taxes, these impoverished citizens receive virtually no Government services.

After "Baby Doc" Duvalier was driven into exile by a popular uprising in 1986, the rural peasants began to organize. They began to build silos to store their grain until prices increased. They began literacy programs. They formed trade unions and even started independent radio stations. Church programs and self-help activities expanded. In other words, the Haitians began to construct a civil society.

Much of this newly developed civil society was a threat to the military elites who gained their power through control of the peasant population. After the September 1991 coup, the army systematically attacked this civil structure with arrests, beatings, torture, disappearances, and murder.

After the 1991 coup that sent President Aristide into exile, all meetings were banned. Grain silos that the peasants had constructed to store their grain were systematically destroyed. Rooms where these groups were meeting were gutted and doors torn off their hinges so they could not close the doors. The army stole the weapons of these peasant groups. I do not mean guns and weapons, because they did not have any. What the army took away from them were typewriters, printing presses, and other equipment that they used to communicate with the people.

Nine independent radio stations, the main vehicle of communication with the peasant population, were closed after the September 1991 coup. Nine radio stations just closed. Remaining radio stations are under Government control or no longer broadcast news or information critical of the military regime.

The popular organizations, which were the backbone of the support for President Aristide, were driven underground. Many have been meeting secretly in small groups, but most have disbanded, giving up the power over their own lives that they had gained. This, Mr. President, is the real tragedy of the military control of Haiti. The destruction of the civil society that is necessary for the self-development, self-rule, education, and economic development of the Haitian peasants.

Mr. President, let me turn now to the Governor's Island accord. As the violence grew and constant calls for President Aristide's return to power were ignored by the Haitian military and police, the July 3, 1993, agreement signed by President Aristide and General Cedras seemed to offer some hope. This 10-step program would require General Cedras and the more dangerous police chief, Col. Michel Francois, to step down and would lead to the return to power of President Aristide on October 30, just 10 days from now. The accord also called on the United Nations to provide training for both the military and the creation of a new police force. While General Cedras signed this accord, as did President Aristide, Colonel Francois did not, and his 2,500-person police force and his thousands of quasi-police attachés have been responsible for another round of escalating violence.

Since the Governors Island accord was signed on July 3, over 100 Haitians have been murdered, including, as we know all too well, the public execution of Antoine Izmery, who was dragged out of church during mass and shot in cold blood while the military and police stood watching. And just recently, the Justice Minister Guy Malary was killed with his bodyguards and assistant; again, gunned down in cold blood. Worse yet, Duvalierists are filtering back into Haiti, ready to pick up where they left off in 1986, when "Baby Doc" Duvalier was overthrown.

Frank Roumaine, the former mayor of Port-au-Prince, returned in September. He has remained one of the most notorious members of the Tonton Macoutes, one of the most vicious of the killers in Haiti and Haitian history. He returned in September and, reportedly, is now organizing the old Tonton Macoutes. Reportedly, he was responsible for the attack on Father Aristide's St. Jean Rosco Roman Catholic Church that left 12 people dead.

An openly Duvalierist party has been formed, called the Front for Restoration of Democracy—how about that one for a play on words; it should be called the Front for the Restoration of Duvalierism—to restore the old Duvalier Tonton Macoutes regime.

Since General Cedras and Colonel Francois were not able to maintain order and quell the violence, the return of President Aristide is in great doubt.

At this critical juncture, some of my colleagues would have us throw in the towel and give up on the first democratically elected leader of Haiti—elected with 67.5 percent of the vote. Give up on democracy? Give up on the hundreds of thousands of Haitians who risked their lives to support President Aristide, who have worked for his return?

Mr. President, I do not believe that abandoning Haiti is in the best interests of our own national security. Haiti is no Somalia. We have no strategic interests in Somalia. Our military operation there was purely humanitarian, or should have been. Quite frankly, I was very proud almost a year ago when President Bush sent 25,000 American troops to Somalia to stop the starvation. And we did. I think that is a great story that we ought to be proud of, that we went there and stopped hundreds of thousands of people from starving to death. We have taken seed and fertilizer, and we have them growing crops in Somalia. We should have maintained a purely humanitarian effort in Somalia.

Be that as it may, Haiti is much more important to the United States of America. Haiti is in this hemisphere, 800 miles off the coast of Florida. Our national security would be degraded in at least three aspects if we let Haiti fall back into the hands of the murderers, the police, the military, and the Duvaliers.

First, a return to chaos would dramatically increase Haitian refugees beyond anything we have ever seen. Hundreds of thousands of Haitians are already preparing to flock to this country, flocking to airports to flee. Are we ready? Are we ready and prepared to clothe and feed a half million Haitian refugees? They will come. First of all, they will hit the Bahamas and sink them, and then move on to the United States.

Will President Clinton send destroyers out there to stop their boats, to sink them and let them drown? Will President Clinton turn them around and take them back to Haiti and dump them off? For surely he knows they will be killed. No, I do not think so. We would not stand for it.

What will happen when those 500,000 refugees come fleeing to America? Are we prepared to deal with that? In no way are we prepared. Again, Haiti is of great concern to our national interests.

Second, Haiti is a significant part of the drug highway from South America. A return to corruption and military rule will increase the flow of illegal drugs to our streets across America. Already, estimates are that over $500 million a year goes into Haitian military coffers because of the illicit drug trade from Haiti into America.

Are those who say we have no interests there, and those who say that the return of President Aristide is not worth one American life, saying that stopping the flow of drugs into this country is not important and not worth the loss of one American soldier? Well, Mr. President, what about Panama? Why did we go there? Twenty-two American soldiers and three U.S. civilians lost their lives in Panama. Why? To go after Noriega and get him because he was sending drugs from South America to the United States. Twenty-five Americans lost their lives there.

American people and this Congress said that was all right because we were stopping the flow of drugs. The amount of drugs coming from Panama into the United States is minuscule compared to the amount of drugs coming through Haiti right now, this very minute, into the United States of America.

Who is behind it? It is not the peasants; they do not have the wherewithal. We know who it is. Our CIA knows, and so does the State Department. It is the military leaders and some of their friends in high places in the police forces that are conduiting these drugs right into the streets of America, killing our young people.

Yes, Mr. President, we have a national security interest in Haiti; and, yes, we have a national interest in making sure that President Aristide is returned to power, if for no other reason, because President Aristide will stop the flow of drugs into this country. He will stop the drug trafficking.

We just learned that the President has seized or frozen all of the assets of their military in the United States. You wonder, because military people in Haiti, as I understand it, make less than about $20,000 a year in United States money, how some of them have bank accounts in this country worth millions of dollars. That is quite a savings account. I do not know how you save up millions of dollars in bank accounts in this country when you are paid less than $20,000 a year.

Where are they getting their money? We know where they are getting it. They are getting it from the drug trade. I say it is time to stop them. It was worth going after Manuel Noriega. It is worth 10 times as much to go after the ruthless killers and drug cartel in Haiti, who are shipping death and destruction to our streets in America even as we speak.

Third, Mr. President, if we abandon Haiti to the military dictators, we will be sending a strong signal to the rest of this hemisphere that the United States has lost the guts and the will to support and protect democratically elected governments in our backyard.

What they will learn is that all they have to do is send a few thugs to the docks to scare away the U.S. military, and we will turn around and run and tuck our tails between our legs. This is indeed a sad message for newly emerging democracies in this hemisphere and elsewhere around the world.

So, Mr. President, I oppose the underlying message and the substance of the Helms amendment. This amendment suggests that we should abandon Haiti at this critical juncture in its history; and, in our leadership in this hemisphere, abandon our efforts to stop the drug trade from coming into this country, as we surely know it is coming through Haiti.

This would send exactly the wrong message to the rest of our hemisphere. The President should have the option of using or threatening the use of force if the killers and thugs in Haiti's military and police forces continue their rampage in Haiti.

If we tie the President's hands at this point, then Haiti military will be given a green light to continue the torture and the murder with impunity. They will be given the green light to continue their drug trafficking to this country with impunity.

President Clinton must have the authority as Commander in Chief to protect the 1,000 or so Americans in Haiti. By leaving the President the option of using force to protect Americans, the military leaders in Haiti will have cause for concern and may curb some of their worst excesses and I hope will lead to a reimposition of the Governors Island accord.

Mr. President, we have vital interests in what happens in Haiti. It is not like Somalia. And I daresay it is not even like Bosnia. While I abhor what happened in Bosnia, and I think we could have taken a different course of action a long time ago, we must, I think, put the burden on our European allies to pay attention to what is happening in Bosnia. That is in their national interest. But here Haiti is in our national security interest.

There has been a lot said about some words President Aristide has used in speeches he has given. I have tried to read as much as I can about President Aristide, who he is and what kind of an individual he is.

I have met him on two occasions. I was impressed at the time in my meetings with him by his intelligence, by his sincerity, and by his demeanor. He did not appear to me to be anyone who incited violence. But I heard so much about it I decided to start reading.

Mr. President, if you really want to know what someone is about, especially if it is someone who has attained a high position in life, a President, maybe a Senator, take a look at what they were before. What did they do? What has their life history been? Where did they come from? What has been their intellectual development?

I picked up this book called "In The Parish of the Poor." I recommend it to everyone. It was written by Jean-Bertrand Aristide before he was elected President of the Republic of Haiti. It was written while he was a parish priest. And I think if you read this you will get an idea of just who President Aristide is and where he is coming from.

I am going to read a small part of this because I think it is important. I cannot read the whole book, and I would not put the whole book into the RECORD, but I would recommend it for anyone to read. Basically the whole book is talking about his parish that he ran for the poor in Haiti and how the people were beaten and tortured, the disappearances, the murders, the brutal repression of the people in his parish. But I think there is one passage in here that sort of says something about who Aristide is. Remember, this was written before he was President, before he probably had any idea that he would ever be President.

I will not read the whole chapter, but he talks about the poor in Haiti, and he talks about Haiti as being the parish of the poor. He talks about being a Christian and what it means to be a Christian.

Here is, I think, the most telling passage:

Open your eyes with me, sisters and brothers. It is morning. The night has been a long

one, very long. Now, the dawn seems to be climbing up slowly from beneath the horizon. Wisps of smoke are rising up from the little houses of the village, and you can smell good cornmeal cereal cooking. The sky grows pink. An hour later, the children in their tidy, well-fitting uniforms run off to school, clutching new books in their arms. Women wearing shoes head off to market, some on horseback and donkey, others on motorcycle and bicycle. They all take the new paved road, down which buses take other women and men to market for the day. If you listen closely, you can hear the sound of running water, of faucets being turned on in houses. Then the men emerge, carrying shiny new tools, laughing together, their bodies strong and well fed. They head off for the fields. A new irrigation project has been installed and the crops are growing where before there was almost a desert. Throughout the village, you can hear laughter and the sound of jokes being told and listened to.

This is the village I call Esperancia. The day is coming when this village will exist, though now it is called Despair and its residents wear rags and never laugh. Yet when we look around this village I call Esperancia, we can see that not very much has changed since it was called Despair. This is what has changed: Everyone now eats a decent poor man's breakfast. There is a new road. The children now have books. The women have shoes. There is water, and running water. There is an irrigation project.

This is not very much to change. Yet just those few changes can turn Despair into Hope, and all it takes to change them is organization. In a year, the village of Esperancia could exist in any of our lands. Esperancia, El Salvador; Esperancia, Honduras; Esperancia, Guatemala. It is an honorable address in the parishes of the poor.

Let us leave our old homes of cardboard and mud floors. Let us make a plan to douse them with gasoline, and burn them to the ground. Let us turn our backs on that great fire and on that way of life, and hand in hand, calmly, intelligently, walk forward into the darkness toward the sunrise of Hope. Let us trust one another, keep faith with one another, and never falter.

That says more than anything who President Aristide really is, someone who wants to turn his back on the despair and ravages of the hundreds of years of hatred and violence, misery and suffering, and lead his people into a new village.

Mr. President, I would also suggest another book, "Jean-Bertrand Aristide, An Autobiography." I am only halfway through that. But again there is another passage in here I think that says something about who this individual is. He talks about Gandhi and Martin Luther King. He said that they are:

* * * in a class I will never attain, and fighting for a long time, a very long time against the same enemy, but under other skies.

He is talking about Martin Luther King and Gandhi.

Both were killed by assassins.* * * I do not aspire to martyrdom. Those heroes were not my contemporaries, but my strategy is the same as theirs: nonviolence. Nonviolence is collective resistance, not resignation.

A good lesson, right? Nonviolence is collective resistance, not resignation.

The gospel demands it. I very quickly discovered the congruence between the attitude of Jesus and nonviolence: his way of loving his enemies, his way of giving dignity to the outsiders, of pardoning those who injured him, of speaking a word of truth whether it was pleasant or not—all of these things harbor an unbelievable power.

So again, someone who admires Gandhi and Martin Luther King preaching the gospel of nonviolence. It does not say resignation. Martin Luther King never preached that either. He did not say to the African-Americans of this country: Just sit down and go home, do not demonstrate, do not sit in the front of the bus, do not demand your rights as human beings and as citizens of this country.

Through the nonviolence demonstration of collective power, Martin Luther King organized black Americans to demand their rightful place in our own country. Yet it was Bull Connor and so many others and even, yes, J. Edgar Hoover, the head of the FBI, accusing Martin Luther King of inciting the violence.

It was not Martin Luther King that incited the violence, it was the segregationists. It was those who wanted to keep black Americans in a lower level, who did not want them to exercise not only their God-given rights, but their constitutional rights in the country. They were the ones inciting the violence, not Martin Luther King.

It is the military in Haiti, it is the police in Haiti, it is the attachés and the Tonton Maacoutes Duvaliers who are inciting the violence. It is not President Aristide. President Aristide is simply showing a nonviolent way of giving dignity and hope to the Haitian people.

Mr. President, earlier today the Senator from North Carolina took the floor. I was watching with interest in my office as the Senator alluded to a speech given by President Aristide on September 27, 1991, given in Port-au-Prince at the National Palace. References were made at that time about President Aristide talking about using necklacing—putting rubber tires around people's necks and dousing them with gasoline and lighting them.

I think the remarks made at that time and that were attributed to President Aristide were as if President Aristide said that this is what we should do. There were allusions made to "Isn't it a wonderful smell and a pretty sight."

Later, about an hour ago, I went to the recording studio to view a videotape that the Senator from North Carolina had. He was kind enough to let me see it. I wanted to see the actual speech of President Aristide where he said we should use necklacing.

Well, I watched it. It is not a very good tape. What is interesting is the tape is spliced with speeches—a part of a speech by President Aristide and then a picture of burning tires. There are some other pictures, of a mutilated human body. I could not quite tell. It was pretty gruesome. Then there was some part of a McLaughlin Group and a short speech by Pat Robertson. I did not watch it beyond that. But I listened to the speech and, of course, I do not understand Creole, so there was a translation put at the bottom of bits and pieces of the speech.

Mr. President, I have here in my hand the translation of that speech given by President Aristide on September 27, 1991, given on the occasion of his return from the United Nations to Haiti. Remember, it was only 4 days after he gave this speech that the coup occurred. And remember that at this time the coup was really already underway. The coup was already underway when President Aristide returned to Haiti on that day on the 27th of September 1991. So what I have here is a translation by FBIS, that is the Foreign Broadcasting Information Service, by our State Department. I cannot vouch for anything more than the translations they have given us. And so here is all the speech.

I ask unanimous consent that this FBIS translation of the speech of President Aristide on September 27, 1991 be printed at this point in the RECORD.

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

ARISTIDE ADDRESS AFTER VISIT TO UN

[Address by President Jean-Bertrand Aristide at the National Palace in Port-au-Prince on 27 September, on his return from the United Nations—live or recorded]

[Excerpts] [passage omitted including indistinct portions] to repent and say: I acknowledge that I made this money through malpractice and, from now on, watching the national pride dancing like a flag. I will cooperate by using the money [word indistinct] to create work opportunities, and to invest in economic activity so more people can get jobs.

If you [referring to bourgeoisie] do not do so. I feel sorry for you. Really I do. [laughter from crowd] It will not be my fault because this money you have is not really yours. You acquired it through criminal activity. You made it by plundering, by embezzling. You got it through the negative choices you made. You made it under oppressive regimes. You acquired it under a corrupt system. You made this money through means that you know were wrong. Today, seven months after 7 February, on a day ending in seven, I give you one last chance. I ask you to take this chance, because you will not have two or three more chances, only one. Otherwise, it will not be good for you. [applause]

If I speak to you this way, it is because I gave you a seven-month deadline for making amends. The seven-month deadline expires today. [applause] If I speak to you this way, it does not mean that I am unaware of my power to unleash public vindication, in the name of justice, against all these thieves, in an attempt to recover from them what is not theirs. A word to the wise is enough. You understand me because you and I speak Creole. [applause]

The saying goes: God's justice is slow. It appears that justice is going too slow. It is, however, a reasonable justice because seven months—during which people have been hungry and unemployed, while you had the

power to reduce unemployment and hunger—have passed. As I told you, the deadline expires today. The ball is in your court. The 7 February ball is at your feet. If you want to shoot; go ahead. [applause]

Did all of the bourgeoisie make their money through ill practices? [crowd shouts "no"] [repeats sentence twice] Congratulations, intelligent people! [repeats sentence three times] [applause] We call the bourgeoisie who made their money through foul practices, and who refuse to invest in the country, false patriots [patripoch]. We call the bourgeoisie who earned their money through honest work, and who are cooperative, patriots. [applause] Congratulations to the patriotic bourgeoisie. Congratulations to the bourgeois patriots. They are few. Unfortunately, they are not the majority. Nevertheless they do exist. [passage omitted]

I want to use this very occasion to also address political parties. I want to hail and encourage them to walk on in unity—unity among them and with the entire population—to consolidate themselves so that, in accordance with the Constitution, we will build together a strong opposition on the basis of the law. We will thus foster democracy, unity in political pluralism, unity in political diversity.

Therefore, political leaders, I am passing to you the ball of understanding with great love as usual. If you do not catch the ball, dribble, and score goals, do not later accuse me because you will have failed to live up to expectations in order to gain in popularity that you [word indistinct]. [crowd cheers] I wish you all good luck, good luck to all the [words indistinct] parties.

I hope that deputies and senators will continue to work together with the people in order to personally feel the joy of working to satisfy the aspirations of the masses, because we prefer to fail with the masses than succeed without them, but with the masses, we cannot fail. [crowd cheers] I am encouraging all the ministers [crowd cheers] I know, I know, all right! For those of you who are outside the palace, the brother here said that the deputies cannot do me any harm. I told them I know that. [loud cheers from crowd]

I am encouraging every minister to continue with the purge that we have already started. I am also encouraging each state employee [words indistinct] because you are the ones pressing on the economic pedal now, so that the economic car can run twice as fast. I am encouraging each state employee—please, I am speaking to you as a brother of yours—I encourage you to realize that, as a state employee, you must work twice as much so that the job can be done well and fast. You will thus increase, if not double, the output of public administration. We will all benefit from the increased effort that you all make. I encourage you to do so in the provinces and in the capital, wherever state employees work. If you feel that your work goes slowly, speed it up. You do not need anyone to supervise you. Be your own superviser. This is because contrary to the past, when people used to say that embezzling state money is not stealing, today we know very well that diverting state money is stealing, and thieves do not deserve to stay in public administration. [crowd cheers] [passage indistinct].

You must greet visitors in the same warm way that Haitians are greeted—with the type of welcome we received abroad. Greet people with a smile in state offices. Give people the information that they need with a welcoming smile of understanding. You too, address the state employee with great courtesy so that we will make double economic effort. [passage omitted]

However, if I catch a thief, a robber, a swindler, or an embezzler, if I catch a fake lavalas, if I catch a fake. . . [changes thought] If you catch someone who does not deserve to be where he is, do not fail to give him what he deserves. [crowd cheers] Do not fail to give him what he deserves! Do not fail to give him what he deserves! Do not fail to give him what he deserves!

Your tool is in your hands. Your instrument is in your hands. Your Constitution is in your hand. Do not fail to give him what he deserves. [loud cheers from crowd]. That device is in your hands. Your trowel is in your hands. The bugle is in your hands. The Constitution is in your hands. Do not fail to give him what he deserves.

Article 291 of the Constitution, which is symbolized by the center of my head where there is no more hair, provides that macoutes are excluded from the political game. Macoutes are excluded from the political game. Macoutes are excluded from the political game. Do not fail to give them what they deserve. Do not fail to give them what they deserve. You spent three sleepless nights in front of the National Penitentiary. If one escapes, do not fail to give him what he deserves. [loud cheers from crowd]

You are watching all macoute activities throughout the country. We are watching and praying. We are watching and praying. If we catch one, do not fail to give him what he deserves. What a nice tool! What a nice instrument! [loud cheers from crowd] What a nice device! [crowd cheers] It is a pretty one. It is elegant, attractive, splendorous, graceful, and dazzling. It smells good. Wherever you go, you feel like smelling it. [crowd cheers] It is provided for by the Constitution, which bans macoutes from the political scene.

Whatever happens to them is their problem. They should not look for it. [crowd cheers] As such, under the same flag of pride, dignity, and solidarity, and hand in hand, we will encourage one another, so that starting today, we will all receive due respect—the type of respect I share with you—and fulfill common aspiration for justice. Words will thus cease to be just words and will instead be translated into action.

Action on the economic front required me to get the ball and pass it over to you. You should dribble and kick hard at the ball once you are in front of the goal, and make sure to score a goal because if the people do not see the ball in the net, as I told you, it would not be my fault if you are given what you deserve, as provided for in the Constitution. Alone we are weak, together we are strong, tightly united we are an avalanche. Are you feeling proud? Are you feeling proud? Go home now as your hearts are full of happiness, energy, and joy and show that you are working for the progress of the country, and to make it elegant, graceful, and dazzling, show that you want to restore its former image. [loud cheers from crowd]

(Mr. CAMPBELL assumed the chair.)

Mr. HARKIN. Mr. President, it is quite a rambling speech. Obviously, he was not speaking from a prepared text. But I want to read some parts of it to put it in context.

He said:

I want to use this very occasion to also address political parties. I want to hail and encourage them to walk on in unity—unity among them and with the entire population—to consolidate themselves so that, in accordance with the Constitution, we will build together a strong opposition on the basis of the law.

Let me repeat that—

We will build together a strong opposition on the basis of the law. We will thus foster democracy, unity in political pluralism, unity in political diversity.

Does this sound like someone who wants to take over and be a dictator and burn people with tires? He is telling people to form political parties.

He says:

Therefore, political leaders, I am passing to you the ball of understanding with great love as usual. If you do not catch the ball, dribble, and score goals, do not later accuse me because you will have failed to live up to expectations in order to gain in popularity * * * I wish you all good luck, good luck to all of the parties.

Now I have heard it said that President Aristide did not want other political parties forming. He just said there he wished them luck.

But let me get to the part that has been misinterpreted, I believe, as saying that somehow he was encouraging necklacing, this idea of putting rubber tires around people's heads and burning them.

I asked President Aristide about this situation. He said that he never advocated that, and, second, during his 8 months as President, there was not one recorded incident of necklacing. Let me repeat that. During President Aristide's 8 months as President, there was not one recorded incident of necklacing. We have challenged the State Department and everyone else to find it. No one can find any instance of necklacing. There was some before he came to power, before he became President, but not while he was President.

But I want to read this passage, because I believe it was not only taken out of context, words were taken out. Let us look at the exact translation. He said:

However if I catch a thief, a robber, a swindler, or an embezzler, if I catch a fake lavalas.

That is someone belonging to his party—

If you catch someone who does not deserve to be where he is, do not fail to give him what he deserves. Do not fail to give him what he deserves. Do not fail to give him what he deserves. do not fail to give him what he deserves.

Your tool is in your hands. Your instrument is in your hands. Your Constitution is in your hand.

This phrase "Your Constitution is in your hand" is left out. That is what is conveniently left out every time I have seen this speech repeated. There is this illusion of your tools in your hands, your instruments in your hands, give them what he deserves, but that part is left out.

Your Constitution is in your hand. Do not fail to give him what he deserves. That device is in your hands. Your trowel is in your hands. The bugle is in your hands. The Constitution is in your hands. Do not fail to give him what he deserves.

Article 291 of the Constitution, which is symbolized by the center of my head where there is no more hair, provides that macoutes are excluded from the political game. Macoutes are excluded from the political game. Do not fail to give them what they deserve. Do not fail to give them what they deserve. You spent three sleepless nights in front of the National Penitentiary. If one escapes, do not fail to give him what he deserves.

Then he goes on to say this:

What nice tool! What a nice instrument. What a nice device. It is a pretty one. It is elegant, attractive, splendorous, graceful, and dazzling. It smells good. Wherever you go, you feel like smelling it. It is provided for by the Constitution, which bans macoute from the political scene.

I asked President Aristide about this. He said you must understand that in Creole we speak in poetic terms. And when I read his book "In the Parish of the Poor," there is a lot of poetry, speaking in poetic terms. So when he was talking about the tool, it was the fact that the Constitution—the Constitution—banned the Tonton Macoutes from political power. And he said, "Isn't it wonderful? Isn't it dazzling? It smells good. It is graceful. It is dazzling that finally our constitution bans those murderous Tonton Macoutes from our political structure?" He says, "It is provided for by the constitution, which bans macoutes from the political scene."

Yet, those who would continue to support the military in Haiti, who would support those who traffic in drugs, I know unknowingly—no one here would support anyone who traffics in drugs, but it is well known that the military in Haiti do traffic in drugs—but they have taken this speech of Aristide and they have made a mockery of it by taking it out of context. If you read it, you can see what he was talking about.

But if there are those who say that Aristide was provoking violence, promoting violence, read the last sentence of his speech. Mind you, he is standing in the National Palace. He has a huge crowd around him. The coup was already basically underway. He has just returned from the United Nations. He has told the people go out and organize political parties, it is your right. He has told them you have the constitution in your hands, it bans the Macoutes from the political process. And then what does he tell them? Does he tell them to go out and riot? Does he tell them to go out and kill people? No. Listen to this. He says:

Action on the economic front required me to get the ball and pass it over to you. You should dribble and kick hard at the ball once you are in front of the goal and make sure to score a goal because if the people do not see the ball in the net, as I told you, it would not be my fault if you are given what you deserved as provided for in the Constitution. Alone we are weak. Together we are strong, tightly united we are an avalanche. Are you feeling proud? Are you feeling proud? Go home now as your hearts are full of happiness, energy, and joy, and show that you are working for the progress of the country, and to make it elegant, graceful, and dazzling; show that you want to restore its former image.

Does this sound like someone inciting his people to violence? He tells them to go home with your hearts full of pride, with the constitution in your hands. He says, "Go home."

He did not say march down the street. He did not even tell them that. And, yet, this is the very speech we are told incited the military to overthrow him and send him out of the country. I am glad we got the translation. I am glad we have this, because if we did not have this, all we would have is some of the interpretations by those who obviously do not want to see President Aristide returned to his rightful place as the elected President of Haiti.

Oh, yes, one other thing. Earlier today the Senator from North Carolina put a picture on an easel over there. I saw it on my television screen in my office. It was a picture of a chair with some burning tires in front of it, a bottle that reportedly contained gasoline, a book of matches, a fire, a picture of Aristide over in one corner, some writings. It was kind of a montage. I do not see it here now.

A couple of hours ago I asked President Aristide about that picture. He absolutely had no knowledge of it.

I asked Ambassador Bob White. I called him up at that time and I said, "Had you ever visited President Aristide when he was in office as President, during his 8 months?"

He said, "Many times I have been in his office at Port-au-Prince."

I told him about this painting. "Have you ever seen a painting like this in his office?"

"To the best of my recollection I have never seen anything like that. If I had, I probably would have asked him about it."

President Aristide says it never was in his office. So I do not know where this picture comes from.

Again, I think perhaps the picture was given to the Senator from North Carolina, by those who do not have the best interests, of this country at heart in terms of making sure that President Aristide is returned to his rightful place as President of Haiti.

I wanted to take this time, first of all, to describe, why we have a national interest, a security interest in Haiti; why the Helms amendment ought to be defeated overwhelmingly; and, lastly, why I believe we ought to, again, fall back on the Governors Island accord.

This summer, in July, President Aristide and Lt. Gen. Raoul Cedras, commander in chief of the Armed Forces of Haiti, signed an agreement. It has 10 steps to it. To this date and at this point in time, this Governors Island accord has never been overtly thrown out by General Cedras or the military. There has been no overt rejection of the Governors Island accord by the Haitian military. So as far as this Senator is concerned it is still in force and effect. It was signed by President Aristide. It was signed by General Cedras.

I think it was wrong, I think it was absolutely wrong, for President Clinton to order that ship, the *Harlan County*, to turn around.

I read in the New York Times just about that same time, that the U.N. commanders had given orders to our forces and to their forces down there that, at the first sign of trouble, they were to turn away from it and run. All I can say is I am proud I was in the U.S. military at a time when we were not told to turn and run. The sight of that ship leaving—because of a few thugs on the dock creating a little disturbance—sent the wrong signal. I think it was a terrible mistake for President Clinton to do that. It not only sends the wrong message, I think it demoralizes our military.

But it is not too late. I speak directly to the President of the United States. President Clinton, it is not too late. Pick up the ball where you left off. The Governors Island accord is still in force and effect. It provides for the introduction of U.N. forces and for security forces into the Republic of Haiti. It provides that we can also send our forces to Haiti. I will read this right here.

Implementation, following the agreements of the constitutional Government, of international cooperation:

(a) technical and financial assistance for development;

(b) assistance for the administrative and judicial reform;

(c) assistance for modernizing the Armed Forces of Haiti and establishing a new Police Force with the presence of United Nations personnel in these fields.

It is still in force and effect.

So I say to President Clinton, pick it up. This is what we have to do—pick up the Governors Island accord, get the U.N. forces back there, put our engineers back there again.

But the Governors Island accord envisions a security force, a security force to basically do two things: Protect the people of Haiti from the military and the police, but also to protect the military from the people of Haiti. It is in everyone's best interests.

We can send our forces back there with the United Nations, send our engineers back and our trainers back, but send them back with United States military personnel, well armed, only to protect them—not to engage the Haitians in military activities; not to shoot Haitians; but United States military personnel to make sure that none of them shoot us.

If we do that, then I believe the Governors Island accord can go forward. I believe some of the well-meaning people who are in the military of Haiti

will come forward because then they know they are going to be secure and they will not be afraid. There are good Haitians in the military. There are some good Haitians in the police. But they are afraid to act. They are afraid to come forward.

So this really is our course of action. Reject the Helms amendment.

I understand the leader will be offering a leadership amendment after that dealing with Haiti.

I read it, and I believe that it provides for the President of the United States, as I said, to pick up the Governors Island accord and to implement it. It is not dead. It was put on hold for a while because of the *Harlan County* being turned around, but it is not dead. I hope that the President will pick it up and reimplement it.

I think now is the time for President Clinton to look beyond the opinion polls and to realize that we have serious interest in Haiti, very serious interest in Haiti. It is time for the President of the United States to pick up the Governors Island accord and act accordingly by, once again, introducing the U.N. forces that are called for, our forces that are called for, for training and modernizing the police and also sending the requisite number of United States military forces to protect those of our forces that are there, so that we do not run into the situation like we ran into in Somalia.

I see the majority leader wanting the floor. I wanted to take this time to express my thoughts on Haiti and to correct some of the misperceptions and some of the misstatements made about President Aristide, to put into the RECORD the full translation of the speech he gave on September 27, 1991.

Mr. President, with that, I hope we can defeat the Helms amendment and adopt the bipartisan, leadership amendment that will be offered.

Mr. MITCHELL addressed the Chair.

The PRESIDING OFFICER. The majority leader.

UNANIMOUS CONSENT AGREEMENT

Mr. MITCHELL. Mr. President, I ask unanimous consent that Senator HELMS' amendment be temporarily laid aside; that Senator MITCHELL be recognized to offer an amendment on behalf of himself, Senator DOLE, and others, on Bosnia; that there be 40 minutes, equally divided between the two leaders, for debate on the Bosnia amendment; that upon the conclusion or yielding back of time, the Senate vote on the amendment; that upon the disposition of the Bosnia amendment, Senator DOLE be recognized to offer an amendment, on behalf of himself and Senator MITCHELL and others, on the subject of Haiti; that there be 60 minutes for debate tonight on both the Helms and Dole Haiti amendments, equally divided between Senators DOLE and HELMS; that when the Senate resumes consideration of the Department of Defense appropriations bill tomorrow at 9:30 a.m., there be 90 more minutes for debate on both the Dole and Helms Haiti amendments, equally divided between Senators DOLE and HELMS; that at the conclusion or yielding back of that time, the Senate vote on the Helms amendment No. 1072, followed by a vote on the Dole-Mitchell Haiti amendment; that no other amendments or motions be in order prior to the disposition of these three amendments; that the preceding all occur without any intervening action or debate.

Mr. GORTON. Reserving the right to object.

The PRESIDING OFFICER. The Senator from Washington.

Mr. GORTON. Reserving the right to object, Mr. President, I say to the majority leader that this Senator has been here for some time wishing to speak on the Helms amendment, almost certainly on the same side of that issue represented by the Senator from Iowa and by the majority leader. But this Senator wants to make it very, very clear, while he will vote the same way the Senator from Iowa will, that he disagrees quite profoundly with the rationale which has been expounded at length by the Senator from Iowa.

The Senator from Washington does not find anything in the unanimous consent agreement that will allow him, will guarantee him that ability, a time relatively close to the time which the Senator from Iowa has spoken.

Under those circumstances, at least for a relatively brief period of time, this Senator will have to object, unless the distinguished majority leader would be willing to make the effective time of his unanimous consent agreement, say, to begin in 10 minutes or so, during which the Senator from Washington can easily conclude his remarks.

Mr. MITCHELL. Mr. President, I have no objection to that. This has been drafted to accommodate Senators on the Republican side. If the Senator wants to speak for 10 minutes now and delay the implementation of this for 10 minutes, push everything back 10 minutes——

Mr. DOLE. Why do we not just give you 10 minutes—I will give him 10 minutes out of the Bosnian time, because many of our colleagues have appointments starting at about 7. So we are trying to accommodate about 15 people.

Mr. GORTON. The remarks of this Senator are not on Bosnia.

Mr. DOLE. You can make them on anything. The Bosnia amendment will be pending.

Mr. GORTON. If the minority leader wants to take 10 minutes of his time immediately or very shortly after this unanimous-consent agreement to give me to speak on an entirely different subject, I think he may be accommodating other Members. The Senator from Washington is willing to accept that and thinks it probably would be preferable if he spoke now before this began.

Mr. DOLE. I think in the long run, it will be accommodating more Senators.

The PRESIDING OFFICER. Is there objection?

Mr. GORTON. Excuse me, reserving the right to object, am I to understand then the distinguished minority leader will yield me his first 10 minutes as soon as this debate begins?

Mr. MITCHELL. We will do better than that. As soon as I offer the Bosnia amendment, I will not say a word. The Senator from Washington then can have 10 minutes.

Mr. GORTON. That is certainly a fine accommodation to the Senator from Washington.

Mr. MITCHELL. My life is one of accommodations. I renew my request.

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

AMENDMENT NO. 1073

(Purpose: To express the sense of Congress on funding for United States Armed Forces in Bosnia-Herzegovina)

Mr. MITCHELL. Mr. President, in accordance with the prior agreement, in behalf of myself, Senator DOLE and others, I send an amendment to the desk and ask that it be stated.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Maine [Mr. MITCHELL], for himself, Mr. DOLE, Mr. THURMOND, Mr. SIMPSON, Mr. WARNER, Mr. DOMENICI, Mrs. Hutchison and Mr. D'AMATO, proposes an amendment numbered 1073.

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

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

The amendment is as follows:

At the appropriate place in the bill insert the following:

SEC. . (a) It is the sense of Congress that none of the funds appropriated or otherwise made available by this Act should be available for the purposes of deploying United States Armed Forces to participate in the implementation of a peace settlement in Bosnia-Herzegovina, unless previously authorized by the Congress.

(b) It is the sense of Congress that the limitation set forth in subsection (a) should not preclude missions and operations initiated on or before October 20, 1993, including the provision of any humanitarian assistance by the Department of Defense.

Mr. GORTON addressed the Chair.

The PRESIDING OFFICER. The Senator from Washington is recognized.

Mr. GORTON. Mr. President, it is said that in public policy, as in science, nature abhors a vacuum. I believe it is the existence of that vacuum in public policy which has caused so much of the time of this Senate to have been devoted during the last 2 weeks or so on a defense appropriations bill on military and foreign policy questions.

To be very blunt, the military foreign policy of the Clinton administration has been, at the very least, an uncertain trumpet. As a consequence, we have debated or will debate extensively our policies in Bosnia, in Somalia, and now in Haiti.

In Somalia, which we debated last week at length, for example, there have apparently been five switches in the number of our armed services sent to or withdrawn from that unhappy nation during the course of the last 2 weeks, and almost as many changes in the instructions with which they were burdened during their stay. And yet, Mr. President, we have had, we have debated here, we have largely agreed on a set of rules which ought to be considered and adopted by the people of the United States before they put the men and women of our armed services at risk, which are essentially those established by Secretary of Defense Weinberger a number of years ago.

To paraphrase the most important of them, first, before such a risk is undertaken, we must find that the country in question represents a vital national security interest to the United States.

Second, of course, we need clear and attainable goals, both as we go in, as we determine what we have accomplished and with a very clear way to get out of such engagements.

Third, and quite obviously, there should be no reasonable alternative, no other successful alternative to the risking of the lives of our men in uniform who have enlisted in the armed services.

And fourth, it is obvious that once we go in, we have to use force that is amply sufficient to meet those goals, not send people in under restrictive instructions in dribs and drabs risking them without the ability to attain their goals.

Mr. President, it is the view of this Senator and of many others that not one of those considerations was present with respect to our intervention in Somalia, at least after it moved from providing food for the starving to creating a new and different political atmosphere in that nation.

On the other hand, and I think relevant to this debate, there is a very considerable difference with respect to Haiti. Vital interests of the United States are clearly present in that nation. It is relatively close to our shores, and overwhelmingly the disturbances, the violence, the lack of security in Haiti threatens the United States with the onset of literally hundreds of thousands of refugees seeking freedom, seeking security in a way with which we all sympathize but in a place which simply does not have room for them. We cannot be the recipient of literally hundreds of thousands of people from one small country when there is any remote other alternative to provide security there.

Second, there is at least some goal which this administration has articulated in this case, the restoration of an elected government for a government which took power by a military coup.

It is in this respect that I want to disagree respectfully but most profoundly with the extended statements of the junior Senator from Iowa, who almost sanctified President Aristide of that country in a way with which this Senator rather profoundly disagrees. This Senator is not at all certain that the situation in Haiti will be any more peaceful, that there will be any more justice in Haiti after the restoration of President Aristide than there is today. But he was the duly elected President of that country, and there is at least some chance that some change might take place, so it does seem to me that that is an appropriate goal.

Whether or not there is no alternative to military intervention is an open question, and clearly the administration in its abortive attempts of a week or so ago did not provide amply sufficient force to enforce the Governors Island decision. The disgraceful dispatch of some 200 American troops unarmed in an unarmed ship to Haiti and its withdrawal in the face of a mob is discreditable to this administration and shows a lack of foresight or concern for the fate of our Armed Forces that is reprehensible.

Now, having said all of this, dealing with vacillation in Haiti, in Bosnia, in Somalia, one would think, I suppose, that this Senator would speak in favor of the Helms amendment, but he does not. He finds the Helms amendment much too drastic, greatly oversimplified, not itself reflecting the considerations, the multiple considerations, of the Weinberger rules or of any appropriate substitute for those Weinberger rules.

This Senator believes that the President of the United States would be very well advised to seek authority from this Congress before he attempts to put any of our Armed Forces at risk in that country. It would be wise for him to seek the advice and consent of the Senate and of the Congress as a whole.

But at the bottom, it seems to me far more likely that we can find an alternative which does not risk our soldiers, our sailors, our marines, and our airmen if we do not tie the hands of the President in the way in which the Helms amendment does. If we do not require it, he does have more flexibility. I wish I had a greater degree of confidence in the ability of this President to conduct foreign policy of this sort than I do. But I do recognize the fact that we have only one President. I voted and spoke for the immediate withdrawal of our troops from Somalia because they were at risk and are at risk there today. Right now, American men and women in uniform are not at risk in Haiti. As a consequence, I think the President ought to have the broadest possible authority to see to it that we can succeed in reaching our goals in Haiti without their use.

I hope he will come to us and ask for our permission to use them if he deems that necessary and that he comes with a plan in which we can have a degree of confidence. But each of those is more likely to be the case if we reject the Helms amendment and take a somewhat more moderate and somewhat more bipartisan action.

For those reasons, I will oppose the Helms amendment.

Mr. DODD. Will my colleague yield at this point?

Mr. GORTON. I certainly will.

Mr. DODD. I wish to commend my colleague from Washington. I agree with his analysis on this. I have no reason not to believe that President Clinton would certainly consult with Congress before taking any dramatic action in Haiti or any action militarily. But the Senator's analysis of the particular approach being advocated by our colleague from North Carolina is that it would have the opposite effect. So I just wanted to associate myself with his remarks and approach on this.

Mr. GORTON. I thank my friend.

Mr. HARKIN. If the Senator will yield again, I wish to compliment the Senator, my good friend from Washington, for a very thoughtful statement.

I guess we are under some time constraints. I wish we were not.

The Senator from Washington is a very thoughtful, considerate individual. Quite frankly, I do not disagree with anything he said either. I do not think I am trying to sanctify anyone. I am just trying to give a different picture here of an individual through his writings and things.

But again I say to my friend from Washington, I would like to ask the Senator to take a look at the Governors Island accord, which it seems everyone supported on both sides of the aisle. The military signed off on it, Aristide. Everyone seemed to sign off on it. It seemed to point the way toward a more peaceful—I do not say totally peaceful—Haiti.

The PRESIDING OFFICER. The time of the Senator from Washington has expired. Who yields time?

Mr. GORTON. I do not mind having the Senator go on. I wish he would go on on the time of the other side.

Mr. HARKIN. Can I ask for 2 more minutes?

Mr. MITCHELL. Mr. President, we have time limited on the Bosnia amendment. Both Senators, from Iowa and Washington, have already talked on the subject of Haiti longer than the time that I have allotted to me on Bosnia.

I will yield to the Senator an additional 2 minutes out of my time with the understanding that this is the last

of this and we can get on to the pending amendment.

Mr. HARKIN. I just want to say I can associate myself with his remarks, too, because I thought them very thoughtful and very straightforward.

If the Senator wants to say anything else, I yield my 2 minutes to him.

Mr. GORTON. I thank the Senator.

The PRESIDING OFFICER. Who yields time?

Mr. MITCHELL addressed the Chair.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. MITCHELL. How much time remains on the pending amendment?

The PRESIDING OFFICER. The majority leader has 19 minutes 43 seconds. The Senator from Kansas [Mr. DOLE], has 9 minutes 29 seconds.

Mr. MITCHELL. Mr. President, I ask that the clerk read the pending amendment, which we interrupted to accommodate the Senator from Washington earlier.

The PRESIDING OFFICER. Without objection, the clerk will read the amendment.

The legislative clerk read as follows:

At the appropriate place in the bill insert the following:

SEC. . (a) It is the sense of Congress that none of the funds appropriated or otherwise made available by this Act should be available for the purposes of deploying United States Armed Forces to participate in the implementation of a peace settlement in Bosnia-Herzegovina, unless previously authorized by the Congress.

(b) It is the sense of Congress that the limitation set forth in subsection (a) should not preclude missions and operations initiated on or before October 20, 1993, including the provision of any humanitarian assistance by the Department of Defense.

Mr. MITCHELL. Mr. President, there are two notable facts about this amendment. First, it is a sense-of-the-Congress amendment. It does not impose legally binding restrictions upon the President in advance. That is very significant, and it distinguishes this amendment sharply from the amendment previously debated, which attempts to do so in what I believe to be an unwise fashion.

The Congress regularly expresses its opinion in sense-of-the-Senate, sense-of-the-House, or sense-of-the-Congress resolutions. Everyone should understand that these are just that, opinions. They have no legally binding effect although obviously any Chief Executive should, and sensibly in his self-interest, will take into account the opinions of Congress.

So that should be clear. This amendment is a sense of the Congress. It is not a legally binding document.

The second is that this is consistent, where indeed responsive to the prior statements and requests of President Clinton himself.

Earlier today the President delivered to me a letter on this subject.

I ask unanimous consent, Mr. President, that this letter be placed in the CONGRESSIONAL RECORD at this point.

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

THE WHITE HOUSE,
Washington, October 20, 1993.

Hon. GEORGE MITCHELL,
U.S. Senate,
Washington, DC.

DEAR MR. LEADER: The violent conflict in the former Yugoslavia continues to be a source of deep concern. As you know, my Administration is committed to help stop the bloodshed and implement a fair and enforceable peace agreement, if the parties to the conflict can reach one. I have stated that such enforcement potentially could include American military personnel as part of a NATO operation. I have also specified a number of conditions that would need to be met before our troops would participate in such an operation.

I also have made clear that it would be helpful to have a strong expression of support from the United States Congress prior to the participation of U.S. forces in implementation of a Bosnian peace accord. For that reason, I would welcome and encourage congressional authorization of any military involvement in Bosnia.

The conflict in Bosnia ultimately is a matter for the parties to resolve, but the nations of Europe and the United States have significant interests at stake. For that reason, I am committed to keep our nation engaged in the search for a fair and workable resolution to this tragic conflict.

I want to express my lasting gratitude for the leadership you have shown in recent days as we have worked through difficult issues affecting our national security. With your help we have built a broad coalition that should provide the basis for proceeding constructively in the months ahead. Once again you have earned our respect and appreciation.

Sincerely,

BILL CLINTON.

Mr. MITCHELL. Mr. President, I wish to quote from this letter. I will not quote the letter in its entirety but read what I believe to be the pertinent part.

In the letter addressed to me the President says:

The violent conflict in the former Yugoslavia continues to be a source of deep concern. As you know, my Administration is committed to help stop the bloodshed and implement a fair and enforceable peace agreement, if the parties to the conflict can reach one. I have stated that such enforcement potentially could include American military personnel as part of a NATO operation. I have also specified a number of conditions that would need to be met before our troops would participate in such an operation.

I also have made clear that it would be helpful to have a strong expression of support from the United States Congress prior to the participation of U.S. forces in implementation of a Bosnian peace accord. For that reason, I would welcome and encourage congressional authorization of any military involvement in Bosnia.

The conflict in Bosnia ultimately is a matter for the parties to resolve, but the nations of Europe and the United States have significant interests at stake. For that reason, I am committed to keep our nation engaged in the search for a fair and workable resolution to this tragic conflict.

The letter continues but with provisions that are not immediately relevant to this discussion.

So, Mr. President, I hope our colleagues will support this amendment, both as an expression of congressional opinion, not as a legally binding prior restraint upon the President, and because the President himself has indicated both in prior oral statements, and today in a letter, that he welcomes and regards as helpful expressions of support from the Congress prior to any such participation by U.S. forces.

The amendment is simple. It is straightforward. It has the support of the President and the administration. It is authored by the majority leader and the minority leader. I hope very much that my colleagues will support the amendment.

Mr. President, I reserve the remainder of my time. I note the presence of the minority leader.

I yield the floor.

Mr. DOLE addressed the Chair.

The PRESIDING OFFICER. The minority leader, Mr. DOLE, is recognized.

Mr. DOLE. Mr. President, I am sorry I did not hear all of the majority leader's remarks. We have been upstairs for a briefing in S. 407.

But I would just say initially we have been working for several days trying to narrow differences on this amendment and on the Haiti amendment. Obviously, the constitutional question is very difficult. They are not going to be resolved today. Maybe they will never be resolved. But we have come to an understanding on the Bosnian amendment, and I think also on Haiti.

In my view, the lesson of the Somalia debate and the Senate's vote last week is that congressional approval should be obtained in advance of a significant deployment, so that we avoid congressional moves to abruptly terminate an operation after our troops are already engaged in a mission.

Mr. President, I am not seeking to place a straitjacket on the President's powers as Commander in Chief, as some former executive branch officials have suggested. Indeed, I am trying to construct a political flak jacket to protect against congressional artillery once a deployment is underway.

Some have suggested that I am offering my amendments because there is a Democrat in the White House. Well, I would call to their attention an Associated Press story from November 13, 1990—a story which said a Senator called on the President to call Congress back into session and seek its approval for United States troop deployments in the Persian Gulf. The President was George Bush, the Senator was the Senate Republican leader. I said, "I think it ought to be put to the Congress, put up or shut up." It was my view that obtaining congressional support for our Persian Gulf policy would help build a consensus among the public. Mr. President, my views have not changed.

My amendments are not designed to tie the President's hands or to limit his ability to act in the protection of American interests. Having read their numerous editorials in support of thousands of pages of congressional restrictions on assistance to Nicaragua, and certifications on United States troops in El Salvador, I find it fascinating that the New York Times and the Washington Post are new converts to the doctrine of Presidential flexibility. It is certainly a 180-degree turnaround from their support for congressional amendments during the 1980's which precluded military, intelligence, and other options with respect to United States policy toward Central America. I do not know if the editorial writers read my amendments, but if they did, they ignored the flexibility in the text. In any case, I welcome the Post's and Times' conversion and hope it will continue when a Republican returns to the White House.

Mr. President, I do not believe that we should tie the President's hands, but I do not believe the Congress should sit on its hands, either.

It is a big, big responsibility; Congress has a lot of responsibility. If more people would listen to the briefing in S. 407, we would probably understand that responsibility more. I suggest to my friends who did not get the briefing today that you ought to get that briefing before we vote on any Haiti amendments.

What I am seeking to do is to find the right balance between Presidential prerogatives in commiting U.S. forces to military operations, in particular, multilateral and peacekeeping operations, and congressional prerogatives in appropriating funds for those activities.

To remind those outside the Congress who are watching and commenting on this debate, it is the Congress which has the power of the purse. It is the Congress which appropriates funds for foreign aid, for military bases abroad, for NATO, and for the United Nations, among other things.

It has not been my intention to usurp the President's authority in foreign policy—and in my view even my original amendments did not do so. Indeed, I would not have directed my staff to meet with administration staff to listen to the President's concerns and to make changes in the amendments to address those concerns if that were the case.

But, as the debate last week on Somalia demonstrated, the Congress will not go along and quietly foot the bill, especially if Americans are sent into harm's way for missions that are questionable, unclear, or do not reflect United States interests.

Some of my colleagues say that the Congress should not seek to give approval prior to a deployment, that we should wait and pull the plug later, if necessary. Mr. President, there is no constitutional requirement for Congress to wait for body bags before we make our views on a particular mission of operation known.

I cannot for the life of me say that we have a right to bring them home or to cut off funding, but we do not have the right to say they should not go in the first place. If it is a bad idea, if it is a bad operation, if it is putting Aristide back in power, for example, which has now been suggested, then I think we ought to speak up ahead of time. We ought to do it in advance, in fairness to the President, fairness to the American people, and certainly to all of us who should have a role in foreign policy as explained by many of my colleagues on both sides of the aisle in the past week.

Moreover, I believe that it is in the President's interest to have congressional approval in advance.

A few weeks ago, following his meeting with Bosnian President Izetbegovic, President Clinton was asked by reporters whether he would agree to the Bosnian Government's request for a guarantee of United States participation in implementation of a potential peace settlement. President Clinton responded and I quote:

> I've been willing to do that since February. But in order to do it, we have to have a fair peace that is willingly entered into by the parties. It has to be able to be enforced or, if you will, be guaranteed by a peacekeeping force from NATO, not the United Nations, but NATO. And, of course, for me to do it, the Congress would have to agree.

Last week, the Foreign Relations Committee held a hearing on United States policy toward Bosnia and Herzegovina at which Assistant Secretary Stephen Oxman and Ambassador Victor Jackovich testified. The distinguished chairman of the Foreign Relations Committee, Senator PELL, offered to hold this hearing during the Senate's debate on the foreign operations appropriations bill. At that time, I was considering offering an amendment which would have called on the President to seek congressional approval prior to committing United States forces to implement a peace settlement in Bosnia.

The Chairman agreed to hold hearings.

In light of the distinguished chairman's offer to hold hearings on United States policy toward Bosnia, I decided not to offer my amendment. I would like to thank Senator PELL for acting so quickly. Unfortunately, in his testimony, Secretary Oxman seemed to walk back the President's remarks.

Mr. President, I believe that it is critical that the Congress thoroughly consider United States policy toward Bosnia, especially since the President has made a tentative commitment to send as many as 25,000 United States troops to enforce a possible Bosnian settlement. Such a debate, in addition to congressional authorization would be necessary, in my view, even if a smaller number of ground troops were to be deployed.

And so, I am pleased that as a result of my discussions with the White House, the President has sent a letter to me which states that, and I quote:

> I have also made clear that it would be helpful to have a strong expression of support from the United States Congress prior to the participation of United States forces in implementation of a Bosnian peace accord. For that reason, I would welcome and encourage congressional authorization of any military involvement in Bosnia.

In view of the President's letter welcoming congressional authorization prior to sending United States troops to Bosnia to implement a settlement, I have removed the funding prohibition from my amendment. Therefore, my amendment now states that it is the sense of the Senate that none of the funds appropriated by this bill should be available for the purposes of deploying United States Armed Forces to participate in the implementation of a peace settlement in Bosnia and Hercegovina, unless previously authorized by the Congress. It also states that such authorization should not apply to missions and operations initiated on or before today, such as the humanitarian airlifts into Sarajevo, the NATO no-fly zone, current NATO overflights, or NATO airstrikes designed to stop the shelling of Sarajevo, which has dramatically increased over the past few days.

Mr. President, I believe that I was not alone in thinking that the President had committed to seeking congressional approval, and, I believe that I am not alone in thinking that the President should receive congressional approval in advance of sending United States ground forces to Bosnia. I am pleased that the President has taken the same view.

Mr. President, sending 25,000 troops to Bosnia is not a minor matter. This is a massive undertaking which would put American lives in harm's way for a dubious and, in my view, unprincipled purpose. This proposal must be thoroughly considered by the Congress and voted on.

I have long believed that the United States has clear interests in Bosnia and Herzegovina. I believe that the integrity of international laws and principles, including the Helsinki accords and the United Nations Charter, are at stake in Bosnia. I believe that regional stability is also at stake in Bosnia.

However, I do not believe that the current Owen-Stoltenberg plan protects or promotes those interests. This U.N.-mediated plan rewards aggression—and in so doing, it undermines the international order and fundamental international principles, such as the territorial integrity of internationally-recognized states.

And so, if the Bosnians succumb to international pressure and agree to

this plan, what the Congress will have to decide is whether to send thousands of American men and women into a dangerous environment, to protect territorial gains made through the most deplorable means of ethnic cleansing.

Mr. President, my hope is that as we discuss this issue further, the administration will realize what some of us here already realize: that the Owen-Stoltenberg plan is fatally flawed, but that there are still other options—options which would support the sovereignty of the Bosnian State, promote its survival, are less costly in lives and in dollars, and which would not undermine the very values and principles that this country stands for.

There have been consultations with the Congress on Bosnia, and in those meetings, Members have raised moral, political, and military concerns about the current Owen-Stoltenberg plan. Yet, in those same meetings and in House and Senate legislation, the Congress has supported the President on lifting the arms embargo—unilaterally, if necessary—and we have authorized the necessary funds to provide arms and other military equipment to the Bosnian Government. It seems to me that the administration, until recently, has listened more to the United Nations and Europeans, and less to the Congress.

I hope that through this amendment, and my amendment on Haiti we will have started a process of genuine consensus-building between the executive branch and the Congress, not just on Bosnia and Haiti, but on all of these difficult post-cold-war foreign policy matters. I hope that we can come to a mutual understanding on the appropriate role of the United Nations in U.S. foreign policy, as well. I would like to thank the President and his staff for working with me on these amendments and look forward to continuing such a dialog and constructive relationship on foreign policy in the future.

I guess the final point I would make, this is a very, very gray area. It is not going to be easily resolved. But Congress does have some authority. I do not fault the President of the United States. Every President of the United States has always said that any encroachment upon his power as Commander in Chief or President of the United States as outlined in article 1 of the Constitution, would be inappropriate, whether it is President Bush, or President Carter or, I suppose it goes back to George Washington.

If we are talking about sending 25,000 Americans to Bosnia to keep a peace, that may be forced on this small country of Bosnia at a cost of a couple billion dollars a year, if Congress does nothing, if we do not have something on the record to indicate at least we wanted prior authorization, then I believe we would be making a mistake. And then I believe the American people can properly say, "Where was Congress? They waited until the 25,000 Americans were there. They waited until some were killed, or wounded, and then they said, 'Bring them home.'"

My view is that it helps the President, and it also brings together the American people, just as it did in the gulf crisis when we voted to authorize the use of U.S. military force in that region.

So, Mr. President, I do not want to overuse my time, but I think the majority leader discussed the President's letter, and I appreciate that very much.

This is a sense-of-the-Senate resolution, not a statute, but it is still a very clear message from the Congress on what we believe should happen. I have every confidence that the President will respect that.

We have changed the amendment, and I thank my colleague, the majority leader for his initial efforts and for the efforts of the past couple of days. We make it very clear what missions this does not apply to in our amendment. It does not apply to humanitarian airlifts in Sarajevo, the NATO no-fly zone, current NATO overflights, or NATO air strikes, which have been talked about by the administration, to stop the shelling into Sarajevo, which has increased in the past few days.

I reserve the time I have left.

Mr. MITCHELL. Mr. President, the Constitution assigns to the President the sole authority as Commander in Chief of the Armed Forces of the United States. The very same Constitution assigns to the Congress the sole authority to declare war and the authority to raise, in our terminology, "appropriate" funds for the maintenance of any Armed Forces.

This is one part of an overall constitutional scheme that is intended to prevent the accumulation of power in any one branch of Government, in any institution, or individual. The war-making power cannot be properly evaluated in isolation from the entire division of the powers which underlies the entire Constitution.

The men who wrote the American Constitution had as their central purpose the prevention of tyranny in America. They were brilliantly successful, and in more than 200 years of national history, we have had 42 American Presidents and no American kings. But, inevitably, the division of power creates ambiguities, it creates problems and inefficiencies that lead to tension and conflict between the two branches of Government, and nowhere has that tension been repeated more often, and been less capable of final resolution than in the area of war-making powers.

It has been especially a problem in recent years when we have repeatedly encountered circumstances in which conflict occurs, but falls short of a general war. The War Powers Resolution, adopted by the Congress in 1973, was an attempt to bring the war-making powers of the Constitution up to date. It was a well-intended, well-meaning effort; it plainly was defective. No President, Democrat or Republican, has ever acknowledged the validity or the effectiveness of the act, and no Congress has been able to implement the act in all the time since then. The result is that we now have the current situation.

I support this amendment because it is an expression of congressional opinion, a right which every Congress, of course, has, indeed, every American has. I also support it because it does not purport to impose prior restraints upon a President performing the duties assigned him under the Constitution. Any President acting in self-interest and in the interest of the country, must and will take into account the views of Congress—that is just plain common sense—as I am confident this President will.

But I think it is a very different matter, and everyone should understand the significance of the difference, for the Congress to say, "Mr. President, here is what we think you ought to do." It is very different for the Congress to say, "Mr. President, by law, we prohibit you from doing this." This falls in the former category. This is not a prior restraint. I do not favor prior restraints. I believe they plainly violate the Constitution.

But this is an important matter. This is an area of substantial conflict, and it is conceivable that Americans may be called upon to participate in the implementation of a peace settlement there. The President has said, both orally and today in writing, that he welcomes congressional support prior to any major action and, therefore, this amendment is not only appropriate as an expression of congressional view but is consistent with the previously expressed view of the President himself.

I think we all ought to be careful when we get into the areas of trying to legislate, by law, prior legal restraints upon a President's authority. And so, Mr. President, I hope very much that Members of the Senate will support this amendment in the context, and in the spirit, which I have described and in which it has been offered.

I say further that a few years ago, I, and a group of other Senators, proposed a series of substantive changes to the War Powers Resolution. Senator BIDEN, who is present on the floor, is perhaps the Senate's leading expert on the subject, and he himself had other suggestions with respect to that same resolution. I hope before we finish, we will take action on an expression by the Senate of our desire to revisit that subject in the light of what is occurring in the world today.

Mr. President, how much time do I have left?

The PRESIDING OFFICER. The majority leader has 8 minutes 10 seconds.

Mr. MITCHELL. I would like to comment on that, if I might, in a minute. If no other Senator wishes to use part of my time on this subject, otherwise——

Mr. NUNN. I wanted to comment on the War Powers Act.

Mr. MITCHELL. I will make a brief further comment on that, Mr. President. I believe this to be particularly significant in light of the unique situation in world history and the unique status of the United States in the world.

The United States now has the most powerful military force in the world. Indeed, it is the most powerful military force in all of human history. The United States is regularly referred to as the sole superpower, and that is clearly the case.

If you go back through history, the time of domination of the so-called British Empire, the Hapsburg Empire, the Ottoman Empire, Roman Empire, rarely, if ever, in history, has the dominant military power been invited by other countries to send its military forces onto their lands. Indeed, almost always throughout history, the dominant military power had to fight its way onto other's soils. It had to gain control of other peoples by force and maintain control by force.

Because of what I believe to be the greatness of American ideals, because of the greatness of America as a country which does not seek control and dominion over other people, people the world over trust us.

I have met with the leaders of almost every country in Europe, including the leaders of the current Republics that used to make up the Soviet Union. I asked each of them since the Soviets are withdrawing their forces from Western Europe, do they believe Americans should withdraw military forces from Western Europe. The answer unanimously has been "No." They want American military forces on their soil.

It is a situation unique in history, but it also is one that means we are going to be called upon over, and over, and over again to deploy forces to other countries, and we have to think about that very carefully. We have to try to devise standards or criteria by which we can measure such requests, to be able to say "no" when it is appropriate, to be able to say "yes" when it is appropriate.

That is why I think we want to get back to a careful and thorough review of the War Powers Resolution. I hope we will do that.

Before I use up my time, I yield 2 minutes to the Senator from Georgia.

The PRESIDING OFFICER (Mr. WOFFORD). The Senator from Georgia.

Mr. NUNN. Mr. President, I commend the majority leader for his leadership in working this matter out. I, myself, if I had my preference, I see no need to legislate on Bosnia because the President of the United States has made a public commitment that he is going to seek the authority of the Congress before he makes a large troop deployment in Bosnia. He has made that commitment. He has reiterated this in a letter that I believe the majority leader has already put in the RECORD. But if we are going to speak on this subject, I think this is the way to do it: A sense-of-the-Senate resolution.

This is not a part of law, but it is part of a political statement and an expression of expectations by the United States Senate that I think has a considerable amount of sway and certainly reiterates what the President of the U.S. has already committed in this respect.

So if we are going to speak on the subject, the sense-of-the-Senate resolution, I think, is the appropriate way to handle it.

On the War Powers Act, the majority leader, Senator MITCHELL, and I, Senator BYRD, and Senator WARNER—and I believe Senator LUGAR and others—about 2 years ago introduced a revision, a very substantial revision of the War Powers Act. I welcome the opportunity to revisit that legislation and to see if it is appropriate for the circumstances today.

But one thing is for sure, Mr. President: The War Powers Act, as it is now constructed, will never work, because the War Powers Act basically says if Congress does not act, the President of the United States has to remove American forces from countries where they are to be committed. In other words, the omission by Congress, or the nonfeasance by Congress, would require the executive branch to make troop movements out of a commitment already made by the Commander in Chief.

If Congress is going to deal with these matters, we have to deal with them by affirmative action, and I think that is the heart of the revision we need to think about on war powers. Plus, we need to strengthen the consultative mechanism so we have much more consultation between the executive branch and Congress.

Mr. President, I thank the majority leader, and I yield back any time I have.

The PRESIDING OFFICER. The majority leader.

Mr. MITCHELL. 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. MITCHELL. Mr. President, I yield 2 minutes to the Senator from Delaware.

Mr. BIDEN. Mr. President, I thank the majority leader. I will just take 30 seconds.

I share the view expressed by everyone here on the floor that it is time for us to address in an institutional sense the relationship between the executive and legislative branch relative to the conflict in the Constitution. We tried it through the War Powers Act.

For all the reasons the majority leader said, it has not functioned; it has not worked. Our discussions, all of us on this floor, with the administration, as well as among ourselves, has led us to the conclusion this is a propitious time for us to revisit that subject, and it should be done in that comprehensive manner.

I wish we were not even doing these piecemeal efforts here. They are necessary as a political requirement, as well as a substantive requirement. But I hope tomorrow we will have available for the Senate a similar resolution calling on the Congress, with the consent of the administration, to work out a new mechanism over a period of time resulting in a piece of legislation to come back at some point for the consideration of the Senate.

I thank the leader. I appreciate his yielding me the time.

I yield the floor.

Mr. DOLE. Mr. President, do I have any time remaining on this side?

The PRESIDING OFFICER. The Senator has 51 seconds.

Mr. DOLE. Mr. President, I want to quote from a letter from the ACLU, which I have rarely done in my lifetime. In fact, they will probably close up if I do this.

But this is what the paragraph says:

> The ACLU believes that the Constitution requires prior congressional authorization for the President to use any type of military force in Haiti—

The same to apply to Bosnia—

> other than in self-defense or to protect the lives of Americans. The general constitutional war powers embodied in Article I, section 8, clause 11—which grants to Congress "the power to declare war [and] grant letters of marque and reprisal"—applies to all situations in which U.S. forces are authorized to use military force abroad, except "to repel sudden attacks."
>
> The Clinton Administration has suggested that any congressional limitation on the use of force would interfere with the President's Commander in Chief powers. The President claims that the "Constitution leaves to the President, for good and sufficient reasons, the ultimate decision-making authority" on when to use force. This is a gross misinterpretation of the Constitution. The decision on whether to commit the United States to military action abroad is explicitly Congress's to make. Once the initial decision has been made, then the President does have full authority as Commander in Chief to decide how to use them. In addition, the President can act unilaterally in emergency situations involving attacks on U.S. territory, U.S. forces, or U.S. persons held abroad.

This is the last time I may quote the ACLU for some time.

I ask my colleagues to weigh their opinion very carefully, because it is precisely what we suggest in our amendment.

Mr. LEVIN. Mr. President, I support this sense-of-the-Senate resolution on the subject of potential deployment of United States Armed Forces as part of any effort to support a peace accord in Bosnia and Herzegovina.

Relative thereto, I believe that President Clinton has made it very clear that he would consult fully with Congress and would seek expression of support from Congress.

I also believe that this resolution's goals would be satisfied if President Clinton makes a good faith effort to give Congress a chance to approve or disapprove any deployment of U.S. forces if Congress is not in session at the time, by giving the congressional leadership an opportunity to call Congress back into session for that purpose.

If a majority of Congress supports a deployment or shows an unwillingness to disapprove a deployment, I believe that would also constitute good faith compliance with the intent of this amendment. Otherwise, a filibuster in the Senate could deny the President the expression of majority sentiment this resolution contemplates.

Mr. WARNER. Mr. President, I am pleased to support the Dole-Mitchell amendment, which expresses the sense of the Congress that the President should seek prior congressional approval for any deployment of United States troops to participate in the implementation of a peace settlement in Bosnia.

I have long advocated a cautious approach to United States military involvement in the tragic civil war in Bosnia. United States military personnel should not be put at risk in Bosnia unless Congress authorizes United States military involvement.

If the three warring factions in Bosnia are able to conclude a peace agreement—and they are truly committed to implementing it—the United States should consider providing troops, along with our allies, to help monitor the implementation of that peace plan.

Congress must play a major role in making any decision to commit United States forces to Bosnia to implement a peace agreement, because those troops may find themselves in harm's way.

The administration has discussed the possibility of sending 25,000 United States troops to Bosnia for such a peacekeeping mission. The administration has conditioned U.S. troop participation in such an operation on a number of factors, including the following: NATO command and control for the operation; an agreed exit strategy; an understanding about which nations will contribute forces and who will bear the financial responsibilities for the operation; and congressional authorization prior to the deployment of United States ground troops to Bosnia.

Regardless of the fact that U.S. troops participating in a peace plan implementation mission would technically be considered peacekeepers, peacekeeping troops in volatile situations can quickly find themselves in a hostile and deadly environment.

The Dole amendment is intended to allow the Congress to play its appropriate role in the decision to deploy U.S. troops to such a hostile environment.

When and if all sides in Bosnia agree to a peace plan, the President should present his plan for United States troop deployments to the Congress for approval.

As the Republican leader noted, debate has occurred for 200 years over the respective military and foreign affairs powers of the President and the Congress under the Constitution. He referred to this as a gray area. I see it as an area of shared powers. Our goal is to find the best way to advance the Nation's interest through the coordinated exercise of these shared powers. The Dole-Mitchell amendment is designed to accomplish this on the question of support for implementation of a peace plan for Bosnia. I urge support of the Dole-Mitchell amendment.

Mr. MACK. Mr. President, I want to be clear about my reasons for supporting this amendment.

I recognize and support absolutely the power of the President to make and carry out foreign policy. However, I am mindful of the consequence of this particular action by the Senate.

This amendment represents the sense of Congress. It lacks the force of law. Thus, it is utterly devoid of meaning insofar as it restricts the ability of the President to act as he sees fit. However, the message behind this action is unmistakable.

The President has lost the confidence of the Senate and the American people in his ability to create and administer foreign and military policy. In coming to this judgment, I am filled with sadness and anger that the brave men and women of the U.S. Armed Forces should be sent into harm's way under these conditions.

This amendment, though toothless, is a clear warning shot directed at the Clinton administration's foreign and military policy team. They would do well not to try the patience of the Congress and American people any further.

The PRESIDING OFFICER. The majority leader.

Mr. MITCHELL. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. One minute.

Mr. MITCHELL. Mr. President, I conclude by thanking the Republican leader for his cooperation on this matter, and the Senators involved—Senator BIDEN, Senator DODD, Senator NUNN, Senator GRAHAM, and Senator PELL, who has been very much involved in this effort in a most constructive way—and many others.

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

The PRESIDING OFFICER. The question occurs on amendment No. 1073, offered by the Senator from Maine [Mr. MITCHELL]. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 99, nays 1, as follows:

[Rollcall Vote No. 320 Leg.]

YEAS—99

Akaka	Faircloth	McCain
Baucus	Feingold	McConnell
Bennett	Feinstein	Metzenbaum
Biden	Ford	Mikulski
Bingaman	Glenn	Mitchell
Bond	Gorton	Moseley-Braun
Boren	Graham	Moynihan
Boxer	Gramm	Murkowski
Bradley	Grassley	Murray
Breaux	Gregg	Nickles
Brown	Harkin	Nunn
Bryan	Hatch	Packwood
Bumpers	Heflin	Pell
Burns	Helms	Pressler
Byrd	Hollings	Pryor
Campbell	Hutchison	Reid
Chafee	Inouye	Riegle
Coats	Jeffords	Robb
Cochran	Johnston	Rockefeller
Cohen	Kassebaum	Roth
Conrad	Kempthorne	Sarbanes
Coverdell	Kennedy	Sasser
Craig	Kerrey	Shelby
D'Amato	Kerry	Simon
Danforth	Kohl	Simpson
Daschle	Lautenberg	Smith
DeConcini	Leahy	Specter
Dodd	Levin	Stevens
Dole	Lieberman	Thurmond
Domenici	Lott	Wallop
Dorgan	Lugar	Warner
Durenberger	Mack	Wellstone
Exon	Mathews	Wofford

NAYS—1

Hatfield

So the amendment (No. 1073) was agreed to.

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

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

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Ohio.

ORDER OF PROCEDURE

The PRESIDING OFFICER. Under the previous order, the Republican leader is to be recognized to offer an amendment on Haiti on which there will be 60 minutes of debate tonight.

The majority leader is recognized.

MORNING BUSINESS

Mr. MITCHELL. Mr. President, I ask unanimous consent that there be a period of morning business for 15 minutes, with Senators permitted to speak therein for up to 5 minutes each.

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

The Senator from Arizona.

FREEDOM OF THE PRESS

Mr. DECONCINI. Mr. President, there is no doubt President Yeltsin faced a grave crisis 2 weeks ago when armed insurgents threatened to take Moscow by force, but the army's backing of Yeltsin demonstrated that he has the power to crush his opposition. There is also no doubt that Mr. Yeltsin retains real popularity among most Russians while his opponents in the Parliament were held in very low esteem.

Mr. President, as history clearly demonstrates, power and popularity will not necessarily lead to democracy and reform. I regret Mr. Yeltsin has been acting very much the authoritarian in dealing with the opposition party. One specific instance is a government decree that has closed 13 opposition newspapers. Two other newspapers have been ordered to change their names and to fire their editors.

Granted, some of these newspapers were detestable, filled with rabid nationalist and antisemitic ravings. But there are laws in Russia to deal with slander and libel and such matters should be handled by an independent judiciary, not executive fiat.

These moves against the press and the barring of certain parties from participating in the upcoming parliamentary elections are ominous. As chairman of the Helsinki Commission, I urge Mr. Yeltsin to reconsider these ill-conceived and undemocratic attempts to silence his opposition.

I fully recognize the nature of the provocation and danger that President Yeltsin has faced. Even much better established democracies ban political parties on occasion. Germany does not allow the Nazi party to function, and last spring banned several neo-Nazi parties after antiforeign violence and criticism outside Germany of judicial leniency toward pro-Nazi perpetrators was paramount.

Much of the international community welcomed these moves, but Germany did not confront an armed attempt to overthrow the state, as took place in Moscow on October 3 and 4. It is understandable that the urge to push such fringe groups and individuals out of the political process will be much stronger in Russia. But President Yeltsin must distinguish between truly marginal hate groups and those that represent more serious constituencies and political perspectives that simply are at variance with his own. Despite Yeltsin's disapproval, Pravda, for example, is a mainstream publication even if it longs for the U.S.S.R., a planned economy and social guarantees.

The issues Pravda addresses speaks to many Russian citizens whose living standards have plunged. Yeltsin's planned reforms, which will lead to bankruptcies of large state enterprises and unemployment, affect millions of people who have the right to voice their disagreement, plain and simple, and Pravda was that voice.

Merely demanding that editors step down will not change that fact. I firmly believe President Yeltsin still offers the best hope for reform. The reform process itself must be driven objectively, in my judgment, in order to have credibility with the United States and other foreign nations.

For that reason, Congress and the administration must voice concern when Russia's reformer No. 1 uses unacceptable means to achieve those reforms.

A Washington Post article quoted the head of Mr. Yeltsin's security ministry—formerly the KGB—as saying that "his agency would monitor political opponents more carefully." This is an unpromising beginning and a dangerous thing. If we do not say so, we will not help Yeltsin and could, in fact, strengthen the hardliners.

The critical preelection period should be an open political process. Opposition parties must be allowed to freely conduct their campaigns within the limits of Russian law. The Helsinki Commission, like many other election monitoring groups, will observe the balloting on election day. But the Commission also intends to send staff to Russia before voters go to the polls to study the opportunities candidates have to campaign freely.

President Yeltsin has often demonstrated his courage in the past. I urge him now to demonstrate his leadership by restoring an essential component of any democracy and any reform process—freedom of the press—to Russia. Without this, I see little hope that the upcoming Russian elections will yield anything more than further instability in that troubled country. The dreams and talents of the Russian people deserve better.

IRRESPONSIBLE CONGRESS? HERE IS TODAY'S BOXSCORE

Mr. HELMS. Mr. President, anyone even remotely familiar with the U.S. Constitution knows that no President can spend a dime of Federal tax money that has not first been authorized and appropriated by Congress—both the House of Representatives and the U.S. Senate.

So when you hear a politician or an editor or a commentator declare that "Reagan ran up the Federal debt" or that "Bush ran it up," bear in mind that it was, and is, the constitutional duty of Congress to control Federal spending. Congress has failed miserably in that task for about 50 years.

The fiscal irresponsibility of Congress has created a Federal debt which stood at $4,403,899,372,803.47 as of the close of business yesterday, October 19. Averaged out, every man, woman, and child in America owes a share of this massive debt, and that per capita share is $17,145.20.

A TRIBUTE TO BROTHER AUGUSTINE PHILIP NELAN, FSC

Mr. D'AMATO. Mr. President, on October 5, 1993, Brother Augustine Philip Nelan, FSC passed away in New York at the age of 88 years. Brother Philip had returned to Manhattan College in New York City from Washington last November after completing his work as an adviser to the National Restaurant Association on the hiring of the handicapped in the food service industry. For 14 years, Brother Philip worked closely with food service companies, State vocational rehabilitation programs, and private training agencies to encourage the employment of people with disabilities. He testified before Congress during the consideration of the Americans With Disabilities Act and served on the President's Committee on Employment of People With Disabilities. His contributions to advancing the cause of handicapped workers were great, but they were only one part of a lifetime vocation to serve.

Brother Philip returned to Manhattan College to pursue his fourth career as art curator. In this capacity Brother Philip worked to catalog and prepare for sale art that had been donated to the college in order to further Manhattan's role as a first class institution. At the end of the summer Brother's health began to fail and after a courageous fight to recover he passed from us. At Brother Philip's wake his good friend Brother Luke Salm, FSC delivered a beautiful eulogy that I ask unanimous consent to be included in the RECORD.

BROTHER AUGUSTINE PHILIP NELAN, FSC

It is common at the wake of elderly persons to hear that death has come as a mercy, sometimes even with the implication that the entry into the possession of an eternal reward was long overdue. Except for the last week or two, that was hardly the case with Brother Philip Nelan. His rapid decline and sudden death come as a shock to us who knew so well his vigor and vitality, his wide-ranging interests, and his zest for life. It is as if we were mourning the loss of a young man cut down in his prime.

Brother Philip did not speak very much about his early childhood. An outsider can only reconstruct what the source of young Thomas Nelan's zest for life must have been in the family of his parents, Philip and Hannah Nelan. The subsequent history of the siblings gives a clue: witness the religious vocations of his sister Margaret and his brother Fred, the vibrant families raised by his sister Helen and her husband Stephen

Schweitzer, those of his brothers and their wives, John and Kathleen, Philip and Mae, Joseph and Marie, Raymond and Marguerite. The Nelan grandchildren now grow in the glow of ancestral love and life.

Baptized in the Church of the Ascension and educated in Holy Name School, Thomas Nelan must have developed something of his competitive edge in the famous rivalry that developed between those two New York Irish parishes. Upon graduation from Holy Name School in 1920, he responded with typical and youthful generosity to God's call to share in the mission entrusted by the Church to the Institute of St. John Baptist de La Salle. After two years in the Juniorate at Pocantico Hills, he entered the Novitiate and on September 7, 1922, was invested with the religious habit, and given the name Brother Augustine Philip. In those days it was not uncommon for Brothers to be given names like Aquilinus or Berthulian or Castoris. But Brother Philip was lucky, and all his life he preferred to sign himself and be known as Augustine Philip.

It didn't take long for the superiors to recognize that they had a talented young man on their hands. After only one year of teaching grade school in Newburgh, Brother Philip was assigned to the big time. At Bishop Loughlin High School in Brooklyn (later named St. Augustine's), a scholarship school, he joined a distinguished faculty, many of whom later became his confreres at Manhattan College. In the course of seven years in Brooklyn in an age before specialization, the record shows that he taught courses in math, chemistry, English, Latin, and, of course, Religion. Teaching religion, and teaching it with creativity and verve, remained a passion with him right through his college teaching career.

In 1933 he came to Manhattan College. For the next thirty years, he exercised his talent for vigorous and imaginative leadership. As professor and chair of the English department, executive vice-president, and then president, he used his intelligence, vision, and clout to bring into being an impressive list of new academic ventures: the innovative program in the liberal arts, the beginnings of the full time faculty in theology, an independent department of psychology, a program in nuclear physics, a new department of chemical engineering, a program in forensic psychology for the police, and the air force officers training program. In the days of fiscal conservatism he prevailed over the nervous nellies among the higher superiors and his own financial officers to build Jasper and Thomas Hall.

In the midst of all this, he never lost his love of learning and letters. Ever the omnivorous reader, for more than thirty years he met regularly and informally with a circle of faculty, their wives, and some of the Brothers to discuss and dissect everything from Oedipus to Undset.

As Director of the Brothers' community, Brother Philip was considerate of the needs of the Brothers and, despite the pressures of college affairs, was ever available to them. His Sunday morning conferences to the community were well prepared and models of their kind. He had the courage and the tact to deal effectively with the divisions among the Brothers, the faculty, and the resident clergy over the issues that surfaced during the McCarthy hearings. At the end of his term as president and Director in 1962, he could look backward on a mighty achievement and would have been excused if he sought a sinecure assignment to disguise a well deserved retirement.

But retirement was not on his mind. His experience was at first brought to bear on a proposal for a new college in the LI-NE District. When that project, through no fault of his, came to naught, he answered the call of the Pacific to become Auxiliary Visitor in charge of the Philippines. Shaken out of their complacency, both the missionary and the Philippine Brothers entered into a period of modernization and development that has yet to run its course. Back in the States, Brother Philip turned his experience, his faith, and zeal to direct the Foreign Services Council (FSC) designed to assist the missionary activities of the Brothers in Latin America, Asia, and Africa. In that capacity he participated actively in the mission commission of the 1967 General Chapter.

Brother Philip celebrated his golden jubilee in 1972. No sign of retirement. Soon he was actively engaged in bringing to a successful conclusion the negotiations for the sale of De La Salle College, Washington. In 1978 at the age of 72 he became involved with the National Restaurant Association and its programs for rehabilitating the handicapped. For the next fourteen years, with amazing determination and energy, he logged tens of thousands of miles annually, flying from coast to coast and remote places in between, to find jobs for the handicapped in the food industry. Not only did this effort restore a sense of usefulness and dignity to countless handicapped persons nationwide, but the restaurant owners and managers themselves were enriched by the presence of this black-suited witness to the living Christ. We can be sure Saint De La Salle would have approved.

In 1992 Brother Philip returned to Manhattan, but not to retire. He was able and anxious to help in the development program and agreed as well to take charge as curator of the College's art collection. He continued his daily walks, to read everything he could get his hands on, and would enter into earnest conversation with anyone who will listen. One would have thought that he could live forever.

Joining last August with a group of Brothers in a week of relaxation at Montauk, Brother Philip began to experience weakness and loss of appetite. The eventual diagnosis indicated by-pass surgery, which, at 87 years old, he survived with remarkable resiliency and so pursued an apparently successful program of rehabilitation. Meanwhile, the doctors prescribed a new course of treatment for a chronic skin problem. The side effects of the medication proved to be painful and debilitating and ultimately too much for his noble heart.

The theme that was stressed in the celebration of Brother Philip's 70th anniversary a year ago was vision and vitality, his zest for life. Despite his death, these perdure. His vision, we believe in faith, must now be beatific, his life now eternal, his zest for life fulfilled in the full possession of the dynamic life of his living and ever-loving God.

LUKE SALM, FSC.

TRIBUTE TO MR. ARCHIE D. GRIMMETT

Mr. SIMON. Mr. President, I rise today to salute my constituent Archie D. Grimmett on the occasion of his retirement from the Federal Government.

Mr. Grimmett, a native of East St. Louis, IL, will retire as Assistant Deputy Chief of Staff, Civilian Personnel, of the U.S. Army, Europe and 7th Army Unit 29351 this week. The Federal personnel community is indeed far richer as a result of Mr. Grimmett's contributions. From his early days at the U.S. Commission on Civil Rights to his many programmatic innovations while at Army, Mr. Grimmett has embodied what it means to be a true human resource professional.

A culminating achievement of Mr. Grimmett's outstanding career as a Federal executive is the way in which he has supported the drawdown of our forces in Europe. His humanity and concern for people marked every phase of the initiative, requiring a complete reorganization of the civilian personnel office structure to support the entire effort. All of this was achieved in a climate of caring and concern, with people's needs being the primary value. This was indeed a true accomplishment in a difficult time.

Mr. Grimmett is one of those very special people who exemplifies the spirit of what it means to be a public servant to America. I would like to offer my sincere congratulations and thanks to him for his enormous contribution over a distinguished career and I wish both him and his family well in their future endeavors.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Edwin R. Thomas, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 10:22 a.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 914. An act to amend the Wild and Scenic Rivers Act to designate certain segments of the Red River in Kentucky as components of the national wild and scenic rivers system, and for other purposes.

The message also announced that the House agrees to the report of committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 2491) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and

offices for the fiscal year ending September 30, 1994, and for other purposes; it recedes from its disagreement to the amendments of the Senate numbered 18, 57, and 129 to the bill and agrees thereto; and that the House recedes from its disagreement to the amendments of Senate numbered 38 and 113 to the bill, and has agreed thereto, each with an amendment, in which it requests the concurrence of the Senate.

The message further announced that pursuant to the provisions of section 3(a) of Public Law 86-380, the Speaker appoints to the Advisory Commission on Intergovernmental Relations the following Members on the part of the House: Mr. PAYNE of New Jersey, Mr. MORAN, and Mr. SCHIFF.

The message also announced that the House disagrees to the amendments of the Senate to the bill (H.R. 2401) 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, and agrees to the conference asked by the Senate on the disagreeing votes of the two Houses thereon; and that the following Members be appointed as the managers of the conference on the part of the House:

From the Committee on Armed Services, for consideration of the entire House bill and the entire Senate amendment, and modifications committed to conference: Mr. DELLUMS, Mr. MONTGOMERY, Mrs. SCHROEDER, Mr. HUTTO, Mr. SKELTON, Mr. MCCURDY, Mrs. LLOYD, Mr. SISISKY, Mr. SPRATT, Mr. MCCLOSKEY, Mr. ORTIZ, Mr. HOCHBRUECKNER, Mr. TAYLOR of Mississippi, Mr. ABERCROMBIE, Mr. ANDREWS of Maine, Mr. EDWARDS of Texas, Mr. UNDERWOOD, Ms. HARMAN, Mr. SPENCE, Mr. STUMP, Mr. HUNTER, Mr. KASICH, Mr. BATEMAN, Mr. HANSEN, Mr. WELDON, Mr. KYL, Mr. RAVENEL, Mr. DORNAN, Mr. HEFLEY, and Mr. MACHTLEY.

As additional conferees from the Permanent Select Committee on Intelligence, for consideration of matters within the jurisdiction of that committee under clause 2 of rule XLVIII: Mr. GLICKMAN, Mr. RICHARDSON, and Mr. COMBEST.

As additional conferees from the Committee on Banking, Finance and Urban Affairs, for consideration of sections 812 and 1316 of the House bill and sections 1087, 2854, and 2908 of the Senate amendment, and modifications committed to conference: Mr. GONZALEZ, Mr. NEAL of North Carolina, Mr. KANJORSKI, Mrs. ROUKEMA, and Mr. RIDGE.

As additional conferees from the Committee on Education and Labor, for consideration of sections 373, 1303, 1331, 1333-1337, 1343, 1344, and 3103 of the House bill and sections 338, 532, 1088, and 2853 of the Senate amendment, and modifications committed to conference: Mr. FORD of Michigan, Mr. CLAY, Mr. WILLIAMS, Mr. PETRI, and Mr. GOODLING.

As additional conferees from the Committee on Energy and Commerce, for consideration of sections 267, 382, 601, 1109, 1314, 2816, 2822, 2829, 2830, 2839, 3105 (b) and (c), 3132, 3137, 3140, and 3201 of the House bill and sections 322, 325, 327, 705, 822, 1088, 2802, 2803, 2833, 2842, 2844, 2913, 3106 (c), (d), (j), and (l), 3131, 3132, 3133, 3136-3147, 3149, 3150, 3201, and 3202 of the Senate amendment, and modifications committed to conference: Mr. DINGELL, Mr. SHARP, Mr. SWIFT, Mr. MOORHEAD, and Mr. OXLEY: Provided, That Mr. BLILEY is appointed in lieu of Mr. OXLEY solely for the consideration of sections 267, 601, and 1109 of the House bill, and sections 705 and 3106 of the Senate amendment: Provided further, That Mr. BILIRAKIS is appointed in lieu of Mr. OXLEY solely for the consideration of sections 1314, 3137, 3140, and 3201 of the House bill, and sections 322, 2802, 2803, 3132, 3136, 3139-3147, 3149, 3150, 3201, and 3202 of the Senate amendment: Provided further, That Mr. STEARNS is appointed in lieu of Mr. OXLEY and Mrs. COLLINS of Illinois is appointed in lieu of Mr. SWIFT solely for the consideration of section 822 of the Senate amendment: Provided further, That Mr. SCHAEFER is appointed in lieu of Mr. OXLEY solely for the consideration of section 3138 of the Senate amendment.

As additional conferees from the Committee on Foreign Affairs, for consideration of sections 234, 237, 241, 1005, 1008—relating to funding structure for contingency operations—1009—relating to report on humanitarian assistance activities—1021, 1022, 1034, 1038, 1041, 1043-1045, 1048, 1051-1055, 1105, 1107, 1108, 1201-1203, 1205-1208, 1360, 1501-1510, and 3136 of the House bill and sections 216, 221, 223, 224, 241-245, 547, 1041, 1042, 1051-1054, 1061, 1067, 1077, 1078, 1083-1085, 1087, 1093, 1094, 1101-1103, and 1105-1107 of the Senate amendment, and modifications committed to conference: Mr. HAMILTON, Mr. GEJDENSON, Mr. LANTOS, Mr. GILMAN, and Mr. GOODLING.

As additional conferees from the Committee on Government Operations, for consideration of sections 818, 829, 1023, 1050, 2816, 2821, 2823, 2839, and 3140 of the House bill and sections 825, 2843, 2844, and 2902-2908 of the Senate amendment, and modifications committed to conference: Mr. CONYERS, Mrs. COLLINS of Illinois, Mr. ENGLISH of Oklahoma, Mr. CLINGER, and Mr. MCCANDLESS.

As additional conferees from the Committee on the Judiciary, for consideration of section 262 of the House bill, and modifications committed to conference: Mr. BROOKS, Mr. SYNAR, Mr. BERMAN, Mr. FISH, and Mr. MOORHEAD.

As additional conferees from the Committee on the Judiciary, for consideration of section 1022 of the House bill, and modifications committed to conference: Mr. BROOKS, Mr. SCHUMER, Mr. CONYERS, Mr. SENSENBRENNER, and Mr. FISH.

As additional conferees from the Committee on the Judiciary, for consideration of section 1082 of the Senate amendment, and modifications committed to conference: Mr. BROOKS, Mr. MAZZOLI, Mr. BRYANT, Mr. FISH, and Mr. MCCOLLUM.

As additional conferees from the Committee on Merchant Marine and Fisheries, for the consideration of sections 1351, 1352, and 1354-1359 of the House bill and sections 654 and 3501-3506 of the Senate amendment, and modifications committed to conference: Mr. STUDDS, Mr. TAUZIN, Mr. LIPINSKI, Mr. FIELDS of Texas, and Mr. BATEMAN.

As additional conferees from the Committee on Merchant Marine and Fisheries, for consideration of sections 265, 1314, and 3137 of the House bill and sections 328, 2841, 2851, 2915, 3103, and 3135 of the Senate amendment, and modifications committed to conference: Mr. STUDDS, Mrs. UNSOELD, Mr. REED, Mr. FIELDS of Texas, and Mr. BATEMAN.

As additional conferees from the Committee on Natural Resources, for consideration of section 2818 of the House bill and sections 2855, 3132, 3139, and 3147 of the Senate amendment, and modifications committed to conference: Mr. MILLER of California, Mr. VENTO, Mr. LEHMAN, Mr. YOUNG of Alaska, and Mrs. VUCANOVICH.

As additional conferees from the Committee on Post Office and Civil Service, for consideration of sections 364, 901, 934, 943, and 1408 of the House bill and sections 523, 1064, and 3504 of the Senate amendment, and modifications committed to conference: Mr. CLAY, Mr. MCCLOSKEY, Ms. NORTON, Mr. MYERS of Indiana, and Mrs. MORELLA.

As additional conferees from the Committee on Public Works and Transportation, for consideration of sections 2816 and 2841 of the House bill and sections 1068, 1087, 2833, 2842, and 2917 of the Senate amendment, and modifications committed to conference: Mr. MINETA, Mr. APPLEGATE, Mr. WISE, Mr. SHUSTER, and Mr. CLINGER.

As additional conferees from the Committee on Rules, for consideration of section 1008 (relating to funding structure for contingency operations) of the House bill, and modifications committed to conference: Mr. DERRICK, Mr. BEILENSON, Mr. FROST, Mr. SOLOMON, and Mr. QUILLEN.

As additional conferees from the Committee on Science, Space, and Technology, for consideration of sections 215, 262, 265, 1303, 1304, 1312-1318, and 3105 of the House bill and sections 203, 233, 235, 803, and 3141-3148 of the Senate amendment, and modifications

committed to conference: Mr. BROWN of California, Mr. VALENTINE, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. WALKER, and Mr. FAWELL.

As additional conferees from the Committee on Small Business, for consideration of section 829 of the House bill, and modifications committed to conference: Mr. LAFALCE, Mr. SMITH of Iowa, and Mrs. MEYERS of Kansas.

As additional conferees from the Committee on Veterans' Affairs, for consideration of sections 1071 and 1079 of the Senate amendment and modifications committed to conference: Mr. MONTGOMERY, Mr. SANGMEISTER, and Mr. STUMP: Provided, That Mr. SLATTERY is appointed in lieu of Mr. SANGMEISTER solely for the consideration of section 1079.

As additional conferees from the Committee on Ways and Means, for consideration of sections 653, 705, and 1087 of the Senate amendment, and modifications committed to conference: Mr. ROSTENKOWSKI, Mr. GIBBONS, Mr. PICKLE, Mr. ARCHER, and Mr. CRANE.

At 2:08 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House insists upon its disagreement to all amendments of the Senate to the bill (H.R. 2492) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1994, and for other purposes, and asks a further conference with the Senate on the disagreeing votes of the two Houses thereon; and appoints Mr. DIXON, Mr. STOKES, Mr. DURBIN, Ms. KAPTUR, Mr. SKAGGS, Ms. PELOSI, Mr. NATCHER, Mr. WALSH, Mr. ISTOOK, Mr. BONILLA, and Mr. MCDADE be the managers on the part of the House.

At 5:58 p.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, 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. 2519) making appropriations for the Department of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1994, and for other purposes; it recedes from its disagreement to the amendments of the Senate numbered 7, 11, 62, 79, 80, 99, 120, 137, 145, and 171, and has agreed thereto; and that the House recedes from its disagreement to the amendments of the Senate numbered 3, 5, 10, 21, 22, 23, 27, 30, 31, 34, 37, 44, 52, 63, 64, 67, 71, 73, 75, 78, 81, 84, 93, 97, 101, 110, 111, 113, 114, 115, 122, 129, 130, 132, 133, 135, 138, 139, 140, 141, 142, 147, 148, 149, 150, 159, 161, 162, 166, 169, 170, 174, and 175 to the bill, and has agreed thereto, each with an amendment, in which it requests the concurrence of the Senate.

MEASURES REFERRED

The following measure was read the first and second times by unanimous consent, and referred as indicated:

H.R. 914. An act to amend the Wild and Scenic Rivers Act to designate certain segments of the Red River in Kentucky as components of the national wild and scenic rivers system, and for other purposes; to the Committee on Energy and Natural Resources.

The following bill, previously received from the House of Representatives for concurrence, was read, and referred as indicated:

H.R. 2677. An act to authorize the Board of Regents of the Smithsonian Institution to plan, design, and construct the West Court of the National Museum of Natural History building; to the Committee on Rules and Administration.

The following concurrent resolution, previously received from the House of Representatives for concurrence, and referred as indicated:

H. Con. Res. 143. Concurrent resolution expressing the sense of the Congress concerning the historic opportunity for peace in the Middle East; to the Committee on Foreign Relations.

MEASURES PLACED ON THE CALENDAR

The following bills were read the first and second times by unanimous consent, and placed on the calendar:

H.R. 2351. An act to authorize appropriations for fiscal years 1994 and 1995 to carry out the National Foundation on the Arts and the Humanities Act of 1965, and the Museum Services Act.

H.R. 2632. An act to authorize appropriations for the Patent Trademark Office in the Department of Commerce for fiscal year 1994.

H.R. 2840. An act to amend title 17, United States Code, to establish copyright arbitration royalty panels to replace the Copyright Royalty Tribunal, and for other purposes.

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-1657. A communication from the Secretary of Transportation, transmitting, pursuant to law, a report of the study of buoy chain procurement practices; to the Committee on Commerce, Science, and Transportation.

EC-1658. A communication from the Acting Chairman of the Nuclear Regulatory Commission, transmitting, pursuant to law, a report of abnormal occurrences at licensed nuclear facilities for the period April 1 through June 30, 1993; to the Committee on Environment and Public Works.

EC-1659. A communication from the Acting General Counsel, Department of Commerce, transmitting a draft of proposed legislation entitled "Fair Trade in Auto Parts Extension Act of 1992"; to the Committee on Finance.

EC-1660. A communication from the Chairman of the Merit Systems Protection Board, transmitting, pursuant to law, a report entitled "Whistleblowing in the Federal Government: An Update"; to the Committee on Governmental Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. RIEGLE, from the Committee on Banking, Housing, and Urban Affairs, with amendments:

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. 1159. A bill to require the Secretary of the Treasury to mint coins in commemoration of women who have served in the Armed Forces of the United States.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. KENNEDY, from the Committee on Labor and Human Resources:

William B. Gould IV, of California, to be a member of the National Labor Relations Board for the remainder of the term expiring August 27, 1993;

William B. Gould IV, of California, to be a member of the National Labor Relations Board for the term of 5 years expiring August 27, 1998;

John Calhoun Wells, of Texas, to be Federal Mediation and Conciliation Director; and

Martin John Manley, of California, to be an Assistant Secretary of Labor.

(The above nominations were reported with the recommendation that they be confirmed, subject to the nominees' 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 Mr. WELLSTONE:

S. 1570. A bill to amend title 18, United States Code, to prevent persons who have committed domestic abuse from obtaining a firearm; to the Committee on the Judiciary.

By Mrs. FEINSTEIN (for herself and Mrs. BOXER):

S. 1571. A bill to improve immigration law enforcement; to the Committee on the Judiciary.

By Mr. HATFIELD:

S. 1572. A bill to amend the Family Violence Prevention and Services Act to authorize the Secretary of Health and Human Services to administer a Federal demonstration program to coordinate response and strategy within many sectors of local communities for intervention and prevention of domestic violence; to the Committee on Labor and Human Resources.

By Mr. SIMON:

S. 1573. A bill to provide equal leave benefits for adoptive parents; to the Committee on Labor and Human Resources.

By Mr. BRADLEY:

S. 1574. A bill to authorize appropriations for the Coastal Heritage Trail Route in the State of New Jersey, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. MIKULSKI:

S. 1575. A bill to amend title 5, United States Code, to provide for the establishment of programs to encourage Federal employees to commute by means other than single-occupancy motor vehicles; to the Committee on Governmental Affairs.

By Mr. WOFFORD:

S.J. Res. 146. A joint resolution designating May 1, 1994, through May 7, 1994, as "National Walking Week"; to the Committee on the Judiciary.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. WELLSTONE:

S. 1570. A bill to amend title 18, United States Code, to prevent persons who have committed domestic abuse from obtaining a firearm; to the Committee on the Judiciary.

THE DOMESTIC VIOLENCE FIREARM PREVENTION ACT OF 1993

• Mr. WELLSTONE. Mr. President, today, I am introducing a bill to take guns out of the hands of people who are violent toward their spouse or children. The Domestic Violence Firearm Prevention Act is one more important step toward breaking the cycle of domestic violence. I am proud to say that Minnesota was the first State to enact this type of legislation on a State level.

This is critical legislation. We know that the only difference between a battered woman and a dead woman is a gun. According to the FBI a woman is beaten every 12 seconds in the United States. Over 4,000 women are killed each year at the hands of their batterers. An estimated 150,000 incidents of domestic violence involve a weapon. A recent study in the New England Journal of Medicine found that battered women and others who have been physically abused in a previous family fight are almost five times more likely to be murdered or involved in a fatal shooting.

Currently, under Federal law, there is a list of circumstances, including conviction of a felony and mental incompetence, that prevent individuals from legally owning a gun. This legislation would add to that list those who have been convicted of domestic violence. Under this bill, anyone who has been convicted of abusing their spouse or child, or who has a restraining order issued against them because of threatened abuse, would be prohibited from obtaining a firearm. This bill would also prohibit anyone from selling or giving a gun to someone they know, or should know, is a perpetrator of domestic violence or has a court issued restraining order.

Just this past weekend in Minnesota, it was reported that a man fatally shot his girlfriend at his apartment after she tried to break up with him. He then shot and killed himself.

Representative TORRICELLI, along with Representatives SCHROEDER, LOWEY, and DELAURO, is introducing a companion bill in the House of Representatives.

My wife Sheila and I have worked together over the past several years on strategies to protect victims of domestic abuse and to break the cycle of violence.

Earlier this year I introduced two other bills that deal with prevention of domestic violence—the Child Safety Act, S. 870, a bill to establish supervised visitation centers for families that have a history of violence, and the Violence Reduction Training Act, S. 869, a bill to train health care providers to identify and refer victims of domestic abuse.

Next week we are having a hearing on domestic violence. One of the witnesses was herself a victim of domestic violence. She was shot by her ex-husband as was her 6-year-old son. She now lives with an artificial leg as a result.

Next week Sheila and I are sponsoring an art exhibit from Minnesota called the Silent Witness. This exhibit is an extraordinary visual display of the impact of domestic violence. It is a traveling memorial honoring the 26 women who were murdered in Minnesota during 1990 in acts of domestic violence. The exhibit is made up of 27 life-size silhouettes. Twenty-six of them represent women whose lives ended violently at the hands of a husband, ex-husband, partner, or acquaintance. The 27th figure represents those uncounted women whose deaths went unreported or unacknowledged. Ten of the twenty-seven died from gunshot wounds.

We must stop the violence—in homes as well as in the streets. This bill takes a strong step toward stopping the crime of domestic violence.

I urge my colleagues to join me in sponsoring this important legislation.

I ask unanimous consent that the full 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. 1570

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 "Domestic Violence Firearm Prevention Act".

SEC. 2. FINDINGS.

The Congress finds that—

(1) domestic violence is the leading cause of injury to women in the United States between the ages of 15 and 44;

(2) firearms are used by the abuser in 7 percent of domestic violence incidents; and

(3) individuals with a history of domestic abuse should not have easy access to firearms.

SEC. 3. PROHIBITION AGAINST DISPOSAL OF FIREARMS TO, OR RECEIPT OF FIREARMS BY, PERSONS WHO HAVE COMMITTED DOMESTIC ABUSE.

(A) PROHIBITION AGAINST DISPOSAL OF FIREARMS.—Section 922(d) of title 18, United States Code, is amended—

(1) by striking "or" at the end of paragraph (6);

(2) by striking the period at the end of paragraph (7) and inserting "; or"; and

(3) by inserting after paragraph (7) the following:

"(8)(A) has been convicted in any court of the United States of an offense that—

"(i) has as an element the use, attempted use, or threatened use of physical force against a spouse, former spouse, domestic partner, child, or former child of the person; or

"(ii) by its nature, involves a substantial risk that physical force against a spouse, former spouse, domestic partner, child, or former child of the person may be used in the course of committing the offense; or

"(B) is required, pursuant to an order issued by a court of the United States in a case involving the use, attempted use, or threatened use of physical force against a person described in subparagraph (A), to maintain a minimum distance from the person so described.".

(b) PROHIBITION AGAINST RECEIPT OF FIREARMS.—Section 922(g) of title 18, United States Code, is amended—

(1) by striking "or" at the end of paragraph (6);

(2) by inserting "or" at the end of paragraph (7); and

(3) by inserting after paragraph (7) the following:

"(8)(A) has been convicted in any court of the United States of an offense that—

"(i) has as an element the use, attempted use, or threatened use of physical force against a spouse, former spouse, domestic partner, child, or former child of the person; or

"(ii) by its nature, involves a substantial risk that physical force against a spouse, domestic partner, child, or former child of the person may be used in the course of committing the offense; or

"(B) is required, pursuant to an order issued by a court of the United States in a case involving the use, attempted use, or threatened use of physical force against a person described in subparagraph (A), to maintain a minimum distance for the person so described;".•

By Mrs. FEINSTEIN (for herself and Mrs. BOXER):

S. 1571. A bill to improve immigration law enforcement; to the Committee on the Judiciary.

IMMIGRATION LAW ENFORCEMENT ACT OF 1993

Mrs. FEINSTEIN. Mr. President, I rise today to introduce to the Immigration Law Enforcement Act of 1993, which sets forward a plan for the Federal Government to effectively enforce our Nation's borders.

Mr. President, I am proud that this legislation is coauthored by my colleague and friend, Senator BARBARA BOXER.

A few days prior to July 4, I think a very special holiday for all of us in America because we celebrate our heritage of independence and the growth of our Nation, I first spoke out on the

issue of immigration, an idea which is really at the core of our Nation's identity.

I spoke out for one fundamental reason: Concern that America's inability to control her borders, to adequately deter and prevent illegal immigrants from flocking to the United States, could—and most probably would—cause a backlash against all immigrants.

According to a House Government Operations Committee report released in August of this year, 77 percent of all of the legal immigrants of this country reside in six States. They are California, Texas, New York, Florida, Illinois, and New Jersey.

So, essentially, six States are home to 77 percent of all of the immigrants in our country.

It is also estimated that almost 9 million, 8.9 million, people have come to this country legally over the past 10 years. But another 3 million have entered our country illegally. According to unofficial Census Bureau figures, California is home to 52 percent of all of the undocumented immigrants of this Nation. That is 2,083,000 illegal immigrants in my State alone.

This steady stream of illegal immigrants across our borders, particularly in the Southwest region, has resulted in many immigrants, including those here quite legally, feeling decidedly unwelcome.

To encourage a rational discussion of what is an emotionally charged issue, I advanced seven moderate steps this summer to enforce our borders, to begin to streamline the asylum process, and to deport illegal immigrants convicted of aggravated felonies to serve their prison time in their country of origin rather than in our jails.

I have discussed these proposals with the President, the Attorney General, INS Commissioner-designee Doris Meissner, my colleagues on the Senate Judiciary and Appropriations Committee, Hispanic-American and Asian-American elected officials and community leaders, and many others.

Additionally, I have written to President Salinas of Mexico urging that his country to step up efforts, which are now nonexistent, to enforce its borders and received a response stating that the Mexican Government is amenable to discussing these matters. I ask unanimous consent that a copy of this letter and the Mexican Government's response be printed in the RECORD following my remarks.

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

WASHINGTON, DC,
August 17, 1993.

His Excellency, CARLOS SALINAS DE GORTARI,
President of the Republic of Mexico, Mexico City, Mexico.

DEAR MR. PRESIDENT: On June 30th of this year I took the floor of the United States Senate to speak at length about immigration, a subject of great importance to the United States and my State of California. As the daughter and granddaughter of immigrants, I expressed concern that—unless the United States took immediate and effective steps to control illegal immigration—frustration with the economic burden of that influx could cause a retreat from our nation's longstanding commitment to legal immigration.

It is the responsibility of our respective governments to prevent such a tragedy, Mr. President. That is why I have written to you today.

According to United States Census figures just released, of the 4 million undocumented persons now estimated to be living in the United States, over half (2.083 million or 52%) are living in California. Moreover, the U.S. Immigration and Naturalization Service reported in 1992 (the last year for which figures are now available) that 95.8% of all persons apprehended entering the United States illegally were Mexican citizens.

We both understand the tremendous economic burden of caring for these people placed upon border states like California. I respectfully submit, Mr. President, that neither of our nations can tolerate any longer the inadequately regulated illegal outflow of Mexican citizens into the United States.

As detailed in my recent remarks, a copy of which are attached, I will continue to work to build further support in Congress for the expansion, equipment and professionalization of the United States Border Patrol. It is clear to me that the United States cannot—and, frankly, should not—unilaterally bear the burden of substantially curtailing illegal immigration from Mexico.

Consequently, I have urged President Clinton and Ambassador Kantor to make Mexico's affirmative commitment to help control the border with the United States a precondition of America's endorsement of the North American Free Trade Agreement. Such a commitment would, I believe, facilitate Senate ratification of the Agreement. It certainly would encourage my affirmative support.

As a matter of equity and economics, Mr. President, I feel strongly that working together to control our border is the right thing for both of our nations to do. Accordingly, in my capacity as an individual Member of Congress, I respectfully ask that you and your government make control of our mutual border as high a priority in Mexico as it clearly has become, and will remain, in the United States today.

If I or my staff can assist you in any way, Mr. President, please do not hesitate to call on us. I look forward to an ongoing and productive dialogue with you on this and other matters of common concern.

Respectfully yours,

DIANNE FEINSTEIN,
U.S. Senator.

EMBASSY OF MEXICO,
Washington, DC, September 15, 1993.

Hon. DIANNE FEINSTEIN,
Senate Hart Office Building, Washington, DC.

DEAR SENATOR FEINSTEIN: Please find enclosed a letter addressed to you by Mr. Fernando Solana, Secretary of Foreign Relations of Mexico.

Yours sincerely,

JORGE MONTAÑO,
Ambassador.

[Translation]

SECRETARY OF FOREIGN RELATIONS,
Tlatelolco, Mexico, September 10, 1993.

Hon. SENATOR FEINSTEIN: I am writing in reference to your considerate letter of August 17th, in which you addressed your concerns with respect to the migration of illegal immigrants from Mexico to California.

Mexico respects the right of Mexicans to emigrate as a constitutional guarantee. At the same time, however, the Mexican government wants to export merchandise to the United States, not people. This goal was essential in the decision to open up negotiations for a North American Free Trade Agreement. Only through the advancement of mutual prosperity can we administer, together, this purpose.

We should recall that the report by the Bipartisan Commission of the United States Congress on the Study of International Migration and Cooperative Economic Development of July 1990, shows the economic aspect as one of the principal causes of the problem.

Nevertheless, my government has been and is in the best disposition to continue an honest and open dialogue with the government of the United States to confront the immigration problem while protecting the human rights of the Mexican migratory workers.

In sum, through the Group on Immigration Issues of the Binational Mexican-American Commission, the Mexican Government will continue to maintain high level contact with the government of the United States and is also disposed to continue a dialogue with you and other Congressional Representatives as well as the Executive Body of the State of California with respect to this issue.

Cordially Yours,

FERNANDO SOLANO.

I have also made two visits to the border in the past 4 months, one with Attorney General Janet Reno and Senator BARBARA BOXER. Both trips have reinforced the need for Federal action.

There I saw literally hundreds of illegal immigrants lined up on one side of the border, waiting for night to fall to play a cat-and-mouse game with a vastly outnumbered Border Patrol. In many places on that border, a single Border Patrol agent is responsible for securing up to 3 miles of border with literally hundreds of people standing atop buildings waiting to see when his back is turned so that they can sneak across. And about 2,000 a day do just that.

I saw helicopters, 25 years old and so rickety that the Border Patrol would not take a civilian up in them.

I saw an underground tunnel, 65 feet deep with air-conditioning and lighting, going from the inside of a warehouse on one side of the border to the inside of another warehouse on our side of the border, built for one purpose: to smuggle drugs from Mexico to the United States.

I saw border gates at San Diego running at half staff—just 12 out of the 24 lanes in use—with miles of backed-up traffic pumping pollution into the air, costing untold dollars as people waited hour after hour to be legally authorized to cross the border.

The facts are clear: Our immigration laws are meaningless without the resources to enforce them. And the resounding conclusion is that the men

and women of the Immigration and Naturalization Service, its Border Patrol, and the Customs Service—the three agencies primarily responsible for enforcing our borders—are overwhelmed.

During testimony earlier this summer, before a House committee, I heard Henry Wray, of the General Accounting Office, state:

> We have effectively lost control of the Southwest border, and I think there are tremendous shortages in staff on the part of the Border Patrol.

The recent Operation Blockade experiment in El Paso, where 450 agents working overtime saturated a 20-mile strip of border, has shown that illegal immigration can be reduced. It is simply not true that we cannot enforce our borders. Arrests have dropped substantially, from about 1,000 a day to just about 100.

While I would like to see a variation of Operation Blockade along the southwest border in California as an interim measure, I think the long-term Federal Government solution must be a different one.

I rise today, therefor, to introduce the Immigration Law Enforcement Act of 1993, which is designed both to implement a number of proposals that I made this summer and to complement President Clinton's asylum reform and antismuggling initiative introduced by Senator KENNEDY in late July.

First and foremost, this legislation will provide the resources clearly needed to enforce our borders. Specifically, in addition to the 700 new agents for which we have obtained funding in this year's appropriations cycle, it would add 1,400 Border Patrol agents over the next 2 fiscal years.

It would dedicate a lion's share of the new agents to the southwest border.

It would give bilingual applicants priority in the hiring process.

And it would authorize the Attorney General to obtain, from other Federal agencies and the private sector, aircraft, vehicles, detection devices, and other equipment needed for the Border Patrol to function effectively.

When I visited the border between San Diego and Tijuana, while 2,000 people were coming over illegally a night, there was just one infrared detection system available to the Border Patrol.

Second, it is my hope and expectation that this legislation will help reduce cases of abuse by the small minority of Border Patrol agents responsible for them. Reports by the American Friends Service Committee and Americas Watch documented over 1,000 incidents of abuse in immigration law enforcement over the last 3 years. These incidents involved verbal and physical abuse, illegal searches, and the destruction of property. They can and should be curtailed by the additional training-in-service ongoing of current agents and enhanced training of new agents funded by this bill. In addition, the Attorney General will be required to report annually to the Congress under this legislation on the status of the Department of Justice's effort to reduce Border Patrol abuse.

Third, this legislation provides additional resources to boost efforts to interdict drugs along the border.

In 1990, along California's southern border, the INS, Customs, and Drug Enforcement Agency, working together in Operation Alliance, seized nearly 400,000 pounds of marijuana with a minimum street value of $1.2 billion and 34,000 pounds of cocaine conservatively valued at $326 million if sold on our streets. In just one night at the border, I myself saw a car that had just attempted to enter the United States whose entire interior was rimmed with kilos of marijuana.

The legislation I am introducing today authorizes additional funds, to be spent at the discretion of the Attorney General, for the Organized Crime Drug Enforcement Task Force program. Since its inception in 1982, this interagency program has put almost 25,000 drug traffickers and criminals behind bars and seized cash and property worth more than $2.5 billion. It is exactly the kind of interdiction effort worth an additional investment by our Government, an investment that this bill can help fund.

Fourth, this legislation will speed legal crossings at all land borders of our country by fully staffing existing border gates and authorizing the construction of new facilities needed to handle the transborder crossing volume.

Today in San Diego, commuters and tourists often wait 2 and 3 hours to pass through our busiest port of entry—often times, because only half of the available gates are staffed.

This legislation would provide for the staffing of all land border crossing lanes along the southwest border during peak hours within 3 years; established lanes for frequent border crossers; build additional facilities, if needed, to speed border crossing; and fund construction of the fences, buildings and infrastructure needed by the INS, Customs and DEA to more effectively monitor the border.

Fifth, the Immigration Law Enforcement Act compliments the President's asylum reform efforts by revoking part of the 1990 Executive order granting enhanced consideration in the political asylum process for persons claiming that they are fleeing restrictive birth control policies.

In other words, now all somebody has to do is say "abortion," and they are granted political asylum. That is not what political asylum was meant to be. Such persons, in my opinion, are not the refugees that the asylum process was meant to shelter.

Sixth, this legislation addresses a costly problem that affects prisons in several States. Today, if an illegal immigrant is convicted of an aggravated felony and sentenced to our prison system, the prisoner can veto any attempt by our Government to deport him or her, even if we have a reciprocal treaty with the prisoner's country of origin to do so. That option should be removed, and prisoner transfer treaties negotiated or renegotiated with our neighbors and other nations, so that convicted alien felons can be returned to their countries of origin to serve their prison time.

The California Department of Corrections reported on January 7 of this year that over 21,000 of the 109,000 inmates in California prisons are foreign born, and an estimated 16,000 of these inmates are subject to deportation once they complete their sentences. In 11 percent of the cases, the criminal aliens are in prison for murder, while 37 percent have been found guilty of the sale, manufacture, or possession or sale of drugs.

Almost 50 percent of them therefore, either committed murder or sold drugs. The Los Angeles County Board of Supervisors estimates that criminal aliens account for about 11 percent of the L.A. County jail population, resulting in over $75 million a year in criminal justice system costs. I say that it is time to help local government and require that illegal immigrants, convicted of aggravated felonies—murder, gun or drug trafficking, or any violent crime that carries a prison sentence of 5 years or more—serve their jail time in their countries or origin.

This legislation addresses this problem in two ways. It allows Federal judges, at the time of sentencing, to authorize the deportation of illegal immigrants convicted of these crimes once they serve their time in an American prison. Believe it or not, today, there must be a second deportation hearing often held after the prisoner has been released.

Also, it would empower the Secretary of State and the Attorney General to negotiate agreements allowing the United States to return for incarceration in their home countries any illegal immigrants convicted of a deportable offense.

Seventh, the Immigration Enforcement Act also includes a funding mechanism, a modest and reasonable border crossing fee, to make these improvements. The bill establishes a revolving fund within the Treasury to accept revenues generated by a border crossing fee of $1 to be paid by anyone, whether citizen, tourist or immigrant, entering the United States at any land border crossing or seaport: north, south, east, or west.

Based on 1992 Customs Service figures, a dollar crossing fee could raise more than $400 million annually. This bill also provides the Attorney General with the authority to adjust the fee

from time to time and to institute discount fee programs for frequent border crossers.

I am pleased to say that the border fee concept is under serious consideration by the administration, has been endorsed by newspapers such as USA Today and the Los Angeles Times; my colleague, Senator BARBARA BOXER; the Governor of the State of California; California Treasurer, Kathleen Brown, and the Boards of Supervisors of Los Angeles and San Diego County. A recent Los Angeles Times poll shows that more than 70 percent of the people of the State of California support such a fee.

Finally, in addition to accomplishing the primary purposes of the bill just outlined, the Immigration Law Enforcement Act also authorizes the use of border fee revenues to fund asylum reform and antismuggling measures in the administration's proposals, if needed. Funds may also go to fight drug smuggling and to assist legal immigrants to become naturalized American citizens—something we should all want to see.

When I took the floor on June 30 to address the importance of preserving legal immigration by controlling illegal breaches of our borders, and to outline the program which is now at the core of the Immigration Law Enforcement Act, I did so not simply as a U.S. Senator, but as the daughter of an immigrant and the granddaughter of immigrants.

It is my belief that this legislation, in conjunction with the administration's complimentary efforts to remake our troubled asylum system, and to heavily punish alien syndicate smugglers, constitutes a substantial step toward regaining control of our borders. Such control is a prerequisite to silencing the anti-immigration rhetoric now being heard from California to Washington.

I urge my colleagues to join me in supporting this legislation and, in doing so, to protect the thousands of men and women who risked everything to make America their own.

By Mr. HATFIELD:

S. 1572. A bill to amend the Family Violence Prevention and Services Act to authorize the Secretary of Health and Human Services to administer a Federal demonstration program to coordinate response and strategy within many sectors of local communities for intervention and prevention of domestic violence; to the Committee on Labor and Human Resources.

DOMESTIC VIOLENCE COMMUNITY INITIATIVE ACT

Mr. HATFIELD. Madam President, today I am introducing legislation that speaks to one of the most pervasive and devastating of the root causes of crime and violence in our society: violence in the home. Throughout history we have known that violence begets violence. This truth was illustrated sharply in a comprehensive study last year by the National Institute of Justice which stated that being abused or neglected as a child increased the likelihood of arrest as a juvenile by 53 percent, and increased the chance of arrest for violent crime by 38 percent.

Domestic violence is the single largest cause of injury to women in America—up to 4 million women suffer its consequences annually; every 15 seconds a woman is beaten in this country, and each day 10 women die from its effects according to a report by the Department of Health and Human Services. But, men are often its victims also. Violence can be initiated by or suffered by any member of the family. It does not limit itself within gender, racial, or economic lines. It is a disease that, in our society, is repulsively rampant.

In Portland this year, almost twice as many people have been murdered from domestic violence as those killed in gang-related murders. We like to cite statistics because they often prove useful in the business of setting national policies. However, these staggering statistics eventually begin to bounce off of us like so many nightly news tallies of the day's worldwide carnage. It is not easy to reach out, to get personally involved in a sensitive issue that welcomes denial. But, in this instance we must reach out—in our schools, our hospitals, our churches, and our civic groups. This is a problem national in scope but embedded in the most private of settings; the home. Without widespread individual involvement, any attempt by Government to tackle the issue will fail.

The Domestic Violence Community Initiative Act of 1993 which I introduce today would address a need currently unmet by any existing program. The purpose of this bill is to facilitate a coordinated community-based response to domestic violence. It would establish a Federal demonstration program authorizing grants to organizations in communities throughout the country to coordinate strategies amongst all sectors including the education community, health-care providers, the justice system, the religious community, business and civic leaders, State children services divisions, and domestic violence program advocates.

In meetings with community representatives in my State I found that there was a lack of interaction, communication, and coordination among the various sectors attempting to break this cycle of tragedy and violence. Each specialty area is working on a piece of the puzzle, but there is not a comprehensive approach to this problem which cuts across all specialties. For example, those in the medical and education communities tell me that there is now some training to recognize abuse, but that there is often no coordination with other professionals on when, how, or to whom signs of abuse should be reported. Efforts at coordination are being made in many communities, but there is a noted lack of resources for such organization.

This proposal would tie these groups together to share information, enhance awareness of the problems surrounding this issue, and coordinate action plans for intervention and prevention of domestic violence. Specifically, it would authorize $20 million to allow the Secretary of Health and Human Services to make grants to assist these efforts. This would enhance the effectiveness of current statewide programs which focus on providing shelter and counseling. And, as with other programs under the Family Violence Prevention and Services Act, this demonstration project would be periodically evaluated for effectiveness by the Secretary of HHS. The eventual goal is to form a commitment by communities and the families who live in them to take positive action to stop this cycle of abuse.

The extent of family violence is frightening. In Oregon, domestic crisis centers take over 51,000 crisis calls per year. In Multnomah County alone, shelters and hotlines logged over 13,000 domestic violence crisis calls. Even more horrifying is the fact that over 40 percent of child fatalities in Oregon occur in homes where there is adult domestic violence. When I visit shelters in Oregon I am struck by the tragedy of women trying to keep their lives together, by the faces of the innocent children at the shelter who feel the effects of this violence so poignantly, and by the knowledge that these are the lucky ones—that Portland area shelters must turn away 9 of 10 requests for help because they are filled to capacity.

In recent years we have made some progress in recognizing the extent of this problem. In the Appropriations Committee we have overseen an increase in funding for shelter and counseling programs from $8.2 million in 1989 to $24.7 million last year. All across the country during the month of October an effort is being made to enhance the awareness of domestic violence. Upon this foundation of will, we must continue to build our resolve to eradicate violence in the home.

I am also a cosponsor of the Violence Against Women Act and applaud the general funding for domestic violence programs included in that bill by Chairman BIDEN and others. The bill I introduce today is a natural enhancement to those proposals in that it specifically focuses on the concept of active involvement by all sectors of a local community. This is an idea that should be tested in a variety of forms in many different States. I welcome the support of my colleagues and hope that you will join me in this effort.

I ask unanimous consent that the letters from community groups supporting the need for this demonstration program be printed in the RECORD immediately following my remarks. I also ask unanimous consent that the bill be printed in the RECORD.

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

S. 1572

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 "Domestic Violence Community Initiative Act of 1993".

SEC. 2. ESTABLISHMENT OF COMMUNITY PROGRAMS ON DOMESTIC VIOLENCE.

The Family Violence Prevention and Services Act (42 U.S.C. 10401 et seq.) is amended by adding at the end the following new section:

"SEC. 316. DEMONSTRATION GRANTS FOR COMMUNITY INITIATIVES.

"(a) IN GENERAL.—The Secretary shall provide grants to nonprofit private organizations to establish projects in local communities involving many sectors of each community to coordinate intervention and prevention of domestic violence.

"(b) ELIGIBILITY.—To be eligible for a grant under this section, an entity—

"(1) shall be a nonprofit organization organized for the purpose of coordinating community projects for the intervention in and prevention of domestic violence;

"(2) shall include representatives of pertinent sectors of the local community, incuding—

"(A) health care providers;

"(B) the education community;

"(C) the religious community;

"(D) the justice system;

"(E) domestic violence program advocates;

"(F) human service entities such as State child services divisions; and

"(G) business and civic leaders;

"(c) APPLICATIONS.—An organization that desires to receive a grant under this section shall submit to the Secretary an application, in such form and in such manner as the Secretary shall prescribe through notice in the Federal Register, that—

"(1) demonstrates that the applicant will serve a community leadership function, bringing together opinion leaders from each sector of the community to develop a coordinated community consensus opposing domestic violence;

"(2) demonstrates a community action component to improve and expand current intervention and prevention strategies through increased communication and coordination among all affected sectors;

"(3) includes a complete description of the applicant's plan for the establishment and operation of the community project, including a description of—

"(A) the method for identification and selection of an administrative committee made up of persons knowledgeable in domestic violence to oversee the project, hire staff, assure compliance with the project outline, and secure annual evaluation of the project;

"(B) the method for identification and selection of project staff and a project evaluator;

"(C) the method for identification and selection of a project council consisting of representatives of the community sectors listed in subsection (b)(2);

"(D) the method for identification and selection of a steering committee consisting of representatives of the various community sectors who will chair subcommittees of the project council focusing on each of the sectors; and

"(E) a plan for developing outreach and public education campaigns regarding domestic violence; and

"(4) contains such other information, agreements, and assurances as the Secretary may require.

"(d) TERM.—A grant provided under this section may extend over a period of not more than 3 fiscal years.

"(e) CONDITIONS OF PAYMENT.—Payments under a grant under this section shall be subject to—

"(1) annual approval by the Secretary; and

"(2) availability of appropriations.

"(f) GEOGRAPHICAL DISPERSION.—The Secretary shall award grants under this section to organizations in communities geographically dispersed throughout the country.

"(g) USE OF GRANT MONIES.—

"(1) IN GENERAL.—A grant made under subsection (a) shall be used to establish and operate a community project to coordinate intervention and prevention of domestic violence.

"(2) REQUIREMENTS.—In establishing and operating a project, a nonprofit private organization shall—

"(A) establish protocols to improve and expand domestic violence intervention and prevention strategies among all affected sectors;

"(B) develop action plans to direct responses within each community sector that are in conjunction with development in all other sectors; and

"(C) provide for periodic evaluation of the project with a written report and analysis to assist application of this concept in other communities.

"(h) AUTHORIZATION OF APPROPRAITIONS.—There are authorized to be appropriated to carry out this section—

"(1) $20,000,000 for fiscal year 1994; and

"(2) such sums as are necessary for each of the fiscal years 1995, 1996, and 1997,

to remain available until expended.

"(i) REGULATIONS.—Not later than 60 days after the date of enactment of this section, the Secretary shall publish regulations implementing this section. Not later than 120 days after the date of enactment, the Secretary shall publish final regulations implementing this section.".

CITY OF PORTLAND, OR,
BUREAU OF POLICE,
Portland, OR, April 2, 1993.

Senator MARK O. HATFIELD,
Hart Senate Office Building,
Washington, DC.

DEAR SENATOR HATFIELD: This is a letter of support from the Portland Police Bureau's Family Services Division for the proposed Community Initiative to End Domestic Violence.

It is the immediate intention of the Police Bureau to provide some enhanced service and support to the victim's of domestic abuse. We will investigate for prosecution more cases, and certainly concentrate on cases with serious indications for future violence. In our planning, it became immediately obvious that there is an important need for coordination of all components of the domestic violence systems and for heightened public awareness and support. We believe Federal assistance is necessary to the success of our system.

Law enforcement is only one piece of the answer to domestic violence in Portland. We support the initiative and request for consideration.

If you have any questions about police response to domestic violence, please call (503) 796-3161.

Sincerely,

ROBERT BROOKS,
Captain, Family Services Division.

OREGON MEDICAL ASSOCIATION,
Portland, OR, February 8, 1993.

Hon. MARK O. HATFIELD,
Hart Senate Office Building,
Washington, DC.

DEAR SENATOR HATFIELD: The Oregon Medical Association is committed to the prevention of domestic violence, and to that end, supports the "Community Initiative to End Domestic Violence" proposal.

Oregon physicians have identified domestic violence as a priority public health issue because of its high cost to the health care system and adverse impact on families. In fact, the issue is so important to our members, we have formed a Task Force on Family Violence and become involved in a community-based coalition of groups, "Professionals in Partnership." This group is comprised of health care and domestic violence representatives committed to educating health care professionals about their role in prevention.

As successful as the efforts of "Professionals in Partnership" are, it is limited to health care. The "Community Initiative to End Domestic Violence" is a comprehensive plan integrating all sectors of the community. The Oregon Coalition Against Domestic & Sexual Violence has done an excellent job in bringing together key community organizations in this first-of-its-kind effort. Without federal funding, this broad-based solution to the domestic violence crisis will not be possible.

OMA is supportive of an initiative that will develop a coordinated, systemic, proactive response to eliminating domestic violence. We thank you for your efforts to make this project reality. With your help, we have the opportunity to prevent countless women and children from needless harm.

Sincerely,

JAMES A. CROSS, M.D.,
President.

PORTLAND PUBLIC SCHOOLS,
Portland, OR, March 29, 1993.

Re Proposed Community Initiative to End Domestic Violence.

Hon. MARK O. HATFIELD,
Hart Senate Building,
Washington, DC.

DEAR SENATOR HATFIELD: Portland Public Schools wholeheartedly supports the Community Initiative to End Domestic Violence proposal. We encourage your energy in working toward an appropriation to meet the goals of this proposal for the next three years.

Educators grades K-12 recognize the correlation between domestic violence and its impact on children. We are reminded daily that domestic violence and the physical abuse of students go hand in hand: our school police investigated 258 allegations of physical abuse of students between July 1992 and the end of February 1993. They estimate most of this abuse occurs in conjunction with domestic violence, and this figure is an increase over the 1991-92 school year.

The emotional and physical trauma these youngsters face when domestic violence occurs is an enormous barrier to their school

success. Attendance, interpersonal skills, and academic progress all suffer. School staffs spend many hours with students and families trying to counteract the negative impact on both the total learning environment and individual student achievement. Unfortunately, we find only a tiny number of women turn to shelters or have access to resources to get them and the family away from their home violence. Our experience is that neglect is also correlated to domestic violence, and we find there are even fewer community resources for this type of child abuse.

Finally, domestic violence increases the likelihood that students will resort to violence at school to settle problems. To offset this we allocate many resources to keep schools a safe place in which to learn by teaching and modeling peaceful problem solving skills.

At a time when community resources for families are dwindling, including school resources, more than ever before there is a greater need for integrated services between community agencies. An important strength of this proposal is that it insures planning and collaboration between seven community sectors to bring intervention and prevention programs to out community.

Thank you for your personal efforts and involvement addressing this community problem.

Sincerely,

CAROLYN SHELDON,
Assistant Director,
Student Services Department.
CATHRYN C. SCHAR,
Supervisor,
Student Discipline Programs.

ECUMENICAL MINISTRIES OF OREGON,
Portland, OR, May 20, 1993.

Hon. MARK HATFIELD,
U.S. Senate, Hart Senate Office Building, Washington, DC.

DEAR MARK: On behalf of Ecumenical Ministries of Oregon, I wish to express our active interest in the proposed Coordinated Domestic Violence Intervention Initiative that you proposed. Our strong support has roots in our growing awareness of the incidence of violence in our communities. Our empirical knowledge comes from our observation of the Oregonians seeking services from our medical, treatment and socialization programs. It also comes from the experience of our 17 denominations and approximately 2000 congregations with their own members and with the wider parish, the neighborhoods in which they have facilities.

We acknowledge the need for prevention, intervention and treatment. We recognize our responsibility to be part of the response. We share your concern about the widespread tragedy of violence in the family and believe it is essential for the religious community to be a motivating factor in the development of an effective community response. Through our representative, Ellen Lowe, we have been involved in the planning and development of the Initiative.

As you know, we have enthusiastically agreed to sponsor the project. We believe this will promote the participation of the religious community. We also know that for there to be a significant impact on this problem, the whole community must mobilize. The initiative will enable us to do that. I understand the Initiative will be a model of community coordination and mobilization around domestic violence. There couldn't be a better place to do it than Portland, as many of us have developed cooperative relationships in addressing other community needs. As a statewide organization, we also believe we can share our expanded knowledge through congregations in all parts of Oregon. Our Community Ministries Commission has established sexual and domestic violence as its highest priority.

Your long history of supporting peace and justice efforts makes your leadership in this endeavor most important. Your acknowledgement of the importance of the family to a just community and, ultimately, to a just world is welcome leadership. The Initiative will be a significant step in our long quest for justice, equity and harmony.

Thank you for your continuing efforts on behalf of Oregonians.

Sincerely,

The Reverend RODNEY I. PAGE,
Executive Director.

U.S. BANCORP,
Portland, OR, January 27, 1993.

Hon. MARK O. HATFIELD,
U.S. Senate, Senate Hart Building, Washington, DC.

DEAR SENATOR HATFIELD: As you know, U.S. Bancorp actively participates within the communities where we do business to make Oregon a better place for all citizens. This letter is to convey to you U.S. Bancorp's support for a community wide initiative to end domestic violence.

Violence inflicted on women and children in family settings is a prevalent and serious societal problem that touches the lives of too many. Up to 50% of all women will be battered in an intimate relationship at some time in their lives. These women are employees, neighbors, friends and family members. It is a problem that results in homelessness, death, psychological and physical injury for a significant number of them. The cost to society has to be enormous. Yet, current programs and services are very poorly funded, both nationally and locally. With cutbacks in all sectors, the picture will only get worse unless we come together as a community to initiate change.

U.S. Bancorp has supported the Oregon Coalition Against Domestic and Sexual Violence (OCADSV) with monetary contributions as well as the support of staff. Our intent is to provide continued support. In addition, we would like to see a concerted effort on the part of business, in partnership with other community groups, to end the problem of domestic violence.

To gain momentum for such a project, federal leadership is needed. We urge you to consider and work for such an initiative. Without strong support from all sectors, too many women and children will continue to become victims with no place to turn.

Sincerely,

JUDITH R. RICE,
Executive Vice President.

JEWISH FEDERATION
OF PORTLAND,
Portland, OR, May 18, 1993.

Senator MARK HATFIELD,
Hart Senate Office Building,
Washington, DC.

DEAR SENATOR HATFIELD: We are pleased to learn about the Coordinated Community Domestic Violence Intervention Initiative that is being developed as a result of your interest.

Domestic violence is a real problem which must be addressed. While small grassroots organizations have worked untiringly on the issue for nearly two decades, the community as a whole has not assumed responsibility for it.

The Community Initiative will mobilize all sectors of our community to determine what can be done to end domestic violence. It will also provide a way for all sectors to share information and ideas and work together in a coordinated fashion. The Community Relations Committee of the Jewish Federation of Portland supports this initiative. The project has great potential for significantly impacting the longstanding and tragic problem of domestic violence in our community.

Given the fiscal climate here in Oregon, we cannot hope to undertake this endeavor without national resources and leadership. We appreciate your leadership in helping to find solutions to this most serious and devastating problem.

Sincerely,

PENNY ROBERTS, *Chair.*

PORTLAND PUBLIC SCHOOLS,
Portland, OR, April 1, 1993.

Re: Proposed Community Initiative to End Domestic Violence.

Hon. MARK O. HATFIELD,
Hart Senate Building,
Washington, DC.

DEAR SENATOR HATFIELD: I join with many others in lending my whole-hearted support for the proposed community initiative to end domestic violence.

As a teacher and school administrator for many years and as the current administrative supervisor of the Portland Public Schools Police Department, I have long been concerned about the impact on children and their ability to learn caused by domestic violence. First hand observation of young victims dramatically illuminates the harrowing reality embodied in our national statistics on violence in American homes.

It is time for our community to take the step of bringing together organizations and leaders throughout the community to address this problem on a large scale. The proposed initiative presented to you recently is well conceived and offers real promise to not only make domestic violence a priority in this community, but also to take strong and positive action.

To succeed, this project requires staff and will incur some expense. We sincerely appreciate your efforts in working toward an appropriation to accomplish this goal for the next three years.

If I can be of assistance in any way, please let me know.

Sincerely,

JOHN LASHLEY,
Director.

OREGON DEPARTMENT OF
HUMAN RESOURCES,
Salem, OR, January 29, 1993.

Hon. MARK O. HATFIELD,
U.S. Senate,
475 Cottage NE, Salem, OR.

DEAR SENATOR HATFIELD: I support the proposal by the Oregon Coalition Against Domestic and Sexual Violence to develop the community infra-structure necessary to support and coordinate prevention and intervention services for victims of domestic violence.

I am the state coordinator for one source of funds for the domestic violence shelters, safe home networks and crisis lines in Oregon. Through my contact with these programs, I see the strong need for increased advocacy for ending domestic violence. Too often, violence is still seen by the public and other agencies as a family problem or domestic dispute without a recognition of the seriousness of the problem.

I also see the strong need for increased support for the domestic violence programs themselves. They are providing direct services to victims of domestic violence, both those who come to shelter as well as those in the community, and they are educating the community and other professionals. There is a definite lack of understanding of the issue or commitment within some sectors of the community. There is also the need for better coordination of all the players involved. It is a daunting task and the domestic violence programs lack the staff and resources to adequately take this on.

The Federal Government, through funding this project, can take a leadership role in stressing the importance of taking domestic violence seriously and through helping develop a model of a coordinated system. Even when agencies and professionals understand the issue and want to effect change, their resources are often stretched beyond the ability for them to act as the primary change agent. The project can mobilize and maximize the resources of the agencies and build additional support.

Children's Services Division is in a unique position. Our agency administers one source of funding for domestic violence programs. We work closely with an Advisory Committee with domestic violence program providers and interested community people. Additionally, we are the child protective services agency and witness the effects of domestic violence on children and our workload. We support the call for increased coordination and believe this project will positively impact the delivery of services.

Sincerely,

BONNIE JEAN BRAEUTIGAM,
Resource Development Unit.

MULTNOMAH COUNTY,
LEGAL AID SERVICE,
Portland, OR, January 26, 1993.

Re Coordinated Domestic Violence Intervention Initiative.

Senator MARK HATFIELD,
Hart Senate Office Building,
Washington, DC.

DEAR SENATOR HATFIELD: I am writing to indicate Multnomah County Legal Aid's strong support for the Coordinated Domestic Violence Intervention Initiative. The project will stimulate community initiative to develop a coordinated, systemic, proactive response to domestic violence. The project includes all sectors of the community, including health care, the courts, the religious community, victim and offender programs, and other human service providers, business and civil leaders, the education system and the media.

Multnomah County Legal Aid Service (MCLAS) has worked on domestic violence issues for over 20 years, providing representation to victims, education to the courts, and public advocacy. For many years, we have worked in conjunction with the Oregon Coalition Against Domestic and Sexual Violence and local grassroots domestic violence programs. One of the landmarks in this work was the formation of the Multnomah County Family Violence Steering Committee (consisting of service providers and policymakers in the legal system). The Steering Committee conducted a needs assessment and produced a report showing a 90% turnaway rate for domestic violence shelters. The report recommended developing coordinated community intervention as an important next step in ending family violence. Through the Steering Committee, MCLAS and other participants have learned the value of coordinating the community's response to family violence. The Steering Committee has laid the groundwork for the Coordinated Domestic Violence Intervention Initiative effort and will be able to influence participation of other community sectors.

The Steering Committee, on which MCLAS is represented, has been involved in the development of the Coordinated Domestic Violence Intervention Initiative and will continue to be actively involved in the project. We support this project because it is an important project with great potential for having a significant impact on domestic violence and the ways in which the community deals with crime and social problems. What is learned from this project should be translatable and transferable to other geographic and social problem areas.

However, without federal funding, there is little likelihood that this project will be able to advance. We appreciate your past efforts in this area and hope that you will support the Coordinated Domestic Violence Intervention Initiative.

Very truly yours,

TERRY ANN ROGERS,
Executive Director.

RAPHAEL HOUSE OF PORTLAND,
Portland, OR, January 28, 1993.

Senator MARK HATFIELD,
U.S. Senate, Hart Building,
Washington, DC.

DEAR SENATOR HATFIELD: I am writing in support of the proposed Community Initiative to End Domestic Violence, a project developed by the Oregon Coalition against Domestic and Sexual Violence and other local groups.

There are many important projects being developed in this area which will impact services for domestic violence victims and perpetrators. It is critical that all of these projects and groups work together to make the prevention of domestic violence a priority in this area. The Community Initiative to End Domestic Violence would be a significant factor in coordinating the existing projects and in stimulating other necessary community action.

I am particularly excited about the involvement of Ecumenical Ministries of Oregon in this project and the goal to educate religious leaders about domestic violence. Raphael House is looking forward to working with the Initiative.

Thank you for your continuing interest in and concern for victims of domestic violence.

Sincerely,

MITCHELL JACOVER,
Executive Director.

CIRCUIT COURT OF OREGON,
FOURTH JUDICIAL DISTRICT,
Portland, OR, January 26, 1993.

Re Proposed Community Initiative to End Domestic Violence.

Hon. MARK O. HATFIELD,
Hart Senate Building,
Washington, DC.

DEAR SENATOR HATFIELD: I join with many others in lending my whole-hearted support for the proposed community initiative to end domestic violence.

I first became interested in this issue a little over five years ago when I was asked by the National Council of Juvenile and Family Court Judges to chair the first of several national projects aimed at improving court and community response to domestic violence. As part of that project, I convene a multidisciplinary group in Multnomah County which has evolved to become the Multnomah County Family Violence Steering Committee.

It is now time for this community to take the additional step of bringing together organizations and leaders throughout the community to address this problem on a larger scale. The proposed initiative presented to you a month or so ago is well conceived and offers real promise to not only make domestic violence a priority in this community, but to take strong and positive action.

To succeed, this project requires staff and will incur some expense. We sincerely appreciate your efforts in working toward an appropriation to accomplish this goal for the next three years.

If I can be of assistance in any way, please let me know. Best personal regards.

Cordially yours,

STEPHEN B. HERRELL,
Judge.

CITY OF PORTLAND, OR,
DEPARTMENT OF PUBLIC UTILITIES,
Portland, OR.

OREGON COALITION AGAINST DOMESTIC AND SEXUAL VIOLENCE,
Portland, OR.

DEAR COALITION MEMBERS: I am writing in enthusiastic support for the proposal which has been developed to submit for a federally funded pilot project on domestic violence intervention strategies for our area. I think it a particularly propitious time for this project to come forward. Locally I hear increasing concerns about the interrelated impacts of violence in the home—impacts felt in our corrections systems, in alcohol/drug problems, in the stability of our children's lives, and in the safety of our schools and neighborhoods.

Although concern about family violence has been with some of us for more than twenty years, the problem has finally come out of the "domestic" and into the public policy sphere. At a recent briefing on the police budget, the topic of family violence came up in several ways. Clearly, we cannot make significant headway on preventive measures until we are willing to deal directly, comprehensively, and resourcefully with relationship violence.

In recognition of the connection between family violence and public safety issues, the City Council allocated resources for shelter beds and program development for the first time this year. Although the amount was small ($95,000) it was significant given the competition for funding and the impending cuts. The Council based its decision on the local study *From Harassment to Homicide* produced by a local volunteer committee. As I understand the proposal you have developed, the project will build on and extend what we have been struggling to achieve here.

I deeply hope for your success. Please let me know if there is anything I might do to further that possibility.

Sincerely,

GRETCHEN KAFOURY,
Commissioner.

MICHAEL D. SCHRUNK,
Portland, OR, February 10, 1993.

Senator MARK O. HATFIELD,
Hart Senate Office Building,
Washington, DC.

DEAR SENATOR HATFIELD: I'm writing in support of the proposed Community Initiative to End Domestic Violence, which evolved from an Issue Day on Domestic Violence you held in Oregon last fall.

My office has participated in the Multnomah County Family Violence Steering Committee for over 5 years, helping produce the

report "Free Harassment to Homicide" which delineated the great need for collaborative efforts to address this problem. One example of a project that resulted from collaborative efforts is the deferred sentencing program for batters which we implemented in June of 1992. Eligible offenders can now enter a six-month treatment program. While in treatment the offenders are closely supervised by probation officers. Upon successful completion criminal charges are dropped. To set up and operate this program, we worked with domestic violence shelter providers, police, the court, and parole and probation, among others.

The Steering Committee's work demonstrates the success of cooperative models as well as the need to involve all relevant sectors of the community in addressing the tragic problem of domestic violence. The Community Initiative will allow Multnomah County to extend efforts begun by the Steering Committee to the religious, educational, health care and business sectors in a truly innovative approach to the problem. My office is eager to participate in this next important step.

The Community Initiative is a logical next step, but one we cannot take without federal assistance. I appreciate your personal concern and involvement in this community problem.

Very truly yours,

MICHAEL D. SCHRUNK,
District Attorney.

U.S. WEST COMMUNICATIONS, INC.,
Portland, OR, February 2, 1993.

Hon. MARK HATFIELD,
Hart Senate Office Building,
Washington, DC.

DEAR SENATOR HATFIELD: I am pleased to learn that you have been in contact with the Oregon Coalition Against Domestic and Sexual Violence for a community initiative to deal with the crisis of spousal and family abuse.

Cooperation of all sectors of the community is necessary to address this complex and far reaching problem. Federal-level leadership could build the environment and direction for local business and civic involvement as well as offset diminishing local funding.

As a company, we are considering how we can most productively join in a leadership role as this project develops.

We at U.S. West recognize the value of addressing these issues in a cooperative undertaking with community-based organizations. For example, domestic violence victim advocates have been active participants in the development of Caller I.D. service for Oregon telephone users.

Please accept my thanks for launching this project.

Sincerely,

MARSHA B. CONGDON,
Vice President and CEO.

MULTNOMAH COUNTY, OR,
DEPARTMENT OF SOCIAL SERVICES,
Portland, OR, January 29, 1993.

Senator MARK HATFIELD,
U.S. Senate, Hart Building,
Washington, DC.

DEAR SENATOR HATFIELD: I am writing in support of the proposed Community Initiative to End Domestic Violence, a project developed by the Oregon Coalition Against Domestic and Sexual Violence and other local groups.

Multnomah County Housing and Community Services Division recognizes the widespread, negative impact that domestic violence has on our community. We are committed to advocating for the prevention of this violence, and see a coordinated, community initiative as a critical step in ending domestic violence.

The Housing and Community Services Division will support this initiative in whatever way we can and hope to be involved in its implementation. Thank you for your continuing interest in and concern for victims of domestic violence.

Sincerely,

NORM MONROE,
Director.

BRADLEY-ANGLE HOUSE,
Portland, OR, January 28, 1993.

Senator MARK HATFIELD,
U.S. Senate, Hart Building,
Washington, DC.

DEAR SENATOR HATFIELD: I am writing in support of the proposed Community Initiative to End Domestic Violence, a project developed by Oregon Coalition against Domestic and Sexual Violence and other local groups.

Currently, in the Tri-Country area of Oregon, there are important projects being developed which will impact services for domestic violence victims and perpetrators. It is critical that all of these projects and the groups which are developing them communicate and work together to make prevention of domestic violence a priority. The Community Initiative to End Domestic Violence would be a significant factor in coordinating the existing projects and in stimulating other necessary community action.

Bradley-Angle House is currently working with several groups in the community to expand services to domestic violence victims. These groups include: Health Care Professionals, including the Oregon Medical Association, Oregon Nursing Association, staff from Oregon Health Sciences University, to develop protocols for emergency room and medical offices to assess and intervene with domestic violence victims and to develop training materials and workshops to present this information.

Portland Public Schools, through a grant from Department of Health and Human Services, Administration for Children and Families, Family Violence Prevention funds, to develop curricula for elementary, middle and high school students on domestic and dating violence.

Portland Police Bureau, Multnomah County Corrections and District Attorney's office and other criminal justice officials, through the Portland Family Violence Steering Committee.

El Programo Hispana, a Gresham-based, Catholic Community Services program for the Hispanic community, to develop support groups, case management and outreach projects.

I have worked in the field of domestic violence intervention and prevention in several capacities for the last 13 years. During that time, I have seen an increase in the number and severity of assaults. I have also seen many women and men work hard to prevent this violence and to provide safety and support for women who have been assaulted. I believe that only through a coordinated, community-wide commitment to ending domestic violence will this violence eventually decrease.

I and other members of the staff and Board of Bradley-Angle House would be excited and pleased to work with the Community Initiative to End Domestic Violence, when it is funded. This is an important project, which needs your support.

Sincerely,

CHIQUITA ROLLINS,
Executive Director.

OREGON DEPARTMENT OF
HUMAN RESOURCES,
Portland, OR, February 3, 1993.

Senator MARK O. HATFIELD,
Hart Senate Office Building.
Washington, DC.

DEAR SENATOR HATFIELD: This letter is written to support the proposal for a Community Initiative to End Domestic Violence in Multnomah County. Metro Region, Children's Services Division is supportive of this project because of the plan to involve key sectors of the community in a coordinated effort to address family violence.

Most significant to the Children's Services Division (CSD) is the opportunity to address the correlation between wife abuse and child abuse. Last year in Oregon, 27 children died from abuse and neglect. In almost half the cases, domestic violence was also confirmed and may have occurred in several more. This reflects national studies showing that domestic violence was present in anywhere from 40% to 75% of child abuse cases.

The opportunity for collaboration between child abuse experts and domestic violence experts holds great potential for significantly impacting both problems. CSD eagerly looks forward to participation in the Community Initiative. However, with decreasing state resources, this project cannot be undertaken without assistance from the federal government. We greatly appreciate your efforts to help us address these tragic social problems which affect all Oregonians.

Sincerely,

KAY DEAN TORAN,
Regional Administrator.

COMMUNITY ADVOCATES,
Portland, OR.

I am writing in support of the "Community Initiative to End Domestic Violence." I strongly support the initiatives' goal of making the prevention of domestic violence a priority in our community.

Community Advocates is a Portland area non-profit whose programs work to prevent violence against women and children through community education. Through our violence prevention programs, we know that there is a great need in the community for further education about domestic violence, coordination of services and resource-sharing. I believe that the Community initiative would enable education and much needed collaboration to take place.

The entire community needs to work together to end family violence. Community Advocates would welcome the opportunity to participate with local agencies in this effort. I believe that this initiative has the potential to greatly improve services to battered women and abused children and it will ultimately help us create a community with less family violence. Please don't hesitate to call me if you have any questions.

Sincerely,

BELLE BENNETT,
Executive Director.

By Mr. BRADLEY:

S. 1574. A bill to authorize appropriations for the Coastal Heritage Trail Route in the State of New Jersey, and for other purposes; to the Committee on Energy and Natural Resources.

NEW JERSEY COASTAL HERITAGE TRAIL FUNDING REAUTHORIZATION ACT OF 1993

• Mr. BRADLEY. Mr. President, I introduce a simple funding reauthorization for the New Jersey Coastal Heritage Trail. This bill brings forth the funding authorization, which was for the first year's efforts, up to date and allows for future needs.

Since 1988, the National Park Service has been working with other Federal agencies, the State of New Jersey, and local officials and citizens. Right now, the Park Service is putting the finishing touches on a series of trails that will link sites of special interest by one of several themes. These trails, which will be identified by maps, road signs, and wayside exhibits, will create a force that will add meaning and vitality to critical landmarks that too often become lost or overlooked.

Mr. President, this effort is a pioneering one to preserve and strengthen key elements of our collective heritage without an intensive Federal role or ownership. This is a new approach and is the first of its kind. It has taken time and resources. But, I feel strongly that the return to the public will more than compensate for the Federal expenditures. I urge the passage of this increased authorization.

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. 1574

Be it enacted in the Senate and the House of Representatives in the United States of America in Congress assembled, That section 6 of Public Law 100-515 (16 U.S.C. 1244 note) is amended by striking "$250,000" and inserting in lieu thereof, "$2,500,000".•

By Ms. MIKULSKI:

S. 1575. A bill to amend title 5, United States Code, to provide for the establishment of programs to encourage Federal employees to commute by means other than single-occupancy motor vehicles; to the Committee on Governmental Affairs.

FEDERAL EMPLOYEES CLEAN AIR INCENTIVES ACT

• Ms. MIKULSKI. Mr. President, I introduce the Federal Employees Clean Air Incentives Act. A companion bill was introduced today in the House of Representatives by Congresswoman ELEANOR HOLMES NORTON.

This legislation gives Federal agencies the ability to offer public transportation benefits to their employees. It reauthorizes a program which I sponsored in 1990 and which expires December 31, 1993.

I believe it is appropriate for public and private employers to encourage those employees who are able to do so to ride public transportation instead of driving to work. Increased commuting by public transportation reduces wasteful energy use, air and noise pollution, and congestion on our roads and highways.

Private employers can take advantage of a provision in the tax law which allows up to $60 a month in public transportation benefits to be offered to an employee tax-free. Many Federal employers offer these benefits as well, but they need this reauthorization legislation to continue to do so.

Mr. President, I ask unanimous consent that the text of this legislation appear in the RECORD at the conclusion of my remarks.

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

S. 1575

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

SECTION 1. SHORT TITLE; PURPOSE.

(a) SHORT TITLE.—This Act may be cited as the "Federal Employees Clean Air Incentives Act".

(b) PURPOSE.—The purpose of this Act is to improve air quality and to reduce traffic congestion by providing for the establishment of programs to encourage Federal employees to commute by means other than single-occupancy motor vehicles.

SEC. 2. AUTHORITY TO ESTABLISH PROGRAMS.

(a) IN GENERAL.—Chapter 79 of title 5, United States Code, is amended by adding at the end the following:

"§ 7905. Programs to encourage commuting by means other than single-occupancy motor vehicles

"(a) For the purpose of this section—

"(1) the term 'employee' means an employee as defined by section 2105 and a member of a uniformed service;

"(2) the term 'agency' means—

"(A) an Executive agency;

"(B) an entity of the legislative branch; and

"(C) the judicial branch;

"(3) the term 'entity of the legislative branch' means the House of Representatives, the Senate, the Office of the Architect of the Capitol (including the Botanic Garden), the Capitol Police, the Congressional Budget Office, the Copyright Royalty Tribunal, the Government Printing Office, the Library of Congress, and the Office of Technology Assessment; and

"(4) the term 'transit pass' means a transit pass as defined by section 132(f)(5) of the Internal Revenue Code of 1986.

"(b)(1) The head of each agency may establish a program to encourage employees of such agency to use means other than single-occupancy motor vehicles to commute to or from work.

"(2) A program established under this section may involve such options as—

"(A) transit passes (including cash reimbursements therefor, but only if a voucher or similar item which may be exchanged only for a transit pass is not readily available for direct distribution by the agency);

"(B) furnishing space, facilities, or services to bicyclists; and

"(C) any non-monetary incentive which the agency head may otherwise offer under any other provision of law or other authority.

"(c) The functions of an agency head under this section shall—

"(1) with respect to the judicial branch, be carried out by the Director of the Administrative Office of the United States Courts;

"(2) with respect to the House of Representatives, be carried out by the Committee on House Administration of the House of Representatives; and

"(3) with respect to the Senate, be carried out by the Committee on Rules and Administration of the Senate.

"(d) The President shall designate 1 or more agencies which shall—

"(1) prescribe guidelines for programs under this section;

"(2) on request, furnish information or technical advice on the design or operation of any program under this section; and

"(3) submit to the President and the Congress, before January 1, 1995, and at least every 2 years thereafter, a written report on the operation of this section, including, with respect to the period covered by the report—

"(A) the number of agencies offering programs under this section;

"(B) a brief description of each of the various programs;

"(C) the extent of employee participation in, and the costs to the Government associated with, each of the various programs;

"(D) an assessment of any environmental or other benefits realized as a result of programs established under this section; and

"(E) any other matter which may be appropriate.".

(b) CHAPTER ANALYSIS.—The analysis for chapter 79 of title 5, United States Code, is amended by adding at the end the following:

"7905. Programs to encourage commuting by means other than single-occupancy motor vehicles.".

SEC. 3. EFFECTIVE DATE.

This Act and the amendments made by this Act shall take effect on January 1, 1994.•

ADDITIONAL COSPONSORS

S. 327

At the request of Mr. MURKOWSKI, the name of the Senator from Utah [Mr. HATCH] was added as a cosponsor of S. 327, a bill to amend the Internal Revenue Code of 1986 to permit rollovers into individual retirement accounts of separation pay from the Armed Services.

S. 691

At the request of Mr. MURKOWSKI, the name of the Senator from Tennessee [Mr. MATHEWS] was added as a cosponsor of S. 691, a bill to terminate certain economic sanctions against Vietnam, to provide for less restrictive controls on exports of sensitive technology, material, and data to Vietnam, and to increase access by United States citizens to the territory of Vietnam in order to obtain a fuller accounting of the fate of certain American servicemen from the Vietnam war.

S. 732

At the request of Mr. KENNEDY, the name of the Senator from Maryland [Mr. SARBANES] was added as a cosponsor of S. 732, a bill to provide for the immunization of all children in the United States against vaccine-preventable diseases, and for other purposes.

S. 815

At the request of Mr. LIEBERMAN, the name of the Senator from Massachusetts [Mr. KERRY] was added as a cosponsor of S. 815, a bill to amend the

Federal Water Pollution Control Act to provide special funding to States for implementation of national estuary conservation and management plans, and for other purposes.

S. 839

At the request of Mr. HOLLINGS, the name of the Senator from California [Mrs. FEINSTEIN] was added as a cosponsor of S. 839, a bill to establish a program to facilitate development of high-speed rail transportation in the United States, and for other purposes.

S. 1040

At the request of Mr. BINGAMAN, the name of the Senator from California [Mrs. BOXER] was added as a cosponsor of S. 1040, a bill to support systemic improvement of education and the development of a technologically literate citizenry and internationally competitive work force by establishing a comprehensive system through which appropriate technology-enhanced curriculum, instruction, and administrative support resources and services, that support the national education goals and any national education standards that may be developed, are provided to schools throughout the United States.

S. 1458

At the request of Mrs. KASSEBAUM, the name of the Senator from Hawaii [Mr. INOUYE] was added as a cosponsor of S. 1458, a bill to amend the Federal Aviation Act of 1958 to establish time limitations on certain civil actions against aircraft manufacturers, and for other purposes.

S. 1478

At the request of Mr. PRYOR, the names of the Senator from Montana [Mr. BURNS] and the Senator from Iowa [Mr. GRASSLEY] were added as cosponsors of S. 1478, a bill to amend the Federal Insecticide, Fungicide, and Rodenticide Act to ensure that pesticide tolerances adequately safeguard the health of infants and children, and for other purposes.

S. 1511

At the request of Mr. DORGAN, the name of the Senator from Ohio [Mr. GLENN] was added as a cosponsor of S. 1511, a bill to eliminate the crediting of "good time" for violent and repeat offenders in Federal and State prisons, authorize funding for boot camps and the conversion of military facilities to regional prisons, and for other purposes.

SENATE JOINT RESOLUTION 98

At the request of Mr. MITCHELL, the names of the Senator from Connecticut [Mr. DOOD] and the Senator from Texas [Mrs. HUTCHISON] were added as cosponsors of Senate Joint Resolution 98, a joint resolution to designate the week beginning October 25, 1993, as "National Child Safety Awareness Week."

SENATE JOINT RESOLUTION 118

At the request of Mr. LAUTENBERG, the names of the Senator from Arizona [Mr. DECONCINI], the Senator from West Virginia [Mr. BYRD], the Senator from Ohio [Mr. METZENBAUM], the Senator from Michigan [Mr. RIEGLE], the Senator from Nebraska [Mr. KERREY], the Senator from Connecticut [Mr. LIEBERMAN], the Senator from Massachusetts [Mr. KERRY], the Senator from Hawaii [Mr. INOUYE], the Senator from Idaho [Mr. CRAIG], the Senator from Connecticut [Mr. DODD], the Senator from North Dakota [Mr. CONRAD], the Senator from Alabama [Mr. HEFLIN], the Senator from Rhode Island [Mr. CHAFEE], the Senator from Michigan [Mr. LEVIN], the Senator from Tennessee [Mr. SASSER], the Senator from Utah [Mr. HATCH], the Senator from New Mexico [Mr. BINGAMAN], the Senator from Illinois [Mr. SIMON], the Senator from Pennsylvania [Mr. WOFFORD], the Senator from Minnesota [Mr. DURENBERGER], the Senator from Massachusetts [Mr. KENNEDY], the Senator from New York [Mr. MOYNIHAN], the Senator from Virginia [Mr. WARNER], the Senator from Nebraska [Mr. EXON], the Senator from Iowa [Mr. GRASSLEY], the Senator from Rhode Island [Mr. PELL], the Senator from Kansas [Mrs. KASSEBAUM], the Senator from Oklahoma [Mr. BOREN], were added as cosponsors of Senate Joint Resolution 118, a joint resolution to designate the week of October 17, 1993, through October 23, 1993, as "National Radon Action Week."

SENATE JOINT RESOLUTION 130

At the request of Mr. KEMPTHORNE, the name of the Senator from Mississippi [Mr. COCHRAN] was added as a cosponsor of Senate Joint Resolution 130, a joint resolution designating October 27, 1993, as "National Unfunded Federal Mandates Day."

SENATE JOINT RESOLUTION 140

At the request of Mr. LAUTENBERG, the names of the Senator from Arizona [Mr. DECONCINI], the Senator from Wisconsin [Mr. KOHL], and the Senator from Illinois [Ms. MOSELEY-BRAUN] were added as cosponsors of Senate Joint Resolution 140, a joint resolution to designate December 7, 1993, as "National Pearl Harbor Remembrance Day."

SENATE CONCURRENT RESOLUTION 35

At the request of Mr. WOFFORD, the names of the Senator from Utah [Mr. HATCH], the Senator from Minnesota [Mr. DURENBERGER], the Senator from Arkansas [Mr. PRYOR], the Senator from Wisconsin [Mr. KOHL], the Senator from Tennessee [Mr. MATHEWS], the Senator from New York [Mr. MOYNIHAN], the Senator from New Jersey [Mr. BRADLEY], the Senator from New Jersey [Mr. LAUTENBERG], the Senator from Washington [Mr. GORTON], the Senator from Nebraska [Mr. EXON], the Senator from Alabama [Mr. HEFLIN], the Senator from South Dakota [Mr. DASCHLE], the Senator from Maine [Mr. COHEN], the Senator from Oregon [Mr. PACKWOOD], the Senator from Alabama [Mr. SHELBY], the Senator from Tennessee [Mr. SASSER], the Senator from Texas [Mrs. HUTCHISON], the Senator from Maryland [Mr. SARBANES], the Senator from West Virginia [Mr. ROCKEFELLER], the Senator from Kentucky [Mr. FORD], the Senator from Hawaii [Mr. INOUYE], the Senator from South Dakota [Mr. PRESSLER], the Senator from Illinois [Ms. MOSELEY-BRAUN], were added as cosponsors of Senate Concurrent Resolution 35, a concurrent resolution to express the sense of the Congress with respect to certain regulations of the Occupational Safety and Health Administration.

SENATE RESOLUTION 64

At the request of Mr. LUGAR, the name of the Senator from Texas [Mrs. HUTCHISON] was added as a cosponsor of Senate Resolution 64, a resolution expressing the sense of the Senate that increasing the effective rate of taxation by lowering the estate tax exemption would devastate homeowners, farmers, and small business owners, further hindering the creation of jobs and economic growth.

SENATE RESOLUTION 70

At the request of Mr. DOLE, his name was withdrawn as a cosponsor of Senate Resolution 70, a resolution expressing the sense of the Senate regarding the need for the President to seek the advice and consent of the Senate to the ratification of the United Nations Convention on the Rights to the Child.

AMENDMENTS SUBMITTED

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT OF 1994

BRADLEY (AND SMITH) AMENDMENT NO. 1070

Mr. BRADLEY (for himself and Mr. SMITH) proposed an amendment to the bill (H.R. 3116) making appropriations for the Department of Defense for the fiscal year ending September 30, 1994, and for other purposes; as follows:

On page 34, line 13, strike out "$785,000,000" and insert in lieu thereof "$635,000,000".

MCCAIN (AND OTHERS) AMENDMENT NO. 1071

Mr. MCCAIN (for himself, Mr. BINGAMAN, Mr. NUNN, Mr. THURMOND, and Mr. SMITH) proposed an amendment to the bill H.R. 3116, supra; as follows:

On page 157, between lines 9 and 10, insert the following:

SEC. 8142. No provision of this Act concerning programs, projects, or activities involving community adjustment assistance, research or development at colleges or universities, strategic environmental research, or environmental restoration may be construed as requiring a contract to be awarded, or as requiring a grant to be made, to a specific non-Federal Government entity for a new

program, project, or activity; *Provided*, That it is the policy of Congress that contracts and grants for programs, projects, and activities funded by the Department of Defense should be awarded through merit-based selection procedures.

HELMS (AND BROWN) AMENDMENT NO. 1072

Mr. HELMS (for himself and Mr. BROWN) proposed an amendment to the bill H.R. 3116, supra; as follows:

At the end of the committee amendment on page 154, insert the following:

SEC. 8142. None of the funds appropriated or otherwise made available by this Act may be obligated or expended for the Armed Forces of the United States to conduct operations in Haiti unless (1) operations of the Armed Forces of the United States in Haiti are specifically authorized in a law enacted in advance of the operations, or (2) the President certifies in writing to Congress that United States citizens in Haiti are in imminent danger and that a temporary deployment of the Armed Forces of the United States into Haiti is necessary in order to protect and evacuate United States citizens in Haiti. In the event of a certification under clause (2) of the preceding sentence, funds referred to in that sentence may be obligated and expended for the Armed Forces of the United States to conduct operations in Haiti only to the extent necessary for the Armed Forces to provide the protection and complete the evacuation certified as necessary.

MITCHELL (AND OTHERS) AMENDMENT NO. 1073

Mr. MITCHELL (for himself, Mr. DOLE, Mr. THURMOND, Mr. SIMPSON, Mr. WARNER, Mr. DOMENICI, Mrs. HUTCHISON, and Mr. D'AMATO) proposed an amendment to the bill H.R. 3116, supra; as follows:

At the appropriate place in the bill insert the following:

SEC. . (a) It is the sense of Congress that none of the funds appropriated or otherwise made available by this Act should be available for the purposes of deploying United States Armed Forces to participate in the implementation of a peace settlement in Bosnia-Herzegovina, unless previously authorized by the Congress.

(b) It is the sense of Congress that the limitation set forth in subsection (a) should not preclude missions and operations initiated on or before October 20, 1993, including the provision of any humanitarian assistance by the Department of Defense.

DOLE (AND OTHERS) AMENDMENT NO. 1074

Mr. MITCHELL (for Mr. DOLE for himself, Mr. MITCHELL, Mr. GRAHAM, Mr. SIMPSON, Mr. THURMOND, Mr. WARNER, Mrs. HUTCHISON, Mr. D'AMATO, Mr. MURKOWSKI, Mr. DODD, and Mr. DOMENICI) proposed an amendment to the bill H.R. 3116, supra; as follows:

At the appropriate place in the bill, insert the following:

SEC. . SENSE OF CONGRESS ON THE USE OF FUNDS FOR UNITED STATES MILITARY OPERATIONS IN HAITI.

(a) STATEMENT OF POLICY.—It is the sense of the Congress that—

(1) all parties should honor their obligations under the Governors Island Accord of July 3, 1993 and the New York Pact of July 16, 1993;

(2) the United States has a national interest in preventing uncontrolled emigration from Haiti; and

(3) the United States should remain engaged in Haiti to support national reconciliation and further its interest in preventing uncontrolled emigration.

(b) LIMITATION.—It is the sense of Congress that funds appropriated by this Act should not be obligated or expended for United States military operations in Haiti unless—

(1) authorized in advance by the Congress; or

(2) the temporary deployment of United States Armed Forces into Haiti is necessary in order to protect or evacuate United States citizens from a situation of imminent danger and the President reports as soon as practicable to Congress after the initiation of the temporary deployment, but in no case later than forty-eight hours after the initiation of the temporary deployment; or

(3) the deployment of United States Armed Forces into Haiti is vital to the national security interests of the United States, including but not limited to the protection of American citizens in Haiti, there is not sufficient time to seek and receive congressional authorization, and the President reports as soon as practicable to Congress after the initiation of the deployment, but in no case later than forty-eight hours after the initiation of the deployment; or

(4) the President transmits to the Congress a written report pursuant to subsection (c).

(c) REPORT.—It is the sense of Congress that the limitation in subsection (b) should not apply if the President reports in advance to Congress that the intended deployment of United States Armed Forces into Haiti—

(1) is justified by United States national security interests;

(2) will be undertaken only after necessary steps have been taken to ensure the safety and security of United States Armed Forces, including steps to ensure that United States Armed Forces will not become targets due to the nature of their rules of engagement;

(3) will be undertaken only after an assessment that—

(A) the proposed mission and objectives are most appropriate for the United States Armed Forces rather than civilian personnel or armed forces from other nations, and

(B) that the United States Armed Forces proposed for deployment are necessary and sufficient to accomplish the objectives of the proposed mission;

(4) will be undertaken only after clear objectives for the deployment are established;

(5) will be undertaken only after an exit strategy for ending the deployment has been identified; and

(6) will be undertaken only after the financial costs of the deployment are established.

(d) DEFINITION.—As used in this section, the term "United States military operations in Haiti" means the continued deployment, introduction or reintroduction of United States Armed Forces into the land territory of Haiti, irrespective of whether those Armed Forces are under United States or United Nations command, but does not include activities for the collection of foreign intelligence, activities directly related to the operations of United States diplomatic or other United States Government facilities, or operations to counter emigration from Haiti.

NOTICES OF HEARINGS

PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

Mr. NUNN. Mr. President, I would like to announce for the information of the Senate and the public that the Permanent Subcommittee on Investigations of the Committee on Governmental Affairs, will hold hearings on abuses in Federal student grant programs.

This hearing will take place on Wednesday, October 27, and Thursday, October 28, at 9 a.m. each day, in room 342 of the Dirksen Senate Office Building. For further information, please contact Eleanore Hill of the subcommittee staff at 224-3721.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. WOFFORD. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet on October 20, 1993, at 9:30 a.m. on TV violence and S. 1383, S. 973, and S. 943.

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

COMMITTEE ON COMMERCE, SCIENCE AND TRANSPORTATION

Mr. WOFFORD. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet on October 20, 1993, at 2 p.m. on S. 1427, Antarctic Scientific Research, Tourism and Marine Research Act.

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

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. WOFFORD. 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, October 20, beginning at 2 p.m., to hear—Mary Dolores Nichols, nominated by the President to be Assistant Administrator for the Office of Air and Radiation, Environmental Protection Agency; and Jonathan Z. Cannon, nominated by the President to be Assistant Administrator for the Office of Administration and Resources Management and Chief Financial Officer, Environmental Protection Agency.

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

COMMITTEE ON FINANCE

Mr. WOFFORD. Mr. President, I ask unanimous consent that the Committee on Finance be permitted to meet today at 10 a.m. to consider legislation authorizing the fiscal year 1994 and 1995 budget for the U.S. Customs Service, and to consider recommendations for legislation to implement the North American Free-Trade Agreement.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. WOFFORD. Mr. President, I ask unanimous consent that the Committee on Foreign Relations, be authorized

to meet during the session of the Senate on Wednesday, October 20, 1993, at 3:30 p.m. to hold nomination hearings on Larry Byrne, to be Associate Administrator for Finance and Administration of AID; and Jennifer Hillman, for the rank of Ambassador during her tenure of service as Chief Textile Negotiator.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. WOFFORD. Mr. President, I ask unanimous consent that the Committee on Foreign Relations, be authorized to meet during the session of the Senate on Wednesday, October 20, 1993, at 10 a.m. to hold a hearing on Somalia, the United States, and U.N. peacekeeping.

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

COMMITTEE ON INDIAN AFFAIRS

Mr. WOFFORD. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet on Wednesday, October 20, 1993, beginning at 9:30 a.m., in 485 Russell Senate Office Building on self-governance.

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

COMMITTEE ON JUDICIARY

Mr. WOFFORD. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on Wednesday, October 20, 1993 to hold a hearing on the nominations of Martha Craig Daughtrey to be U.S. Circuit Judge for the Sixth Circuit, Thomas M. Shanahan to be U.S. District Judge for the District of Nebraska, and Lawrence L. Piersol to be U.S. District Judge for the District of South Dakota.

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

COMMITTEE ON THE JUDICIARY

Mr. WOFFORD. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on Wednesday, October 20, 1993, at 9:30 a.m. to hold a hearing on interim national drug control strategy: "breaking the cycle of drug abuse."

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

COMMITTEE ON LABOR AND HUMAN RESOURCES

Mr. WOFFORD. Mr. President, I ask unanimous consent that the Committee on Labor and Human Resources be authorized to meet on October 20, 1993, at 9:30 a.m., for an executive session to consider the Disadvantaged Minority Health Improvement Act of 1993; S. 1523, Stewart B. McKinney Homeless Assistance Reauthorization Act of 1993; and the nominations of William B. Gould IV to be Chairman of the National Labor Relations Board; Martin John Manley to be Assistant Secretary for the Office of the American Workplace at the Department of Labor; and John Calhoun Wells to be Federal Mediation and Conciliation Director.

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

COMMITTEE ON LABOR AND HUMAN RESOURCES

Mr. WOFFORD. Mr. President, I ask unanimous consent that the Committee on Labor and Human Resources be authorized to meet for a hearing on the nomination of Diane Frankel to be Director of the Institute for Museum Services, during the session of the Senate on Tuesday, October 20, 1993, at 2:30 p.m.

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

COMMITTEE ON LABOR AND HUMAN RESOURCES

Mr. WOFFORD. Mr. President, I ask unanimous consent that the Committee on Labor and Human Resources be authorized to meet for a hearing on Health Alliances: Building a Structure for the Health Security Act, during the session of the Senate on Tuesday, October 20, 1993, at 10 a.m.

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

ADDITIONAL STATEMENTS

IF THE U.S. PUBLIC KNEW ABOUT ITS PRISONS

• Mr. SIMON. Mr. President, one of the most ridiculous and wasteful policies we have is to try to stop all crime simply by putting people into prison.

People who are violent should be in prison. Others who commit nonviolent crimes probably should have short stays in prison and then be compelled to do some type of work that benefits society, such as working in a home for the homeless.

But for us to have by far the highest ratio of prisoners per 100,000 people of any nation in the world, simply has been a flawed policy, and the statistics show it.

For some reason, it remains politically popular to do so.

Recently, I was pleased to read a column in the National Catholic Reporter by Father Robert F. Drinan, with whom I had the privilege of serving in the House.

He calls for some common sense in our prison policies.

I ask to insert the Drinan column into the RECORD at this point.

The column follows:

IF THE U.S. PUBLIC KNEW ABOUT ITS PRISONS

(By Robert F. Drinan)

Of all the developments in 12 years of Reagan and Bush, one of the least known is the astonishing increase of people in prison. The number of federal prisoners more than tripled, from 24,500 to 80,259. The total number of prisoners grew from 329,821 in 1980 to 883,593 in 1992—an increase of 167.9 percent.

The upward trend has not leveled off despite mounting criticism. In 1992, federal prisoners increased by 8,651, while there were 50,809 additional state prisoners. This translates into a need for 1,143 new prison beds each week. In 1990, more people were admitted to prisons for drug offenses than for property crimes.

All these factors make melancholy reading in a recent study by the U.S. Advisory Commission on Intergovernmental Relations.

Among the reasons for this increase is the abolition of parole by the federal government and several states, and the enactment of more laws requiring a mandatory sentence. There are now almost 100 federal laws whose violation requires a mandatory jail sentence.

Another reason is the increase in the number of federal prosecutors in the Reagan years.

Federal officials, moreover, in the 1980s concentrated on catching street criminals and putting drug users in prison. Although the framers of the Constitution and the conservative tradition in America never contemplated the federal government getting into local and neighborhood crime, the White House in the 1980s introduced that new and dangerous direction in law enforcement.

The United States with a ratio of 455 prisoners per 100,000 inhabitants and almost 1 million persons behind bars, can claim the distinction of being the world leader in both categories. In 40 states and the District of Columbia, courts have ruled that jail conditions violate federal or state constitutions.

Women have a particularly difficult time in prison. The numbers, now 6 percent of the total, have since 1980 been growing at a greater rate than men. New York is the only state that allows women to keep their babies with them in jail.

A 303-page book, Global Report on Prisons, recently published by the Human Rights Watch, reveals the grim conditions in prisons around the world. Prisoners are often treated in inhuman and degrading ways. Prisons usually fall below the level of decency required by the U.N. standard minimum rules for the treatment of prisoners. The report also finds that "pretrial inmates are generally confined in far worse conditions than those endured by prisoners convicted of the most heinous crimes."

It is obvious that appropriate treatment for serious crime has never been an easy question. But the simplistic solutions of the past decade have not brought about a decrease in crime nor have they diminished the drug problem on which the federal government alone spends $11 billion each year.

Attorney General Janet Reno is beginning to urge a substantial change in the nation's programs and priorities on law enforcement. Although she was a prosecutor in Florida for 15 years, she see the counterproductive effects of the draconian measures adopted in the past dozen years.

The most effective way to punish and deter crime is to educate and motivate those persons convicted of crime so they will abandon their evil ways. A big problem is the number of recidivists. The traditional objectives of imprisonment are deterrence, punishment and rehabilitation. There is little evidence that rehabilitation is being substantially achieved in today's prisons.

It is lamentable that religious groups are seldom involved in helping prisoners. Most jails have a chaplain, but support groups from local communities are discouraged. Indeed, prisons are kept largely invisible. Human Rights Watch makes one of its top recommendations a "general call to open the prisons to the public in every way possible."

If the public knew of the vast billions being spent on prisons and saw the meager

results, they would demand a thorough reexamination of imprisonment.

Dostoyevski once wrote that the morality of a civilization can be judged by the way it treats its prisoners. On that basis the United States has a long way to go.●

HONORING THREE NEW YORK HIGH SCHOOL STUDENTS, AND THEIR TEACHERS, WHO WERE AMONG 20 NATIONAL WINNERS OF NASA'S 13TH ANNUAL SPACE SCIENCE STUDENT INVOLVEMENT PROGRAM [SSIP] COMPETITION

● Mr. D'AMATO. Mr. President, I rise today to honor three fine young New Yorkers who were among the 20 national winners of NASA's 13th annual Space Science Student Involvement Program [SSIP] competition. The three students, along with their respective teachers, were honored here in Washington at the National Space Science Symposium, October 2–6.

The competition, which is cosponsored by NASA and the National Science Teachers Association, involves thousands of students annually. SSIP engages students with various academic strengths in a broad spectrum of competitions. Elementary, junior high, and high school students compete for all-expense-paid trips to NASA centers, 1-week internships, space camp scholarships, medals, ribbons, certificates, and other forms of national recognition, utilizing an impressive array of skills in mathematics, science, technology, art and creative writing.

Philip Chang, a resident of Brooklyn, and a junior at the Bronx High School of Science, was a national winner for his work entitled, "The Application of Neural Networks to Radiation Problems." Philip was accompanied by his teacher, Mitchell Fox.

Jeffrey D. Stanaway, a resident of Yorktown, and a junior at Lakeland High School in Shrub Oak, was a national winner for his project, which tested a wing design with enhanced maneuverability as a result of its being able to alter its profile during flight. Jeffrey was accompanied by his teacher, George Naumann.

Ryan E. Sours, a resident of Manlius, and a junior at Fayetteville-Manlius High School in Manlius, was a national semifinalist for his project entitled, "The Search for Gravity Waves." Ryan was accompanied by his teacher, Martin Alderman.

I would like to offer the highest commendation to these three fine young men. Their valuable work, and the recognition they have received, should serve as an inspiration to all of us. I am sure all New Yorkers join me in tipping our hats to these three winners.●

HURDLE TO PEACE: PARTING THE MIDEAST'S WATERS

● Mr. SIMON. Mr. President, recently, the New York Times had a front-page story about water being an important factor for the future of the Middle East, and a few weeks prior to that, they had an interview with King Hussein, who said that if Israel and Jordan ended up in conflict, it would likely be over water.

Recently, the Jerusalem Report, a weekly magazine out of Israel, had a full-page ad titled, "Needed: Water on the Border."

The reality is that we have to move soon to escalate our research so that we find less expensive ways of converting salt water to fresh water. That is vital in the Middle East, it is vital in parts of Africa and South America.

It is important to the future of California, Florida, and other States.

The reality is the world population is growing and our water supply is not growing.

And yet, we find that except for drinking water, the two-thirds of the world surface covered by water is unusable.

We simply have to make a breakthrough.

I am pleased to have legislation pending that is cosponsored by Senators MOYNIHAN, BRADLEY, JEFFORDS, BRYAN, REID, SHELBY, LIEBERMAN, and ROBB.

I hope we can move soon on this and creatively use the brains of this country and of other countries to solve an extremely significant problem.

I ask to insert into the RECORD the New York Times story titled, "Hurdle to Peace: Parting the Mideast's Waters" written by Alan Cowell and the advertisement that appeared in the Jerusalem Report.

The articles follow:

[From the New York Times, Oct. 10, 1993]

HURDLE TO PEACE: PARTING THE MIDEAST'S WATERS

(By Alan Cowell)

KUTAYFA, JORDAN.—Beyond all the hopeful talk of peace in the Middle East, a battle is shaping over an issue as powerful as land, as basic as oil: the region is running out of water, and no one, Israeli or Arab, is prepared to do with less so others can have more.

In a region where barren deserts and cloudless skies make water life's most precious commodity, the dispute may prove even more complicated than the brave new steps promised by Israel and the Palestine Liberation Organization.

"At present it's a zero-sum game," Munther Haddadin, Jordan's chief negotiator on water rights, said in an interview in Amman. "What is taken by Israel is taken away from other people. And what is taken by other people is taken from Israel."

Since the Middle East peace talks began in 1991, regional discussions on water rights have proved frustrating and inconclusive. But the issue is gaining urgency as the agreement on Palestinian self-rule prompts Jordan, Syria and Lebanon to seek separate accommodations with Israel.

"We say, you will not take water from us," said the Israeli negotiator on water, Avraham Katz-Oz, who spars with Mr. Haddadin in the regional water talks that are supposed to accompany progress toward a comprehensive Middle East peace. "But we are ready to work with you because water is money. We don't say, no, you will not get water. We say, yes, we can work together."

As might be expected in a region steeped in hostility and mistrust, the dispute is viewed through utterly different prisms.

What Arabs depict as Israel's disproportionate use—even theft—of water, Israelis portray as the result of foresight, technological advances like computerized irrigation and good management in securing and exploiting supplies.

And what some Arabs prefer to cast as a straight fight between them and Israel over water rights, Israelis and some foreign experts depict as a situation in which Arab has taken from Arab, where offers of regional cooperation have been spurned and even basic estimates of who gets what now are as deceptive as the starting price set by a rug-seller in a bazaar.

Whatever their differences, there is a profoundly held view, particularly in arid Jordan, that water sharing will be central to any peace deal beyond the accord signed in September by Israel and the P.L.O.

"If there's no agreement on water, there'll be no peace settlement," said Dr. Elias Salameh, a hydrologist at Jordan University in Amman. "Unless we come to terms on the redistribution of water, nothing will happen."

The reasons for worry are clear. The Israeli and Arab populations have expanded, but water resources have not.

In Jordan, Israel and the Israeli-occupied West Bank and Gaza Strip, rivers and aquifers have been so heavily tapped that some have been exhausted or spoiled. The desert horizons offer neither the prospect of more generous rain nor the terrain to utilize the rain that does fall.

When generous rains do come, as they did in 1991–92, they may offer only temporary respite because storage sites are limited and some aquifers are already brackish.

From the Arabs' point of view, the issue resembles their demand for territory in return for peace. To feed Tel Aviv and the Negev region, Israel consumes more than twice Jordan's supply from the same rivers—the Jordan and the Yarmuk—though the population of Israel outstrips its neighbor by only about one-third.

Under Israel's rationing system, according to Jordanian figures, each Israeli is entitled to almost four times as much water as a Palestinian on the West Bank—even though rain gathers in aquifers beneath the West Bank, Israel also controls water that rises in the Golan Heights, captured from Syria in 1967.

Though it acknowledges some disparities, Israel resents the suggestion that it is a water thief, arguing that its investment in water-management over the decades has totaled some $30 billion, only to be challenged by interpretations of who is entitled to what.

"There is no reason for Palestinians to claim that just because they sit on lands, they have the rights to that water," Mr. Katz-Oz said. "The mountains do not own the water that fall on them. It's the same with Canada and the United States. It's the same all over the world."

But the pressure for concessions is growing. An agenda that was formally initialed by Jordan and Israel on Sept. 15 specifically identifies water rights as an issue that must be resolved in negotiations before a comprehensive peace treaty for the region can be reached.

THE VIEW FROM JORDAN: LACK OF WATER, RISKS IN FARMING

In this farming area 20 miles southeast of Amman, where crops are coaxed from stubby land, Princess Nafaa Ali, has come to accept that neither wealth nor technology can produce water if there is none.

A member of Jordan's royal household who farms family holdings on a bald hillside, she sank a well two years ago to irrigate fields of barley to feed her sheep and garlic to send to market. Without the well, she said, there is no guessing how the spring rains might treat her crop. She has experienced everything from drought to flash floods that turn the dry stream-beds, or wadis, to sudden torrents.

Even with the well, whose waters are too steeped in iron for humans to drink, there is no guarantee how long the aquifer it taps will survive to feed the long, black lines that stretch across her fields to provide drip-irrigation to the seeds.

"It's still a gamble," she said.

Indeed, for the country as a whole, farming is a gamble with virtual no-win odds.

"The Jordanians have tapped most of the water in the country," a Western specialist said. "They have tapped the aquifers so that they are depleted or contaminated by overpumping. The demand exceeds the known resources."

Dr. Salameh, the hydrologist at Jordan University, agrees.

"We are now living in a water crisis," he said in an interview in Amman, whose summer water supply is rationed to two days of pumping a week and is stored in tanks atop many homes. "It's not yet a catastrophe, but by the year 2010, we'll end up having nothing."

HISTORY OF THE DISPUTE: POPULATION GROWTH, AND A NEW ENTITY

For centuries, water has set the rhythms of life in the Middle East, from the odysseys between oases of lean desert tribes to the lassitude of the Nile Valley. In this century, water has spawned tension as much as it has sustained life, as tribes and empires drew lines in the sand to mark the frontiers of modern statehood.

Nowhere is the struggle more evident than in the tiny triangle of land below the Sea of Galilee, where the Yarmuk and Jordan Rivers meet.

The natural expansion of populations had already strained those water resources. Then came an influx of hundreds of thousands of Soviet Jews into Israel beginning in the late 1980's. And in 1990-91, some 300,000 Palestinians arrived in Jordan after they fled or were expelled from Kuwait and other gulf states because of the P.L.O.'s support for Iraq in the Persian Gulf war.

"The population of Jordan increased at once by 12 percent," Dr. Salameh said, "and that's not easy to accommodate."

The demographics of war and peace now threaten to strain resources further. With talk of a new Palestinian authority rising in the occupied West Bank, after Israel's peace with the P.L.O., there will be another claimant to the same waters, seeking an increased share for economic and agricultural growth and for a population likely to be swollen beyond its current one million as refugees return home.

Even now, said Dr. Haddadin, the Jordanian negotiator on water rights, Israel provides its own population of about five million with nearly 400 cubic meters of water per person per year. But in the West Bank, he said, the water supply now amounts to about 115 cubic meters per person per year.

"Why should anyone entertain a disparity of that magnitude?" he asked. "There has been a unilateral usage by Israel of the entire flow of the Jordan River."

A new Palestine authority would almost certainly demand the right to tap more deeply into the aquifers of the West Bank to promote its agricultural potential than Israel now allows the Palestinians to do. The Palestinians, possibly in tandem with Jordan, would also urge Israel to release more water into the Jordan River from the Sea of Galilee, which Israel uses as its main water reservoir.

At the same time, water is running out for the 800,000 Palestinians of the barren Gaza Strip, which has been linked with the West Bank town of Jericho as the embryo of a future Palestinian government. Arab specialists say because the aquifers beneath Gaza, which are sapped by the burgeoning population above, have been contaminated with salt water from the Mediterranean.

Israeli control over water is also a crucial issue for Syria because one of the three main streams of the Jordan River—the Bajias—rises in the Golan Heights, annexed by Israel in 1981.

THE SOURCES: PRESSURE EXERTED FROM ALL SIDES

Just a glance at the region's water sources suggests the complexity of the struggles to come.

Israel taps the Jordan River, the Sea of Galilee and the Yarmuk River to pump supplies to Tel Aviv through the National Water Carrier, a system of pipelines. It also draws on rain-fed aquifers that run beneath the West Bank toward the Mediterranean. Supplies to the West Bank are limited by regulations covering the depth and use of Arab wells.

Syria has access to the Euphrates in the north and to the Yarmuk in the south where it has built dams that divert water from Jordan and Israel farther downstream.

For its agriculture in the Jordan Valley, Jordan depends on water from the Yarmuk, which it pumps into the East Ghor irrigation canal; on rain-fed aquifers further east, and on the small Zerga river, the only river that rises on its territory. Farmers in southern Jordan have stirred controversy by tapping nonrenewable fossil water lying under the border with Saudi Arabia, and the Saudis have drawn criticism for exploiting the same resource.

PLANS, PAST AND PRESENT: PROPOSED QUOTAS; WINNERS AND LOSERS

A tentative plan for sharing water was first negotiated by the parties in 1953, when Eric Johnston, an envoy of President Eisenhower, visited the Middle East to broker an accord on the division of the Yarmuk and Jordan Rivers. The plan never went into effect because, the Jordanians said, the Arab League rejected it after a technical committee from the region's riparian countries accepted it.

The quotas proposed in the plan, however, serve as a yardstick for what has happened over the last four decades. According to the Jordanian study, both Syria and Israel have vastly increased the amount of water they take from rivers to which they have access.

According to a study published recently by Jordan's Royal Society for the Conservation of Nature, the Johnston plan allocated Israel 375 million cubic meters of water per year from the Jordan River and 25 million cubic meters form the Yarmuk. Israel now takes 650 million from the Jordan and 100 million from the Yarmuk, the study says.

The Jordanians were allotted 100 million cubic meters from the Jordan River and access to a flow of 377 million cubic meters from the Yarmuk.

Today, the study said, Jordan takes only about 100 to 110 million cubic meters from the Yarmuk and none from the Jordan River. Jordanian specialists attribute that limit primarily to the water's being contaminated by saline spring water pumped downstream from the Sea of Galilee by the Israelis.

Syria was allotted 42 million cubic meters from the upper Jordan River and 90 million from the Yarmuk. Today it takes twice its proposed share from the Yarmuk but none from the upper Jordan because of Israel's annexation of the Golan Heights. The Jordan rises in three main springs in the Golan, Lebanon and Israel.

"Jordan is the major lower and Israel is the major winner," the Jordanian report concludes.

There has been much talk in recent years of ambitious projects to pump water into the area from Turkey or Iraq. And Israel, which has access to the Mediterranean and is expanding its use of desalting, has suggested joint investment in desalting projects with Jordan to meet both countries' needs.

Wealthy gulf nations like Kuwait and Saudi Arabia already rely heavily on oil-powered desalting plants, which use a complex distillation process to turn seawater into drinking water.

Many experts say the desalting technology is still too expensive for countries like Jordan. A domestic consumer in Jordan would have to pay $3 to $5 for every cubic meter (about 264 gallons) of drinking water that is desalted, specialists there estimate.

Some experts argue that water supplies in the region could simply be used more efficiently. Jordan, for instance, could use its Yarmuk supply first for drinking water rather than for irrigation, and then recycle urban wastewater to keep the crops growing, as Israel does.

Israeli representatives assert meanwhile that the debate over water has been skewed by the Arabs' emphasis on disparities in consumption.

A person living in a high-rise apartment building in Tel Aviv with a sink, dishwasher, washing machine and toilet is likely to use a lot more water than someone in a Palestinian refugee camp where such amenities are minimal.

"I'm not saying that's good," said Mr. Katz-Oz, the Israeli negotiator. But that disparity, he said, is "a socioeconomic problem—it's not a water problem."

NEEDED: WATER ON THE BORDER

"In the Middle East, a reservoir is a precious resource," commented Caroline Krumeh, an American-born member of Kibbutz Neve Ur, located on Israel's border with Jordan. "However, to Israelis who depend on shared water sources with Arab countries, a reservoir also means survival," she asserts.

Ms. Krumeh is referring to the Neve Ur Reservoir, currently being built by the Jewish National Fund as an alternative water source to the Jordan River. Survival along the border depends on a reliable water supply. So when the region's supply came under constant threat, the Israeli government turned to the JNF.

Availability of water has always been a central problem for Israel, which is subject to seasonal rainfall as well as uneven distribution of that rainwater and periodic droughts. For years, the JNF has been finding solutions to Israel's water availability and conservation problems.

In the North, JNF built the reservoirs to meet the irrigation needs of 15 farming communities. In the South, JNF built storage dams to retain water from the winter rains and prevent them from causing flash floods that erode the soil and lose water to the sea. JNF is also involved in research to develop additional water sources and explore the better utilization of available sources.

JNF's work has become even more urgent in light of the current peace talks. Of all the countries in the Middle East, Israel and Jordan, which both rely on water from the Jordan River, have the most severe water problems. JNF is therefore building dams and reservoirs around the country, enabling Israel to capture and store run-off water and create reliable water sources.

Today, JNF is focusing on the communities along the borders of Israel, which critically need reservoirs. For over 40 years, Kibbutz Neve Ur has lived less than one mile from the border of Jordan, dependent on the water it receives from the Jordan River. Originally founded by a group of Iraqi immigrants, the current population is 420, including 165 children. Neve Ur absorbed nine Russian immigrant families in 1990.

Relying on the water from the Jordan River, the kibbutz has had constant disputes with Jordan over the water supply. In addition, it has had to contend with a decreased water supply from the river in the summer and destructive floods in the winter.

To alleviate this life-threatening situation, the JNF has started the construction of the Neve Ur Reservoir to ensure the water for Kibbutz Neve Ur and the entire Beit She'an Valley, south of the Sea of Galilee. Besides providing an alternative to the water supplied by the Jordan River, the Neve Ur Reservoir will alleviate the strain on Israel's National Water Carrier.

The reservoir will also aid the economy of Kibbutz Neve Ur, which is dependent on water. The fields of the kibbutz produce alfalfa crops, grapefruit, mangoes and dates. Kibbutz members also run a fish farm, raise cattle, and plan to establish recreational facilities around the new reservoir. These activities provide jobs and ensure the stability of communities in the Beit She'an Valley.

The reservoir, including service areas and ponds, will comprise 85 acres. Holding 800,000 cubic meters of water, it will allow 500,000 cubic meters for irrigation and the balance for fish farming. The projected investment in the Neve Ur project is 5 million dollars.

JNF regions around the United States have started campaigns to promote this crucial project. In partnership with its supporters, JNF of America plans to give the people in Kibbutz Neve Ur and the Beit She'an Valley the water they so desperately need.●

DOMESTIC ASSAULT AWARENESS MONTH

● Mr. RIEGLE. Mr. President, despite the profound gains American women have made toward equality in our society, violence against women is still a critical problem. Sadly, some Americans still believe that this type of violence is rare, and that when it does occur a woman is asking for it, and can easily leave if she wants to. Unfortunately, statistics show that domestic violence is shockingly common, affecting women in every social and economic strata.

An estimated 3 to 4 million American women are battered each year by their husbands or partners. More than 1 million abused women seek medical help for battery injuries each year.

The FBI estimates that a woman is battered every 15 seconds in the United States.

Battery is the single major cause of women's injuries that require medical treatment—more prevalent than rape, muggings, and auto accidents combined.

Twenty percent of women seen in emergency rooms are victims of battery.

Thirty percent of female homicide victims are killed by their husbands or boyfriends.

Once violence begins in a relationship, it frequently escalates over time—trapping its victims through a pattern of terrorism. Sixty percent of battered women are beaten while pregnant. Many assaults last for hours. Many are planned. Clearly, society has underestimated and ignored this epidemic for too long. A comprehensive approach to dealing with domestic violence is critically needed.

Many people do not understand why it is so difficult for battered women to just pack up and go somewhere else. Every woman considering leaving her abusive partner must face the real possibility of further injury or even death. Oftentimes, the assailants have deliberately isolated their partners, depriving them of careers, educational opportunities, and job skill improvement. This isolation, combined with unequal job opportunities for women and the lack of affordable child care, can make it financially impossible for a battered woman to leave a violent relationship.

While many women do leave their abusers permanently, often it is not without extreme difficulty and danger. According to experts in this field, when a woman tries to leave a violent relationship, the perpetrator dramatically escalates his violence in order to reassert control and ownership. It is at this point that legal protection and institutional support are most ineffective—unfortunately, our communities and legal system are not adequately equipped to assist and protect battered women. In the past, police were reluctant to pursue to domestic assault cases, perceiving these situations as private matters. Even today, they are oftentimes only able to separate the couple temporarily, leaving the woman vulnerable to future violence.

Because of the current shortcomings within our legal system, some battered women have resorted to killing their abusers in self-defense. Usually, these women have tried repeatedly and unsuccessfully to obtain police protection from their abusers. A Police Foundation study in Detroit and Kansas City found that in 85 to 90 percent of partner homicides, police had been called to the home at least once during the 2 years preceding the incident; in more than half of these cases they had been called five times or more. Without critically needed improvements in legal and community support, women will continue to be condemned to choose between victimization or imprisonment.

These are just some of the compelling reasons why I believe that Federal legislation must be passed to help victims and survivors of domestic violence. I am proud to be a cosponsor of the Violence Against Women Act (S. 11). This legislation, currently awaiting floor action, takes the following actions:

Authorizes funds for law enforcement and increased lighting in areas where women are most endangered;

Helps ensure women's safety on college campuses;

Extends civil rights protection to victims of gender-motivated crimes;

Establishes programs to educate judges and prosecutors on battered women syndrome;

Improves enforcement of protective orders for battered women; and

Increases funding for shelters.

It is crucial that the Violence Against Women Act becomes law this year. It is the least that our country can do to help women who suffer or who have suffered from domestic violence. For too many years, our idea of crime has allowed us to ignore the growing epidemic of violence against women. Congress must take a leadership role in changing this pattern.

Through the Violence Against Women Act, attention will be focused on this critical issue, and solutions will be provided that work toward aiding the survivors, increasing police and prosecutor responses, and breaking stereotypes which portray violence against women as less serious than other violent crimes. These measures are urgently needed, and are the necessary first steps toward eradicating violence against women in our culture, on our streets, and in our homes.●

NO PLACE TO RUN, NO PLACE TO HIDE

● Mr. SIMON. Mr. President, earlier this month the Chicago Tribune ran an editorial entitled, "No Place To Run, No Place To Hide." With this editorial, the Tribune continues to provide news coverage, focus, and leadership, as it has through its series, "Killing Our Children," in the area of violence against and among children.

The editorial begins by describing the deaths of several Illinois students—students who have met violent deaths in the suburbs, in small towns, in rural Illinois. The editorial asks, "How far from the city do you think you could move to make sure your family is safe from gun violence?" The reality is that there is no place immune to gun related violence any more. A Lou Harris

poll, commissioned earlier this year by the Chicago-based Joyce Foundation, found that a large majority of American teenagers believe they can get a gun whenever they want one. A even larger group said they feel endangered by guns in and around their schools and communities.

Illinois and the city of Chicago are attempting to come to grips with the escalation of gun related violence. Two bills are currently pending before the Illinois general assembly, bills that pattern efforts here in Congress. One would ban assault weapons in the State. The other addresses an issue I have been involved with—licensing of gun dealers. The city of Chicago has recently shut down a number of gun dealers because they failed to comply with local ordinances.

These kinds of reasonable efforts to stop gun related violence are going on across the country. I only hope Congress will follow the lead of many local and State governments. I urge my colleagues to read the editorial from the Tribune and ask that it be printed in full in the RECORD.

The editorial follows:

[From the Chicago Tribune, Oct. 4, 1993]

NO PLACE TO RUN, NO PLACE TO HIDE

How far from the city do you think you could move to make sure your family is safe from gun violence?

How about to Du Page County, one of the nation's richest? How about sending your child to Hinsdale South High School, one of the state's finest?

Barrett Modisette, the student mascot of the Hinsdale South Hornets, was shot to death as he left a football game in Downers Grove. A fellow student is charged with shooting Modisette in the head with a .25-caliber semiautomatic handgun.

So that's not far enough. Perhaps you'd better go farther afield—say, to Plainfield. It's a booming community at the outer reaches of the metropolitan area, where new housing is ringed by cornfields.

Chris Pesavento was a star football player for Plainfield High School, headed for college on a scholarship. Now he is paralyzed, the result of a bullet from a .45-caliber semiautomatic handgun. Four local teens are charged in his shooting, which originated in a quarrel that didn't involve Pesavento.

No, there is no running away. Maybe you should get your own gun to protect your family.

Shannon Herrod took her mother's revolver from home to fend off some local bullies. When the 10-year-old Chicago girl pulled her gun on the boys, one of them pulled a gun in turn and she ran home. Shannon and her 14-year-old best friend turned to playing with the weapon; the game ended with Shannon dead.

In a nation with almost as many firearms as people, there is no place distant from guns and there are few kids who can't get their hands on one. To many adolescents, a handgun seems an increasingly tempting, easy way to gain the upper hand.

Modisette and Pesavento had expected the squabbles that ended in their shootings to be settled by fistfights. But fists and words are no longer the weapons of choice in adolescent duels. Not when a gun is so easy to come by—at home, from a friend, from a dealer with a trunkful to sell to any taker.

Federal, nationwide legislation to stem the avalanche of handguns and assault weapons holds the best promise of effective action. Congress, tragically, is still to cowed to take such a step. But public sentiment is growing for meaningful gun control, and those on Capitol Hill need to see and hear countervailing influences to the unduly powerful gun lobby.

In this regard, state action can play a valuable role. And if state measures are crafted pointedly, they hold the promise of making some dents in the gun trade, saving at least some lives—each one precious.

To this end, Illinois handgun safety and control advocates have fashioned a package of proposals to state legislators. Two that hold the most promise are a statewide ban on assault weaponry—similar to laws already passed by other states—and a measure to force licensed gun dealers to operate in the open.3

An assault weapons ban—federal or state—should need no lengthy explanation. The firepower of these mini-machine guns makes them awesome instruments for killing and crippling people and offers no genuine sport to the serious hunter.

A less publicized problem is the ridiculous ease of getting a license to sell guns and the lack of limits that follow. For $30, almost anyone can get a three-year federal firearms dealer license. More than 286,000 people hold licenses—nearly 11,000 in Illinois. Only abut 7 percent sell from established stores; the rest deal from homes, offices, cars and street corners.

About 60 percent of the guns used in crimes in Illinois were bought legally in this state, according to the Federal Bureau of Alcohol, Tobacco and Firearms; 30 percent came from out of state, and only 10 percent were obtained by theft.

A proposal from the Illinois Council Against Handgun Violence would require gun sellers to operate from fixed store sites. This is a reasonable requirement that would help force gun dealing out into the public eye and provide penalties against those who peddle weapons on the sly.

The council also makes a good argument for a purchase tax—15 percent on handguns, 5 percent on long guns—that would go to compensate society somewhat for the costs of the predictable misuse of weapons.

Another citizens group, Handgun Control Inc., seeks a state law that would make adults responsible for securing weapons they own. Households with children under age 14 would have to store guns in a locked box, keep triggers locked or store weapons in a spot that a "reasonable person" would deem secure.

Opponents argue that present laws already provide punishment for adults who are lax in protecting children from harm. But punishment is not the real goal here. The aim is public education, in the way seatbelt and child-restraint laws carry the message on those basic precautions. A gun-safety bill coupled with a public campaign would have positive effect.

In a survey this year sponsored by the Joyce Foundation, a large majority of U.S. teens said they can get a gun when they want one; an even larger number said they feel endangered by guns.

It's something that we didn't think would ever happen in this area. Now it's always in the back of your mind," said Doug Sutor, dean of students at Sandburg High School in Orland Park.

A Hinsdale South mother said after Barrett Modisette's death: "It just was so frightening that something hit so close to home. . . . The outside forces that we didn't think would enter our little world did."

This whole nation is one little world, interwoven and interlocked. None of us is out of firing range.●

UNDERGROUND RAILROAD DEDICATION IN BATTLE CREEK

● Mr. RIEGLE. Mr. President, I rise today in honor of the underground railroad dedication celebration taking place on October 24, 1993, in Battle Creek, MI.

The underground railroad was an illegal network of hiding places used in moving escaped slaves from the South into the North to safety and freedom. It is estimated that somewhere between 40,000 and 100,000 escaped slavery through this network. Hiding places were located about a day's journey apart. Peoples' homes, basements, barns, attics, and cellars were used as places of refuge for those who sought their freedom.

There were at least six underground railroad routes that crossed through southwestern Michigan. Battle Creek, MI, became a major hub in the underground railroad network as part of the Quaker, Chicago, and Michigan central routes to Canada. The stationmaster in Battle Creek was Erastus Hussey, a Quaker and abolitionist. With the help of his wife, Sarah, and daughter, Susan, Erastus Hussey helped transport over 1,000 fugitives to safety. It was through the strength and courage of individuals like the Husseys that hiding slaves seeking freedom were able to find food and shelter.

As a dedication to this strong commitment to human rights, a sculpture was commissioned to pay tribute to the slaves who sought freedom in the North as well as those who helped them in their escape. The sculpture to be dedicated this weekend is the largest sculpture in the Nation commemorating the underground railroad. This silicone bronze sculpture, which stands 14 feet high and is 28 feet long, was created by Ed Dwight, an African-American sculpture from Denver. It brings to life the story of an African-American family seeking safety in a hideout, and the people who courageously helped them to safety.

This new sculpture is not only a monument to those involved in the underground railroad network, but is also represents an ongoing effort in Battle Creek, MI, to the goal of guaranteeing human rights for everyone. Mr. President, I would like to commend all of those involved in this important project, and thank them for their efforts to commemorate this important part of our country's history.●

HONORING THE 120TH ANNIVERSARY OF THE POLISH ROMAN CATHOLIC UNION OF AMERICA

• Mr. RIEGLE. Mr. President, on the occasion of the 120th anniversary of the Polish Roman Catholic Union of America [PRCUA], I extend my warmest regards to its membership and salute its ambitious achievements during the 20th century.

Since its inception in 1873, the PRCUA has evolved into the largest Polish Roman Catholic fraternal organization in the United States. Today, the PRCUA's membership stands over 90,000 strong, of which more than 10,000 reside in my State of Michigan.

The PRCUA has a rich history. The organization, which held its first convention in Detroit in 1873, decided to assume a Catholic character. As Polish immigrants arrived in large numbers in the late 1800's the PRCUA was integral in helping them become acclimated to the American way of life. In 1891, the Polish Emigration House of S. Joseph was establish in New York City as a haven for immigrants. During this difficult period, the suffering of the poor, widows, and orphans was eased through the group's generosity.

The PRCUA's dedication to the arts and enlightenment through education is equally impressive. In 1913, it opened a Polish library in its Chicago headquarters which has now become the largest collection of Polish works in the western hemisphere. Later, in 1935, the Polish Museum of America was established, offering Poles an opportunity to display a unique collection of rare treasures from Poland.

PRCUA remains as vivacious and active today as ever. It encourages all Americans of Polish descent to explore their Polish-Roman Catholic roots. Lessons in Polish language, folk dancing, singing, traditions, and customs are aimed to reinforce our knowledge of Polish heritage, diversify our culturally rich society, and from tighter bonds within the Polish-American community. I would particularly like to salute the 11 Polish dance schools currently operating in Michigan which PRCUA administers.

Civic and social activities are of equal importance to the PRCUA. Women's and children's groups have provided a constructive outlet for social work, brought members together, and forged lifelong friendships. The PRCUA often organizes special events for religious holidays dear to the Catholic faith, such as Easter and Christmas, in addition to dances, dinners, performances, and pilgrimages to the motherland.

Roman Catholicism plays a role in steering the organization's moral sense. The Catholic faith provides a strong ethical compass for the PRCUS's members. Historically, most Polish people have been staunch supporters of the Roman Catholic church, a tradition carried on by the immigrants who settled in this great country. Even the darkness cast on Polish religious freedoms during the 40 years of Soviet totalitarian and atheistic rule was not sufficient to extinguish the spark of religious faith in the Polish heart.

The PRCUA's dedication of time, caring, and resources to young people is indeed a wise investment for the future. The PRCUA's goals of preserving Polish-American heritage while fostering greater appreciation of other nationalities and cultures is a powerful positive step in promoting greater understanding. The many achievements of the organization and its dynamic membership have made the people of Michigan and the other 23 States in which it operates more aware and appreciative of the Polish-American experience, and better citizens through participation in civic, social, and religious activities. As the Polish Roman Catholic Union of America continues in its second century of service, I wish its members continued success in meeting the challenges our modern society poses.•

UNANIMOUS CONSENT AGREEMENT—H.R. 2519

Mr. MITCHELL. Mr. President, I ask unanimous consent that when the Senate considers the conference report on H.R. 2519, the Commerce, State, Justice appropriations bill; that the yeas and nays be ordered on the conference report; that upon disposition of the conference report, the motion to reconsider be laid upon the table; that the Senate without any intervening action or debate concur en bloc in the House amendments to the Senate amendments; that the motions to reconsider be laid on the table en bloc; and that any statements thereon appear at the appropriate place in the RECORD as though read.

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

Mr. MITCHELL. Mr. President, it is my intention to call up this appropriations conference report tomorrow immediately following the votes that will occur on the Haiti amendments, pursuant to the prior agreement. So there will now be three votes occurring in succession in the morning. This will permit Senators who come for one vote to remain and be present for the three votes. That is my intention with respect to this Commerce, State, Justice appropriations bill.

I yield the floor, and 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. 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.

UNANIMOUS-CONSENT AGREEMENT—INTERIOR APPROPRIATIONS CONFERENCE REPORT

Mr. MITCHELL. Mr. President, I ask unanimous consent that the cloture motion I will shortly send to the desk on the Interior Appropriations Conference Report be in order, notwithstanding the fact that the Senate has not yet received the official papers from the House, and that the conference report is not now pending.

I further ask unanimous consent that there be 1 hour for debate tomorrow, October 21, following the votes now scheduled to occur at 11 a.m., equally divided between Senators BYRD and WALLOP or their designees, and 2 hours for debate on Friday, October 22, from 8 a.m. to 10 a.m., controlled in the same fashion just prior to the cloture vote with the mandatory live quorum waived.

Mr. WALLOP. Mr. President, reserving the right to object and I shall not object, this has been cleared on our side and is satisfactory.

I thank the majority leader.

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

CLOTURE MOTION

Mr. MITCHELL. Mr. President, in accordance with the agreement, I now send a cloture motion to the desk and ask that it be stated.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close the debate on the conference report accompanying H.R. 2520, the Interior Appropriations bill:

Robert C. Byrd, Wendell Ford, Harry Reid, Claiborne Pell, Russell D. Feingold, J. Lieberman, Paul Simon, Patty Murray, Pat Leahy, D. Pryor, Ernest Hollings, Harris Wofford, Barbara Boxer, Edward Kennedy, Paul Sarbanes, Joe Biden, D. Inouye.

Mr. MITCHELL. Mr. President, I thank my colleagues for their cooperation.

There will be no further rollcall votes this evening. There will be the introduction of an amendment pursuant to the previous order and debate on that amendment.

I remind Senators that beginning at 11 a.m. tomorrow, there will under the current schedule be three votes. Senators should be aware three votes will occur beginning at about 11 a.m. tomorrow morning.

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

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

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT OF 1994

The Senate continued with the consideration of the bill.

Mr. MCCAIN. Mr. President, I rise to support, strongly, the amendment that is about to be offered by Senator DOLE and Senator MITCHELL. I understand that there are a couple of items to be worked out. I have read the amendment. I have had a chance to be involved in the formulation of it. I think it is a very important amendment and one that strongly expresses the emerging consensus in the Senate that the administration would be well advised to seek seriously the advice of Members before they embark on any new military adventures in Haiti or anywhere else.

I would like to point out that, again, my esteemed friend and colleague, Senator DOLE, has been involved in this issue. He is concerned about the possible risk of American lives, and I appreciate his efforts on this amendment. I also thank Senator MITCHELL, the distinguished majority leader, who again chooses to approach these issues of national security in a bipartisan fashion.

As my colleagues know, I have strong reservations about prospectively limiting the President's role as Commander in Chief. However, Senator DOLE's amendment avoids such constitutional pitfalls. It is a timely and constructive attempt to inject some much needed realism into the foreign policy formulations of the administration. His amendment strikes a fine balance between expressing concern over the direction of our policy toward Haiti, on the one hand, and preserving the prerogatives of the Commander in Chief on the other.

I commend the framers of this amendment, the sponsors of it, and the Republican leader for his statesmanlike attempt to prevent the administration from recklessly stumbling into a foreign policy debacle like we have experienced in Somalia, the cost of which would be measured in American lives.

Senator DOLE has pursued this matter tirelessly. It is my sincere hope that his efforts, and the considerable support they have in Congress, have convinced the President that it is time to formulate a coherent foreign policy.

For evidence that such coherence has been wholly lacking from much of the administration's foreign policy to date we need look no further than the front page of today's Washington Post. The administration has now determined to withdraw the U.S. Army Rangers from the conflict in Somalia. Two weeks ago, the President ordered the deployment of additional thousands of American troops to Somalia. Today, he is withdrawing the Rangers.

Apparently, the mission of the remaining thousands of American servicemen and women who are obligated to remain there until March 31, is to hunker down in enclaves to serve as targets for any Somali warlord who may crave a headline in the international press. Mr. President, I ask unanimous consent to insert into the RECORD a report in the Washington Post dated today, October 20, 1993, entitled: "U.S. Pulls Rangers Out of Somalia."

Such a confused, purposeless, and dangerous policy makes the most compelling case for Senator DOLE's efforts to bring the administration to the understanding that it urgently needs help in setting a sensible, hard-headed direction for its foreign policy in Haiti and elsewhere, a policy that is based on a realistic assessment of the national interests at stake and the prospects for protecting them through the use of force.

I believe the efforts of Senator DOLE have given the administration ample warning that before it commits troops, it better have the support of Congress and the American people.

The President should understand that the way to gain the support of the American people and their representatives in Congress, for any foreign policy initiative is to demonstrate a readily understandable connection to American national interests.

American service men and women understand the risks that their jobs entail. They volunteer to take these risks in service to our Nation. But before they are put in harm's way, they and their families deserve a clear explanation of how their mission will affect the interests of the Nation to which they have pledged their allegiance.

I do not believe that the administration has succeeded in making clear its case for our involvement in Haiti.

In considering the scope of our involvement in Haiti, we should remember the lessons of history. Our last military adventure in Haiti, which lasted 19 years, from 1915 to 1934, developed on an ad hoc basis. The development of that policy, and the difficulties faced by our marines in implementing it, illustrate the dangers that the direction of our current policy toward Haiti may entail.

Mr. President, there is an old saying that those who ignore the lessons of history are doomed to repeat it.

President Wilson had no intention of staying in Haiti for 19 years when he decided to intervene. The marines landed in July of 1915 to protect American property and the lives of American citizens from the threat posed by violent civil disturbances and the collapse of governing institutions.

Our mission in Haiti during our previous involvement changed from one of protecting America interests, a legitimate reason for landing troops, to one of establishing order. It then changed once again to include creating a civilian government and supervising public works projects.

Our roughly 2,000 troops were engaged in policing the streets, creating an indigenous police force, and running the civilian government. Before they left in 1934, our marines had been dragged into a civil war and had established armed garrisons throughout the country.

And the results of our efforts and the sacrifice of our marines: In the Haiti of today, very much like the Haiti of 1915, political differences are settled at the whim of the mob, or the point of a gun, and government is rendered ineffective by massive corruption.

Intervention in the civil affairs of any nation should not be taken lightly. When we interfere in the internal affairs of other nations, we ask our service men and women in the field to acquire an understanding of an alien society, an understanding that policymakers in Washington, in the safety of their offices, have difficulty grasping.

It is not at all clear that given their history and their support for Aristide, a man with connections to democracy that are tenuous at best, the people of Haiti understand what democracy means. Democracy is considerably more complex than holding an election. The founding documents of our own democracy and the writings of our Founders are a testament to the many complex protections required to guarantee freedom.

In our zeal to promote democracy in Haiti, we should not confuse the popular mandate of Father Aristide with support for American or U.N. intervention to restore him to power. Restoring democracy is one thing, intervention is another. As evidenced by recent events in Somalia, despite hardships and tyranny, often a people care more about sovereignty than democracy. Often they care more about nationalism than the well-being of their own people.

Many of those Haitians who first supported our intervention in 1915 came to oppose it. Even the efforts of the marines to supervise public works projects met with the resentment of the Haitian people. Our effort to help was met with resistance and our efforts to cope with the resistance was met with armed conflict. It became impossible for our policymakers, and the Haitian people, to distinguish between armed conflict and assistance.

The result was a resentment toward the United States that continues today

as a principle aspect of our relationship with Haiti.

Before I support any United States action in Haiti, the President will have to convince me that our intervention has limited objectives and that it might do some good. The administration allowed our policy in Somalia to be determined in the United Nations, only to wake up and find that the mission had changed.

I have no intention of sitting quietly by while the administration engages our forces in Haiti in a ill-defined and constantly changing mission. Creating objectives and rationales after our troops are deployed will not win the confidence of Members of this body or of the American people.

Neither will I support a policy of idle threats. We cannot have a policy that proposes the use of force unless we are clearly committed to using it. Idle threats only undermine our credibility and our efforts to effectively use the threat of military force to achieve important foreign policy objectives.

To be effective and to gain the support of the American people, foreign policy must be purposeful, coherent, and forceful.

Again, Mr. President, I commend the Republican leader for his efforts to avoid further disasters abroad for the United States, with their consequent loss of American life, and to work in a nonpartisan manner with the administration to develop and implement a foreign policy that serves the values and the best interests of our Nation. I am pleased to support his amendment and I urge my colleagues to do likewise.

Mr. President, I commend to the attention of all of our colleagues a chapter from the history of the United States Marine Corps entitled "Occupying Haiti, 1911 to 1934." It has some very hauntingly familiar aspects that can be true today.

With all the best intentions, the United States entered Haiti with military force. They were welcomed. We set about forming a government, doing good works throughout the country. And then there was a group of Haitians who were called Cacos, much like the Tonton Macoute that are there today, who began to take up first civil and then military disobedience, and we ended up in a quagmire from which took us 19 years to extricate ourselves, the residue of which still exists in Haiti today.

So, I commend that chapter for reading by my colleagues because I think it is clear that we do not want to make that mistake again.

Again, I would like to thank Senator DOLE for his leadership, for his nonpartisan efforts on behalf of trying to help the administration and the American people see a clear and coherent policy toward Haiti.

Mr. President, I yield the floor.

Mr. DOLE addressed the Chair.

The PRESIDING OFFICER. The Republican leader.

Mr. DOLE. Mr. President, first, let me thank my distinguished colleague from Arizona, one of our true American heroes, who understands a lot more about this than anybody on the Senate floor. His endorsement and his support means a great deal to many of us on each side of the aisle.

As he has indicated, I think there has been bipartisanship, as there should be, in foreign policy. And there has been no effort to tie the President's hand or to put him in a straitjacket. As I said earlier, we are trying to protect him with a flak jacket. I think sometimes when Congress speaks out on these issues, it means a great deal to the President of the United States. I said back in 1990 that we should not be sending troops to the gulf without authorization by Congress, and eventually Congress did authorize use of force in the gulf, offensive force. It certainly is my view that from that day forward it changed the whole attitude of the American people toward our mission in the gulf.

I certainly hope and I do believe the President of the United States will accept what we are doing in the spirit in which it is done, not in any way to shackle the President of the United States. But we do have responsibilities under the Constitution. Congress has responsibilities. The President has responsibilities.

The President has responsibilities, and we tried to blend those two, without doing what the Senator from Arizona was concerned about, getting into some constitutional question where it might appear that Congress was usurping the rights that properly belong, in the Constitution, to the President.

The purpose of this amendment, to use Senator LUGAR's phrase, since we are not in an emergency circumstance in Haiti is to get sort of a time out; give us a chance to take a look.

After we have had a lot of discussion with the administration in the last few days, we made about a dozen changes in the amendment. There is still one change being contemplated as I speak. We hope we can make one additional change. We have removed the funding limitation; we have made this a "sense of the Congress." We did explicitly make sure the amendment does not cover the naval blockade—even though I am not convinced that the blockade is the best course—but the President has already deployed the forces. We fine-tuned the conditions, moved some paragraphs around and tried to accommodate as many concerns as possible.

With the events of the past 2 weeks, it is clear that United States troops should not casually be put in harm's way in Haiti—as trainers, construction engineers, or anything else. Two weeks ago —before the Haitian "rent-a-mob" scene on the dock in Port-au-Prince—I urged the President not to deploy American troops, and to withdraw the advance team already there. That mission does not meet the President's own criteria for U.N. operations: What is the threat to international peace? That is the first thing he asked. What are the clear objectives? What is the end point, and what will it cost?

Had the mission gone forward, it would have virtually guaranteed American casualties for another questionable exercise in nation building.

It would have made more sense for the U.S. soldiers to wear targets than to wear camouflage. When we announce that United States troops will withdraw as soon as they are shot at, we ensure that any Haitian with a gun has an incentive to be the one that "chased out the Yankees."

When we announced that U.S. troops are only there to train and to build roads, the American people wondered why—why can we not train in the United States out of harm's way, and why AID or civilian contractors cannot build roads. With 80 percent unemployment in Haiti, someone might want to consider putting Haitians to work building roads.

My amendment lays down a marker for the administration: Tread very carefully in using American force in Haiti.

Mr. President, I am not certain what our policy in Haiti is. We seem determined to put Aristide back in power, and I say to my colleagues who have not seen the briefing up in S-407, you might want to. Even though the State Department recognizes that he incited mob violence while he was President, I am not certain someone is automatically a democrat—with a small "d"—just because they received a lot of votes. I do not think we ought to lose American lives to return him to power. Restoring democracy is one thing; restoring Aristide is quite a different matter altogether. The officer who wanted United States troops in Haiti for training—General Cedras—was supposed to retire last week, and we do not have any idea who will replace him.

America does have an interest in Haiti—in preventing the massive outflow of Haitians that seek to land in the United States. We all agree that democracy and economic growth in Haiti would be the best way to prevent such an exodus. But the problem is that Haitian history does not give many examples of good government. It would be a mistake to try to impose Aristide. Maybe what we need to do is step back in Haiti—maybe we could look at the Vatican for mediation, and we could look at an independent fact-finding commission. What we should not do is rush into military intervention. We tried that from 1915 to 1934, and the Senator from Arizona just

placed in the RECORD the history of that escapade. We tried it with the U.S. Marines, and we did not get a whole lot of nation-building done.

Finally, Mr. President, I want to make it crystal clear that nothing in my amendment should be read as any comfort to the bloodthirsty killers running wild in Haiti. I condemn, as I am certain every Member of this body does, political murder and intimidation in Haiti—and everywhere else. Unfortunately, political violence seems to be the rule and not the exception in Haiti.

This amendment puts the Congress on record before our troops are deployed in large numbers. It makes clear we want no confusion over the mission of our role next week or the week after that. The administration should view this as helpful to their position. They need the input of Congress at the front end. The amendment offered by myself, Senator MITCHELL, and colleagues on both sides of the aisle, would let everybody know where we stand. I urge my colleagues to support the amendment.

I will say one additional thing. There is a lot of question as to whether Congress has any right to act before somebody is deployed. It is a very close question. I read earlier from a legal opinion of the American Civil Liberties Union supporting my position. They do not do that too often. If fact, I do not think I have had many letters from the ACLU. I put it in the RECORD, I guess, because it agreed with my position. They say very flatly that we have the authority to determine, and then the Commander in Chief, the President, has the right to carry that out.

As I said in a statement on Bosnia, we do not have to wait until the body bags start coming back to America before we can say we made a mistake, or we have the wrong policy, or we are moving too fast, or someone messed up somewhere down the line.

So I believe that the amendment is offered in the spirit of cooperation and partnership with the President of the United States. It has the flexibility that he wanted. I thank Mr. Paster at the White House for his help, and I thank others in the Defense and State Departments, along with my colleagues on both sides of the aisle who have been involved in negotiating what we have now, and what we will have before the Senate in very short order.

I will send the amendment to the desk as soon as we resolve one small point.

Mr. KERRY. Mr. President, I would like to congratulate and thank the distinguished minority leader. I know he felt very strongly, as many Members here in the Senate do, that we do not want the troops placed unadvisedly in Haiti, and I think he felt very strongly about taking action to do that. Others here were clearly concerned about the constitutional prerogatives, and I think that the Senator has worked extremely effectively. And there has been a good coming together, which allows the U.S. Senate and the country to speak with one voice. It allows the President to send the message that he has been sending, while simultaneously listening to the U.S. Senate.

I think that is the way it is supposed to be. It is in the best tradition that this House is to advise, sometimes to consent, and sometimes to dissent. Here I think we have advised, and we have advised well. We have said to Haiti that it is critical that all parties adhere to the Governors Island agreement. But we have also urged—and I think cautioned—what we will ask of all of our branches of Government in the effort to try to pull people together to have a consensus when and if we decide that other steps are necessary.

I also thank the distinguished Senator from Arizona, Senator MCCAIN, who has worked hard on this, and the majority leader and others who brought us together on it. I see the distinguished whip is on his feet.

I yield the floor.

Mr. SIMPSON. Mr. President, I thank my friend from Massachusetts. I have very much listened and have been attentive, and I thank Senator MCCAIN, Senator DOLE, and Senator KERRY for their remarks and, indeed, I think we are on the right track. I think that the language of the amendment will shortly be ready. I will therefore speak for just literally 3 or 4 minutes.

What is the situation regarding time on the floor?

The PRESIDING OFFICER. There is no limit on debate at this point.

Mr. SIMPSON. I thank the Chair. Mr. President, the amendment will be presented in moments. I think the pending amendment represents a very remarkable, good-faith effort to assure that Congress is heard and consulted in this vital policy area, while at the same time preserving in full the constitutional authority of the President.

I agree with Senator DOLE, we should heed the Senator from Arizona. He speaks from a position of experience and tragic circumstance that none of us can possibly discern.

I point out that this was a good-faith effort because I have taken careful note of the various critical and uncomplimentary things which have been written and said this week in the media about our fine Republican leader. From the start, Senator DOLE has approached this issue with the aim of protecting Presidential prerogatives, but there has been precious little recognition of that among many of the Nation's media.

I think that represents an astonishing shortness and shallowness of memory. It was just last week that Senator DOLE was leading the effort to preserve the President's flexibility in Somalia, to assist him mightily, as we recall. This was, I might point out, an unpopular position among some in his own party. If he were of the mind to do the easy or the political thing, Somalia was just the place to do that. I can tell you that virtually all of our constituent phone calls were saying—and mine, too—"Get out of Somalia, now." That sentiment was not rooted in partisanship. There were many people of good faith saying "do that." There are those in our party who felt very strongly both ways, just as on the other side. But it would have been easy, if our leader were of a mind to score some easy political points, to do so last week during the Somalia debate.

It is singularly perplexing to me to see this week's debate about Bosnia and Haiti interpreted in the light of partisanship, or even as some serious power struggle between Republicans and the President. I can tell you there has been every single effort to accommodate the administration's legitimate concerns about preserving Presidential flexibility in the conduct of foreign policy. That may be very hard for the cynical and jaded to believe, especially if they have not been part of the discussion. But it ought to strike them as unlikely that Senator DOLE would be magically and inexplicably transformed from last week's statesman into this week's archpartisan. There must be a simpler explanation.

Let me just acquaint those critics with some of the very real concerns we have about Haiti. First, there is the fact that we allowed the United Nations to gradually change the nature of our involvement in Somalia and that Americans were killed, captured, and abused before Congress collectively rose in alarm to demand a more responsible use of American troops.

We saw similarly disturbing trends in Haiti. We saw a pathetic attempt to dock a small band of lightly armed Americans, when for weeks prior to this, incidents of mob violence and murder had been occurring in Haiti that ought to have served as an ample warning that this might not work.

It seems to me a legitimate question to ask whether we have to wait until Americans are killed or held captive before we become involved. We remember the debate from last week. We agreed we could not cut and run from Somalia, because we were already engaged. So if we cannot oppose our involvement after the fact, the only alternative is to try to do so before a crisis occurs. It seems to me a poor description of congressional authority to declare that Congress can only act subsequent to great tragedy, whether the loss of American lives, injuries to American personnel, or the capture of American soldiers.

Not everyone, even within my own party, agrees that Congress should have such a role before the fact. It is a postulation that concerns me as well,

just as it concerned our leader. That is why discussions occurred with the administration—to ensure that Presidential powers were upheld. In the end, it was deemed necessary to vastly reduce the binding effects of these amendments, both amendments, in the interest of the powers of this President as well as future Presidents.

So there has been a perfect and clear consistency on the part of our Republican leader throughout this process, even if the same cannot be said of the many detractors in the fourth estate. I would be most interested to know how many of the noted and biased columnists lambasting Senator DOLE over Haiti were just one decade ago explaining, in panting prose, why it was so marvelously appropriate to limit the President's powers to act in Nicaragua and El Salvador. I recall more than a few of those worthies took exactly that position.

So this amendment represents our best effort to ensure congressional participation in this debate before the fact of a crisis, while at the same time upholding in full the powers of this President.

I commend the efforts of those who, in a very remarkable bipartisan fashion, drafted this language, and I certainly urge adoption of the leadership amendment.

I thank the Chair.

The PRESIDING OFFICER (Mr. GRAHAM). The Senator from Pennsylvania.

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

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

TAOS CONVEYANCE ACT

Mr. WOFFORD. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 59, H.R. 328, relating to a land conveyance in Taos, NM, that the bill be deemed read a third time, passed; that the motion to reconsider be laid upon the table; and that any statements relative to the passage of this item appear at the appropriate place in the RECORD.

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

So, the bill (H.R. 328) was deemed read a third time and passed.

MEASURE PLACED ON THE CALENDAR—H.R. 2351

Mr. WOFFORD. Mr. President, I ask unanimous consent that H.R. 2351, a bill to reauthorize the National Foundation on the Arts and the Humanities Act be placed on the calendar.

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

MEASURES PLACED ON THE CALENDAR—H.R. 2632 AND H.R. 2840

Mr. WOFFORD. Mr. President, I ask unanimous consent that H.R. 2632, the Patent and Trademark Office Authorization Act, and H.R. 2840, the Copyright Royalty Tribunal Act, just received from the House, be placed on the calendar.

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

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

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

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT OF 1994

The Senate continued with the consideration of the bill.

Mr. PRESSLER. Mr. President, I would like to speak on the subject of Haiti.

I have been very troubled by our policy toward Haiti. It is a difficult issue to resolve. In foreign policy, there are no easy answers. This is an example of the struggle our country has with foreign policy.

I have been dissatisfied with the Clinton administration in terms of the process that has been followed with regard to both Haiti and Somalia.

Many years ago, I worked as a young lawyer in the State Department. I do not always agree with the State Department. I think the State Department frequently is not in touch with the rest of the United States. But, in any event, I worked as a young lawyer there, and I participated as a very junior grade assistant in a number of meetings. It was then that I became fascinated with the public administration and organization of foreign policy.

Having served as a member of the Senate Foreign Relations Committee since 1980, I have been fascinated with how we organize to formulate our foreign policy. Recently, on "60 Minutes," I addressed some problems that I thought existed regarding the United Nations in terms of how foreign policy is made.

I have discovered, with regard to Somalia and Haiti, that the normal meetings were not held in this administration they did not run the traps, so to speak.

There are deputies' meetings, where the Deputy Secretaries of the CIA and the Defense Department and the Joint Chiefs of Staff and the State Department and the National Security Council are supposed to meet. And there they digest policy—at least they are supposed to—on Haiti or Somalia. Those meetings were not held.

I have been trying to hold hearings in the Foreign Relations Committee, of which I am a member. They have been refused by the administration and by the majority party in the Senate. One can only guess that they are trying to cover up what went on in the early days of Somalia. Those meetings are being held again now, but they were not held then.

There are also principals' meetings in which the Secretary of State, the Secretary of Defense, the National Security Adviser, the head of the CIA, the head of other intelligence agencies, and the Joint Chief of Staff meet. They are supposed to run the traps on a decision. Those meetings were not held on Somalia or Haiti. Both cases have produced foreign policy disasters in the early days of the Clinton administration.

Let me address Haiti first. In the case of Haiti, the United States finds itself supporting Aristide.

Now, who is Aristide? He was democratically elected. I will concede that. But so was Papa Doc, who preceded him. So was Adolf Hitler popularly elected.

Once Aristide was elected, he did not rule as if he believed in democracy. He did not behave as a democrat. And I am speaking with a small "d," a democrat with a small "d."

Indeed, Aristide proceeded to hold rallies in which he advocated the necklacing of his political opponents. Indeed, he held meetings in which he insisted on the death penalty for political opponents of his, rather than the 15-year sentence which was allowed under law.

There are many quotes that I can read about Mr. Aristide. According to newspaper reports, he reportedly ordered a murder. We want a hearing to find out if that is absolutely true. If that is true, U.S. troops are standing by to defend a murderer.

Let us think about that a little bit, and what kind of reaction that would produce.

The State Department and the Clinton administration are trying to coverup, to cover up these facts. But they are coming out in spite of the coverup.

We have repeatedly asked on my side of the aisle for hearings in the Foreign Relations Committee with the Secretary of State and the Secretary of Defense as witnesses to tell us about the principals' meetings, about the deputies' meetings, and why the formulation of these policies was not run through the traps. When did the President of the United States learn about Aristide's psychological problems? When did the President of the United States learn that he was a murderer, or

did he learn? On what date? Was he ever briefed?

Now, the Defense Department and the State Department seem to be ad-libbing. Nobody knows who is reporting to whom over there. We have people running about without responsibility for who is reporting to whom? Foreign policy decisions are not being made in a rational, staffed way. They are being made on a helter-skelter basis. Hopefully that is changing now.

We have had, in this Chamber, some debate on the Nickles amendment, the Dole amendment, and the Byrd amendment on the Democratic side, which I cosponsored and on which I helped Senator BYRD.

None of those amendments would be showing up if foreign policy was being formulated properly, if there were hearings being held up here, if the high-level people were showing up.

We did have a hearing in the Foreign Relations Committee at which a Principal Deputy Under Secretary of Defense and an Under Secretary of State testified. But neither one of them had participated in any of the other meetings. We cannot seem to get anybody who has actually been in the meetings to come up here and testify to Senators.

When did we learn that Aristide is a murderer, if he is? When did we learn that he has deep psychological problems, if he does? When did we learn that he advocated necklacing? Did the President of the United States know this when we embraced him? Have we sent warships down there to defend him, and are we on the brink of sending United States troops to Haiti to put this person into office? Let us think about our actions very carefully.

Who is President Aristide? I have before me a Washington Post article by Lally Weymouth, January 24, 1993. She says,

> [If you see] a faker who pretends to be one of our supporters * * * just grab him. Make sure he gets what he deserves * * * with the tool you have now in your hands [the burning tire] * * * You have the right tool in your hands * * * the right instrument. It is nice, it is chic, it is classy, elegant and snappy. It smells good and wherever you go, you want to smell it.

For everybody who does not know, necklacing is putting a tire around a victim's neck, pouring gasoline in it and lighting it. I had a necklacing amendment on the floor with respect to South Africa some years ago, everyone on the floor voted for it and I thank them. It is one of the most hideous of crimes. This gentleman who we are supporting and trying to put back into power in Haiti advocated necklacing. I have it here from Lally Weymouth's article.

> According to the Catholic Standard of the Archdiocese of Washington, Aristide was suspended from the Salesian Order of the Catholic church in 1988 after being accused of "incitement to hatred and violence" and emphasizing "class struggle" in his sermons.

These are quotes from Aristide.

> Don't neglect to give him what he deserves. Three days and three nights you're keeping watch in front of the National Penitentiary (see Note). If someone escapes, don't neglect to give him what he deserves.
>
> NOTE.—A reference to Roger Lafontant, who had begun to serve a life sentence in the penitentiary for attempting to overthrow the government. He was murdered two days later in his cell as the coup was beginning under circumstances that remain obscure.

According to newspaper reports he was murdered under the orders of Aristide whom the United States is protecting and wants to use U.S. troops to put back in power.

> We should have discovered in the electoral campaign of this devil called Reagan, the satanic spirit was dancing in Reagan's head * * * The same spirit that Jesus chased while He was on Earth, forced these experts and Reagan to produce this document called Santa Fe * * * A bad spirit like this, don't you see, is the same bad spirit that danced in the heads of the Roman Emperors that Jesus fought.

This a quote from the man we expect young Americans to die for. He referred to Reagan as a satanic spirit.

Mr. MITCHELL. Mr. President, will the Senator yield? Could the Senator indicate how long he intends to proceed?

Mr. PRESSLER. I wish to proceed for as long as it takes me to finish this. I have the floor. If the Senator wishes to ask a question—I respect the majority leader very much—I will answer him. Does he want to ask me a question?

Mr. MITCHELL. No; I want to introduce the amendment and get a consent agreement regarding the schedule tomorrow; then have the Senate be prepared to go into recess. If the Senator will let me do that, the Senator can continue and I can leave.

Mr. PRESSLER. Can I have 3 more minutes and I will leave and let him do that? If the Senator will give me 3 more minutes, because I want to finish this particular line.

> * * * what we need to destroy these people we do not yet have. The day will come when we will have it. Nicaragua had it in 1979. Cuba had it in 1958 and 59.

This is the man we are supporting. Next he said:

> When you are sitting on top of the mountain teaching the peasants how to use necklacing, the peasant, having never seen a car before, having never seen a tire before, he will ask you, 'What is Necklacing?' He could also ask if the use of Necklacing is in the Constitution. You might answer, 'If the pressure of Necklacing in front of the Courthouse on September 29 (the judgment day of Roger Lafontant) was not there, then he would not have received the life sentence. Instead, he would have only received 15 years!

The three previous excerpts are from a transcript of a videotape of various Aristide speeches and sermons at Mass.

The 1991 State Department Human Rights Report said:

> President Aristide appeared less concerned about prosecuting members of the military accused of human rights abuses if they were supporters or appointees of his Government * * * President Aristide also failed to condemn categorically all recourse to popular justice through mob violence. The Aristide Government made no effort to identify and to bring to justice those responsible for the wholesale killing, looting, and burning * * *

Mr. President, the only possible United States interest in Haiti would be to stop the flow of refugees into our southern border. The United States established three immigration centers in Haiti and they are working. Virtually all Haitian refugees who have come to the United States are economic refugees. If they were political refugees they would walk across the border into the Dominican Republic.

There is no justification to risk the life of even one United States soldier in Haiti now or in the future. Aristide, whom we support and whom the Clinton administration supports, is a human rights abuser. The State Department has admitted in Senate hearings that President Aristide incited mob violence and encouraged necklacing while in power. Father Aristide was suspended by the Catholic Church because of his activities. Aristide ordered the destruction of the Vatican Embassy.

About the practice of necklacing, Aristide said "it is beautiful, it is chic, it is elegant; you want to smell it everywhere you go". Aristide had a painting in his Presidential office glorifying necklacing.

Aristide has known ties to Fidel Castro and had some of his henchmen trained in Cuba. Aristide publicly cursed the United States and promised to give Haitians what Castro has given the Cuban people.

Mr. President, I could go on and on, and I planned to talk longer. Out of respect for the majority leader, I shall cease.

But what I am crying out for are hearings. I asked the chairman of the Foreign Relations Committee, today, for hearings tomorrow morning with people at the highest level of the administration to explain to us how these decisions were made.

What is taking place is a great deal of ad-libbing by Les Aspin and others without consulting with the CIA, without consulting with the military. There is a process—and I learned it as a young lawyer in Washington many years ago—that should have been utilized. If you are appointed Secretary of Defense or State, that does not mean you give your opinion to the President without consultation with the other pertinent agencies. You check with the CIA, the Joint Chiefs of Staff, and so on and so forth.

When I asked about public administration and the Deputies meetings in a Foreign Relations Committee hearing, I was told they would check on it. When all is said and done, the foreign policy of the Clinton administration

was formulated on a shoot-from-the-hip basis, on a basis that did not take into consideration the experts' opinions. We have been told, we have seen people in the Defense Department on TV say, "We learned lessons in Somalia." I served in the Army as a lieutenant in Vietnam. We learned those lessons there. The military knows those lessons and would have conveyed them if they had them in their meetings, but they were not included.

I can assure you that some of the things that have been published about Aristide never reached the President of the United States until some of us in this body started to protest.

I am very curious. I hope we have a hearing as to when the President of the United States learned these facts about Aristide and when the United States decided to support him and why. This is a very strange situation to be in. I am very worried about—I am not trying to put down the Clinton administration. As Members of this body know, I am considered to be bipartisan, and that has been one of my biggest problems.

But I will conclude.

I yield the floor.

Mr. MITCHELL. Mr. President, I just would like to make one comment, before my colleague leaves, on his remarks. There will be a full debate tomorrow morning on this subject, and I have no interest in debating the substance of his remarks, although I think it is very much open to debate.

Mr. PRESSLER. Will my friend yield for one brief question, respectfully? Would my friend support hearings at the highest level in the Foreign Relations Committee tomorrow or the next day as to how these decisions on Haiti were made?

We had a large meeting today, and I know the Secretary of State just left the country, but many of us want to help out. We want this President to be successful. I have helped the majority leader on many occasions. I like the majority leader, and I like the President. He has been my friend for 20 years.

The reason behind all of these resolutions being introduced on the floor is not that people want to hear constitutional arguments, it is because there is a sense that foreign policy formulation mechanisms of this country have broken down.

Mr. MITCHELL. Mr. President, it is to that precise remark to which I wish to address myself. The suggestion has been made, and just repeated, that the reason we have amendments relating to foreign policy and debate in the Congress and criticism of the administration's foreign policy is because that policy has broken down. The clear implication of that is that things are going well when Congress does not talk about foreign policy.

Mr. President, I say to my colleague, I have been in the Senate for 13 years. In 12 of those years, we have had Republican Presidents, and every year I have been here, there have been amendments in Congress about foreign policy, debates about foreign policy, criticism over foreign policy. I cannot speak for the time earlier than when I arrived in the Senate, but my impression is the same. The suggestion that the existence of amendments and debates in Congress is in and of itself proof of a failure of foreign policy by the administration is simply incorrect. If that is the case, then every administration has failed because there is always debate and amendments and criticism in Congress.

If the Senator's remarks are friendly toward the President, I can only tell the President, with friends like that, he does not need enemies.

Mr. PRESSLER. If my friend will yield very briefly, I have been on the Foreign Relations Committee since 1980 and a little bit of the experience has rubbed off, not much. The Secretary of State would normally be up here within a day or two—especially after an incident in which many American lives were lost. We are told the Secretary of State will not be available until November 4. What is this Senator supposed to do until November 4 on Haiti and Somalia?

I ask my friend from Maine, whom I respect very much, who has been a Federal judge and who is the majority leader and who is very respected, when can we get some hearings up here so Senators can find out how this policy was formulated, whether Les Aspin consulted the Joint Chiefs, whether the CIA was consulted.

There is a we-they attitude in the Defense Department. In the State Department, nobody knows who is reporting to whom.

This is a subject that is of great concern to many of us. We are crying out for some help.

During the Bush and Reagan administrations, they would have had at least the Deputy Secretary up here the next day. We cannot even get the Deputy Secretary, and the majority party in the Senate is not demanding it. But the majority party did demand it then, when the Republicans were in the White House. Bush responded and Reagan responded. Now, we cannot get anybody above a Deputy Under Secretary up here to talk to us.

Mr. MITCHELL. Mr. President, if I might say, the Secretary of State left for Russia and other States of the former Soviet Union, I believe, within the past several hours. And so it is obvious that the Secretary of State on a trip long planned on other matters cannot be present——

Mr. PRESSLER. But would my friend just yield? The Secretary did not say that. He was scheduled to come up here on Tuesday, and he canceled for no reason. I think—this is my thought—the President asked him to cancel because the administration would be embarrassed by their foreign policy disasters in Somalia and Haiti.

The Secretary of State was scheduled to come here on Tuesday. Why did he cancel?

Mr. MITCHELL. Well, Mr. President, I do not know and I submit neither does the Senator, and I think we would all be wise not to impute reasons or motives to others when we do not know the reason for it.

Second, I would just say that the Secretary of State in the previous administration, someone who I admire greatly, Secretary Baker, traveled much, much more than does Secretary Christopher, and so he was not available to testify when he was on a trip. Nobody got up here when he was in Europe or Asia or the Middle East and said, "Well, why won't the Secretary of State come here to testify?" And impute motives to him for not testifying.

I think the question of the hearings is best left to the chairman of the committee. Of course, that has always been my practice. I am asked almost every day on almost every subject to order some chairman to hold a hearing on some subject or other. I think it is best left to the individual chairmen. I have great confidence in the chairman of the Foreign Relations Committee.

If I might, Mr. President, without wanting to prolong this, I came very early this morning and if the Senator would permit I would like to get on with this and conclude. Then we can have this debate tomorrow.

I do want to make this one comment, unrelated to all of the charges. If we start requiring a psychological examination of every elected official in this country, I submit to my colleague from South Dakota a lot of Senators better start worrying. If we are now going to say that we are going to have psychological examinations by people who have never met us, and have these long distance psychological examinations read out, my gosh, I think it is something every Senator ought to be concerned about.

Mr. PRESSLER. My friend will have to yield to me once more. Yes, but we are not sending U.S. troops to South Dakota to keep U.S. Senators in office, yet.

Let me also say that Secretary Christopher was scheduled to testify here yesterday. He was not on a trip. He canceled. It is part of a pattern before our committees. We cannot get the administration to explain the process. I am not in the business of psychology.

If you read what has been written in the press about Aristide, it is pretty freightening that we support a fellow like this. I am very, very concerned.

Mr. MITCHELL. I understand the Senator's concern. But the Senator says he is not into the psychological business after having spent a great deal

of time in debate discussing psychological analyses. Precisely, what he is saying is I am not doing what I have just been doing.

Mr. PRESSLER. If the majority leader will yield, in regards to human rights abuses, what I said is the State Department's records show Aristide's violations of human rights and abuses. That is very serious. I take the State Department's human rights reports very seriously.

Senator SPECTER, who sits here, and I went to 8 African countries this spring armed with 8 human rights reports. Aristide exceeds—he is one of the leading human rights abusers in the world. He did not rule as a democrat with a small "d". My friend, the majority leader, is a Democrat with a large "D". But in any event, Aristide was not a democrat, even with a small "d." He was a dictator, authoritarian.

I ask unanimous consent, Mr. President, to place all these materials in the RECORD.

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

QUESTION FOR THE RECORD SUBMITTED TO WILLIAM LACY SWING, SENATE FOREIGN RELATIONS COMMITTEE, SEPTEMBER 29, 1993

Question. Did President Aristide incite mob violence when he was in power in Haiti?

Answer. There was evidence that President Aristide incited intimidating or violent behavior among his followers. This has been documented in our 1991 Human Rights report.

Our Ambassador at that time and other U.S. officials made clear to him our abhorrence of these tactics.

QUESTION FOR THE RECORD SUBMITTED TO ALEXANDER F. WATSON, SUBMITTED BY SENATOR HELMS, SENATE FOREIGN RELATIONS COMMITTEE, MAY 5, 1993

HAITI

Question. What information does the U.S. Government have regarding the human rights record of President Aristide?

Answer. There is evidence of several human rights violations under the Aristide presidency that we have spelled out in our annual Human Rights Reports.

These include condoning or failure to condemn mob violence and at least three incidents of politically motivated killings that may have been officially sanctioned.

Question. Would you agree with human rights activists that Aristide incited popular violence when he was in power?

Answer. There was ample evidence that President Aristide incited intimidating or violent behavior among his followers.

Our Ambassador and other U.S. officials made personally clear to him our abhorrence of these tactics.

1991 U.S. DEPARTMENT OF STATE COUNTRY REPORTS ON HUMAN RIGHTS

However, the Government proved to be unwilling or unable to restrain popular justice through mob violence and ensure the rule of law for all citizens irrespective of partisan interests.

President Aristide, however, appeared less concerned about prosecuting members of the military accused of human rights abuses if they were supporters or appointees of his Government.

President Aristide also failed to condemn categorically all recourse to popular justice through mob violence.

The Aristide Government made no effort to identify and bring to justice those responsible for the wholesale killing, looting, and burning that occurred after the failed Lafontant coup in January.

The only response to three official requests to the Aristide Government for information on the status of the investigation into the death of an American citizen, Richard Andre Emmanuel, who was killed by mob violence in late February, was that the investigator "was still in progress."

However, there were several credible reports of torture and other abuse of detainees and prisoners both during the initial Aristide tenure and since the coup.

The Aristide Government repeatedly attempted to interfere with the judicial process or usurp it through "mob justice."

On August 13, the Parliament, as well as the offices of a number of the Aristide Government's critics—the labor union Autonomous Central of Haitian Workers (CATH), and the political organizations National Front for Change and Democracy (FNCD) and United Democratic Committee (KID)—were attacked by mobs who many observers believe were inspired by those close to the Administration.

The most serious 1991 violations of freedom of travel occurred shortly after President Aristide took office when hundreds of former official of previous governments were subjected to a constitutionally questionable ban on foreign travel.

After his election victory, President Aristide and his supporters often excluded or intimidated their political opponents or those perceived as such.

U.S. SENATE,
COMMITTEE ON FOREIGN RELATIONS,
Washington, DC.

ARISTIDE'S STATEMENTS ON NECKLACING

"What a beautiful tool! What a beautiful instrument! It's beautiful, it's cute, it's pretty, it has a good smell: wherever you go you want to inhale it. Since the law of the country says Macoutes aren't in the game, whatever happens to them they deserve. * * * This is the word of justice I share with you. I throw the ball to you. You dribble it. You shoot from the penalty box. * * * All alone we are weak, but together we are strong. Together we are the flood!" (Aristide Speech, Haiti, September 27, 1991)

Aristide, referring to wealthy Haitians who refuse to help Haiti's poor majority, repeatedly urged his listeners not to "neglect to give him [or her] what he [or she] deserves." (Aristide Speech, Haiti, September 27, 1991)—

"If you [nou in the original Creole—meaning either the plural form of "you" or "we"] catch a thief, if you catch a false Lavalassien [referring to the popular movement responsible for Aristide's election], if you catch someone who doesn't deserve to be there, don't neglect to give him what he deserves.

"Your tool is in your hand. Your instrument is in your hand. Your Constitution is in your hand. Don't neglect to give him what he deserves.

"Your equipment is in your hand. Your trowel is in your hand. Your pencil is in your hand. Your Constitution is in your hand. Don't neglect to give him what he deserves.

"Article 291 [of the Constitution, which bars from public office for ten years all torturers, 'zealous' Duvalierists, and embezzlers of public funds] is always on our minds. It says: No Macoutes, no Macoutes!

"Don't neglect to give him what he deserves. Three days and three nights you're keeping watch in front of the National Penitentiary (see Note). If someone escapes, don't neglect to give him what he deserves."

NOTE.—A presumed reference to Roger Lafontant, who had begun to serve a life sentence in the penitentiary for attempting to overthrow the government. He was murdered two days later in his cell as the coup was beginning under circumstances that remain obscure.

"Throughout the four corners of the country, we are watching, we are praying, we are watching, we are praying, when we catch one of them, don't neglect to give him what he deserves.

"What a beautiful tool! What a beautiful instrument! What a beautiful appliance! It's beautiful, it's beautiful, it's pretty, it looks sharp! It's fashionable, it smells good and wherever you go you want to smell it * * *."

During the trial of Lafontant and his accused co-conspirators, a crowd of two thousand had gathered around the courthouse, chanting and calling for a life sentence for Lafontant. A few people carried tires on their heads. Lafontant thereafter received a life sentence, even though the Haitian legal code allows a maximum of only fifteen years for those found guilty of plotting against state security, the offense with which Lafontant was charged.

On August 4, 1991, Aristide spoke with approval of the crowd's actions:

"When they spoke of 15 years inside the courthouse, according to the law," Aristide said, "outside the people began to clamor for Pere Lebrun, because the anger of the people began to rise a little. That's why the verdict came out as a life sentence."

Aristide: "Was there Pere Lebrun inside the courthouse?"

Students: "No."

Aristide: "Was there Pere Lebrun outside the courthouse?"

Students: "Yes."

Aristide: "Did the people use Pere Lebrun?"

Students: "No."

Aristide: "Did the people have the right to forget it?"

Students: "No."

Aristide: "Don't say it's me who said it. Pere Lebrun or a good firm bed, which is nicer?"

Students: "Pere Lebrun."

Aristide: "For 24 hours in front of the courthouse, Pere Lebrun became a good firm bed. The people slept on it. Its springs bounced back. They were talking inside the courthouse with the law in their hands; the people also have their own pillows. They have their little matches in their hand, they have their little gasoline not too far away. Did they use it?"

Students: "No."

Aristide: "That's because the people respect the Constitution. But does the Constitution tell the people they have a right to forget little Pere Lebrun?"

Students: "No."

Aristide: "Then, when they knew inside what was going on outside, inside they had to tread carefully [literally, walk on thirteen so as not to break fourteen]."

"Fourteen is the masses of the people. The masses have their own tool, their own secret way, their own wisdom. When they spoke of fifteen years inside the courthouse, according to the law, outside the people began to clamor for Pere Lebrun because the anger of the people began to rise a little. That's why the verdict came out as a life sentence."

"The people, who respect the law, who uphold the Constitution, when they heard 'life in prison' they forgot their little matches, little gasoline and little Pere Lebrun."

Students: "No."

Aristide: "But if it hadn't gone well, wouldn't the people have used Pere Lebrun?"

Students: "Yes."

Aristide: "That means that when you are in your literacy class and you are learning to write 'Pere Lebrun,' you are learning to think about Pete Lebrun, it's because you know when to use it, how to use it and where to use it."

"And you may never use it again in a state where law prevails (that's what I hope!) as long as they stop using deception and corruption. So, that's what they call real literacy!"

(Excerpts from Americas Watch, November 1, 1991)

If you see "a faker who pretends to be one of our supporters . . . just grab him. Make sure he gets what he deserves . . . with the tool you have now in your hands [the burning tire]. . . . You have the right tool in your hands . . . the right instrument. It is nice, it is chic, it is classy, elegant and snappy. It smells good and wherever you go, you want to smell it." (Washington Post article by Lally Weymouth, January 24, 1993)

"What a beautiful instrument—what a beautiful device. It's beautiful—it's such a nice smell—you like to breathe it wherever you go." (Los Angeles Times article by William Eaton, October 5, 1991)

U.S. SENATE,
COMMITTEE ON FOREIGN RELATIONS,
Washington, DC.

ARISTIDE'S HUMAN RIGHTS RECORD

Aristide turned on his own church when Archbishop Francois Wolff Ligonde, in a New Year's homily in 1991, denounced him for installing a "bolshevik government." Aristide's mobs destroyed one of Port-au-Prince's oldest cathedrals and the Nunciatura, the Vatican embassy. The Papal nuncio (ambassador) was stripped to his shorts and paraded through the streets; his assistant, a priest form Zaire, was gravely wounded by a machete blow. [The Vatican is the only government to accord recognition after the military coup of 1991. (The Plain Dealer, February 27, 1993)]

According to the Catholic Standard of the Archdiocese of Washington, Aristide was suspended from the Silesian Order of the Catholic church in 1988 after being accused of "incitement to hatred and violence" and emphasizing "class struggle" in his sermons.

In early October 1991 "an Aristide-inspired mob attacked Sylvio Claude, the founder of the Democratic Christian Haitian Party—a man who had been jailed and tortured by Duvalier but was a political opponent of Aristide. Although Claude sought shelter in a police station, he was turned over to the mob and burned to death." (Washington Post article by Lally Weymouth, January 24, 1993)

"According to senior U.S. government officials, Aristide also participated in a cover-up of the killing of five teenagers on July 26, 1991. Members of an anti-gang unit claimed the killings occurred when they became involved in a struggle with the youths as they tried to escape. Photographs, however, showed that the young men were severely beaten and shot at point blank range by several weapons. The Haitian armed forces—in particular Interim Commander-in-Chief Raoul Cedras—demanded that the incident be investigated. But Aristide,who had been building his own security forces outside the military chain of command, tried to block the investigation and sided publicly with one of the officers involved in the slaying." (Washington Post article by Lally Weymouth, January 24, 1993)

"U.S. Government officials cite extensive evidence showing that Aristide personally gave the order to kill Roger Lafontant. . . ." In a December 1993 interview, Lt. General Raoul Cedras revealed that he has information "that Aristide intended to have other political prisoners killed, not just Lafontant: He [Aristide] gave the orders to kill around 20 people, but they had the courage to execute only Lafontant." (Washington Post article by Lally Weymouth, January 24, 1993)

"In August 1991, Haitian legislators met to deal with the government's abuses. They planned to question Prime Minister Rene Preval—who, according to the State Department human rights report, had personally interrogated political prisoners and denied them recourse to legal counsel—and then to consider censuring him. Before parliament met, shots were fired outside the headquarters of the National Front for Change and Democracy (FNCD)—a political party that had originally supported Aristide but had begun to criticize some of his actions. The home of an FNCD legislator was also stoned.

"When the parliament met, its members found themselves surrounded by about 2,000 demonstrators, many carrying burning tires. Under the threat of the mob, the legislators decided to recess." (Washington Post article by Lally Weymouth, January 24, 1993)

Cedras on Aristide, "He spent seven months violating the constitution of this country which he was there to guarantee." (Washington Post article by Lally Weymouth, January 24, 1993)

Aristide kept a color painting on the wall in his presidential office. The painting depicts the following: Aristide smiles down on a crowd brandishing auto tires; to the side is another pile of tires, a bottle of gasoline and a book of matches. [The poster further portrays the presidential chair atop the Haitian constitution, indicating that Aristide is "above" the constitution.] A poster in the background, in Creole, explains, 'If our power is threatened Ti Tid [Little Aristide], if you have a problem, command us to march and solve them with necklacing.'

Photographs reveal "how Aristide and his street mobs let 'Pere Lebrun' deal with political opponents. The body shown is that of Sylvio Claude, a Baptist minister and head of the Haitian Christian Democratic Party who had the temerity to oppose the 'populist priest.' In September 1991, the same night that the army moved against Aristide, a mob of the president's supporters set upon Claude and beat him senseless. Claude died an agonizing death. According to eyewitness accounts, an Aristide henchman then severed the penis from Claude's corpse, put it in his mouth, and danced derisively around his body. Next, an automobile tire filled with gasoline was draped around his neck and set ablaze. Confident that Aristide had survived the military's move against him, the henchman had a photographer record this moment of triumph." (Accuracy in the Media Report, August-A, 1993)

"[Aristide] sometimes brandished a machete from his pulpit and demanded violent revolution to physically eliminate the country's elite. Violence, he argued, was the only way to reform Haiti economically and socially. 'Revolution, not elections,' he would chant with followers." (Accuracy in the Media Report, August-A, 1993)

"A neurosurgeon and former dean at a Haitian medical school had Aristide as a student of neuro-psychology during the school year 1978–79. . . . According to a statement circulating among Haitian dissidents, the physician declared, 'I was especially attracted by the tremendous instability of personality of [Aristide]. . . . My ultimate diagnosis took the direction of the bipolar disease called 'psychotic manic depressive,' and I prescribed for Jean-Bertrand carbonate of lithium . . .' Haitian exiles say that some of Aristide's worst excesses come when he is not taking his lithium." (Accuracy in the Media Report, August-A, 1993)

Aristide's accused violations of Haitian law:

Haitian constitution bars presidential paramilitary armies. Aristide created a force called "Special Intelligence for the President," or SIP, which was trained by French and Swiss military experts, and armed with weapons that bypassed the army when shipped into Haiti.

Aristide packed the Haitian Supreme Court with five new justices and refused to submit them to the Senate for confirmation. Contrary to law, he appointed several members of the electoral commission as ambassadors. When the Senate blocked the nomination of another commission member as ambassador to France, Aristide made him foreign minister. In towns in the interior, Aristide replaced elected mayors with his lavalas, and relied upon mobs to keep them in office.

When the Parliament resisted Aristide, his mobs appeared, tires and gasoline in hand. Several legislators were dragged out and beaten. Union offices and opposition political headquarters were torched.

Aristide is accused of ordering the murders of Roger Lafontant and Sylvio Claude the night he left office. They were murdered two days after Aristide's speech encouraging necklacing.

Aristide was the patron of an organization devoted to the welfare of children. VOAM, a Creole acronym for "send Haiti to the skies." At his request, Haitian refugees in the U.S. sent an estimated $2 million to VOAM; the republic of China gave another $6 million. According to Aristide's opponents, Aristide diverted $4.5 million (or more) of these funds to his own projects.

But an older Haitian friend put it more realistically: "I hear that you Americans are going to force us to take back that dreadful man who says he wants to put flaming tires around our necks." (National Review, July 5, 1993)

WHO IS PRESIDENT ARISTIDE?

"[If you see] a faker who pretends to be one of our supporters . . . just grab him. Make sure he gets what he deserves . . . with the tool you have now in your hands [the burning tire] . . . You have the right tool in your hands . . . the right instrument. It is nice, it is chic, it is classy, elegant and snappy. It smells good and wherever you go, you want to smell it." (Washington Post article by Lally Weymouth, January 24, 1993)

According to the Catholic Standard of the Archdiocese of Washington, Aristide was suspended from the Salesian Order of the Catholic church in 1988 after being accused of "incitement to hatred and violence" and emphasizing "class struggle" in his sermons.

"Don't neglect to give him what he deserves. Three days and three nights you're keeping watch in front of the National Penitentiary (see Note). If someone escapes, don't neglect to give him what he deserves."

[Note: A reference to Roger Lafontant, who had begun to serve a life sentence in the penitentiary for attempting to overthrow the government. He was murdered two days later in his cell as the coup was beginning under circumstances that remain obscure.]

"We should have discovered in the electoral campaign of this devil called Reagan, the satanic spirit was dancing in Reagan's head . . . The same spirit that Jesus chased while He was on Earth, forced these experts and Reagan to produce this document called Santa Fe . . . A bad spirit like this, don't you see, is the same bad spirit that danced in the heads of the Roman Emperors that Jesus fought."

". . . What we need to destroy these people we do not yet have. The day will come when we will have it. Nicaragua had it in 1979. Cuba had it in 1958 and 59."

"When you are sitting on top of the mountain teaching the peasants how to use necklacing, the peasant, having never seen a car before, having never seen a tire before, he will ask you, 'What is Necklacing?' He could also ask if the use of Necklacing is in the Constitution. You might answer, 'If the pressure of Necklacing in front of the Courthouse on September 29 (the judgment day of Roger Lafontant) was not there, then he would not have received the life sentence. Instead, he would have only received 15 years.'"

[The three previous excerpts are from a transcript of a videotape of various Aristide speeches and sermons at Mass.]

The 1991 State Department *Human Rights Report* said:

"President Aristide appeared less concerned about prosecuting members of the military accused of human rights abuses if they were supporters or appointees of his Government . . . President Aristide also failed to condemn categorically all recourse to popular justice through mob violence. The Aristide Government made no effort to identify and to bring to justice those responsible for the wholesale killing, looting, and burning . . ."

[From the Congressional Research Service, Library of Congress, Translation from the French]

GENERAL HEADQUARTERS,
ARMED FORCES OF HAITI,
Port-au-Prince, Haiti, October 14, 1993.

His Excellency JEAN BERTRAND ARISTIDE,
President of the Republic, Palais National

MR. PRESIDENT: I would be very grateful if you would give the necessary instruction to the responsible Government officials to begin the necessary proceedings for my anticipated retirement provided for in Point 8 of the Governors Island Political Agreement which I signed in good faith on July 3, 1993 to lift the blockade of the country and to preserve the institution of the military.

I believe that you, as well as I, are aware of the obligation parallel to this procedure of making all the necessary arrangements for granting amnesty by parliamentary law, as indicated in Article 5 of the Governors Island Agreements and Article 5 (paragraph ii) of the New York Treaty.

My concern is shared by the Prime Minister and the Special Envoy who agreed in the course of a tripartite meeting held at Mr. Malval's residence on Tuesday, October 7, 1993 to send you the Minister of the Interior for this purpose of choosing the Commander-in-Chief, according to the oath in the Constitution and the Armed Forces General Regulations and by personal letter of appointment, and the Senate ratification of the Commander-in-Chief.

I will then officially hand over the command of the Haitian Armed Forces to my replacement.

Sincerely yours,
RAOUL CEDRAS,
Lieutenant General, Armed Forces of Haiti, Commander-in-Chief.

Mr. MITCHELL. Mr. President, I think the point has been made.

Many of the assertions made by the Senator are, of course, open to dispute and refutation. I am sure they will be and have been, during the course of the debate. I have no wish to engage in that because that is not the matter which I am involved in at the moment.

I just simply repeat that if the notion that long-distance psychological examinations be made of elected officials, and that they be made public, knowing best, as I do, about Members of the U.S. Senate, we all should be very leery of that.

Mr. PRESSLER. Mr. President, will my friend yield for one more question?

Mr. MITCHELL. Certainly.

Mr. PRESSLER. I am not saying we are in the psychological business, but here is a case where we are committing the prestige of our Government to someone who, according to newspaper reports, had very severe problems; who according to newspaper reports, has committed murder; who according to our State Department has committed human rights abuses.

I want to make that clear. We are not in the business of psychologically evaluating people. But here we are putting the force of the U.S. Government, the U.S. taxpayers, the overburdened American people, behind this person.

Mr. MITCHELL. Mr. President, may I ask the Senator a question? The Senator has referred three times to newspaper reports.

Does the Senator from South Dakota hereby state that everything that ever appeared about human rights in newspapers is true?

Mr. PRESSLER. Absolutely not.

Mr. MITCHELL. I thank the Senator.

Mr. PRESSLER. But I have had to deal with the press. I hope we deal with these accounts.

ORDER OF PROCEDURE

Mr. MITCHELL. Mr. President, I now ask unanimous consent that the previous consent granted governing the conference report accompanying H.R. 2519 be executed upon disposition of the Dole-Mitchell amendment relating to Haiti; and that it now be in order to request the yeas and nays on adoption of the conference report.

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

Mr. MITCHELL. I now ask for the yeas and nays.

The PRESIDING OFFICER. The yeas and nays are requested.

Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT OF 1994

The Senate continued with the consideration of the bill.

AMENDMENT NO. 1074

(Purpose: To express the sense of Congress on funding for the deployment of United States Armed Forces in Haiti)

Mr. MITCHELL. Mr. President, in behalf of Senator DOLE, myself, Senator GRAHAM, Senator SIMPSON, Senator THURMOND, Senator DOMENICI, Senator WARNER, Senator HUTCHISON, Senator D'AMATO, Senator MURKOWSKI, and Senator DODD, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Maine [Mr. MITCHELL], for Mr. DOLE, for himself, Mr. MITCHELL, Mr. GRAHAM, Mr. SIMPSON, Mr. THURMOND, Mr. DOMENICI, Mr. WARNER, Mrs. HUTCHISON, Mr. D'AMATO, Mr. MURKOWSKI, and Mr. DODD, proposes an amendment numbered 1074.

Mr. MITCHELL. 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 in the bill, insert the following:

Sec. . SENSE OF CONGRESS ON THE USE OF FUNDS FOR UNITED STATES MILITARY OPERATIONS IN HAITI.

(a) STATEMENT OF POLICY.—It is the sense of the Congress that—

(1) all parties should honor their obligations under the Governors Island Accord of July 3, 1993 and the New York Pact of July 16, 1993;

(2) the United States has a national interest in preventing uncontrolled emigration from Haiti; and

(3) the United States should remain engaged in Haiti to support national reconciliation and further its interest in preventing uncontrolled emigration.

(b) LIMITATION.—It is the sense of Congress that funds appropriated by this Act should not be obligated or expended for United States military operations in Haiti unless—

(1) authorized in advanced by the Congress; or

(2) the temporary deployment of United States Armed Forces into Haiti is necessary in order to protect or evacuate United States citizens from a situation of imminent danger and the President reports as soon as practicable to Congress after the initiation of the temporary deployment; or

(3) the deployment of United States Armed Forces into Haiti is vital to the national security interests of the United States, including but not limited to the protection of American citizens in Haiti, there is not sufficient time to seek and receive Congressional authorization, and the President reports as soon as practicable to Congress after the initiation of the deployment, but in no case later than forty eight hours after the initiation of the deployment; or

(4) the President transmits to the Congress a written report pursuant to subsection (C).

(c) REPORT.—It is the sense of Congress that the limitation in subsection (b) should

not apply if the President reports in advance to Congress that the intended deployment of United States Armed Forces into Haiti—

(1) is justified by U.S. national security interests;

(2) will be undertaken only after necessary steps have been taken to ensure the safety and security of U.S. Armed Forces, including steps to ensure that U.S. Armed Forces will not become targets due to the nature of their rules of engagement;

(3) will be undertaken only after an assessment that—

(A) the proposed mission and objectives are most appropriate for the U.S. Armed Forces rather than civilian personnel or armed forces from other nations, and

(B) that the U.S. Armed Forces proposed for deployment are necessary and sufficient to accomplish the objectives of the proposed mission;

(4) will be undertaken only after clear objectives for the deployment are established;

(5) will be undertaken only after an exit strategy for ending the deployment has been identified; and

(6) will be undertaken only after the financial costs of the deployment are estimated.

(d) DEFINITION.—As used in this section, the term "United States military operations in Haiti" means the continued deployment, introduction or reintroduction of United States Armed Forces into the land territory of Haiti, irrespective of whether those Armed Forces are under United States or United Nations command, but does not include activities for the collection of foreign intelligence, activities directly related to the operations of U.S. diplomatic or other U.S. government facilities, or operations to counter emigration from Haiti.

Mr. MITCHELL. Mr. President, it is my understanding that under the order there would now be up to 60 minutes for debate on that amendment this evening, controlled by Senator DOLE and myself.

Is that correct?

The PRESIDING OFFICER. The Senator is correct; 60 minutes, equally divided.

Mr. MITCHELL. In behalf of Senator DOLE and myself, I now yield that time.

The PRESIDING OFFICER. Time has been yielded back.

ORDERS FOR TOMORROW

Mr. MITCHELL. I ask unanimous consent that when the Senate completes its business today, it stand in recess until 9:30 a.m. on Thursday, October 21; that following the prayer, the Journal of proceedings be deemed approved to date; that the time for the two leaders be reserved for their use later in the day; and that the Senate then resume consideration of H.R. 3116, the Department of Defense appropriations bill.

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

RECESS UNTIL TOMORROW AT 9:30 A.M.

Mr. MITCHELL. Mr. President, if there is no further business to come before the Senate today, I now ask unanimous consent that the Senate stand in recess as previously ordered.

There being no objection, the Senate, at 8:45 p.m., recessed until tomorrow, Thursday, October 21, 1993, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate October 20, 1993:

DEPARTMENT OF HEALTH AND HUMAN SERVICES

OLIVIA A. GOLDEN, OF THE DISTRICT OF COLUMBIA, TO BE COMMISSIONER ON CHILDREN, YOUTH, AND FAMILIES, DEPARTMENT OF HEALTH AND HUMAN SERVICES. (NEW POSITION)

EXECUTIVE OFFICE OF THE PRESIDENT

JANE M. WALES, OF NEW YORK, TO BE AN ASSOCIATE DIRECTOR OF THE OFFICE OF SCIENCE AND TECHNOLOGY POLICY, VICE J. THOMAS RATCHFORD, RESIGNED.

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMFNT TO THE GRADE OF ADMIRAL WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, UNITED STATES CODE, SECTION 601:

To be admiral

VICE ADM. WILLIAM A. OWENS XXX-XX-X... U.S. NAVY.

THE FOLLOWING NAMED OFFICER FOR REAPPOINTMENT TO THE GRADE OF VICE ADMIRAL WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, UNITED STATES CODE, SECTION 601:

To be vice admiral

VICE ADM. THOMAS J. LOPEZ XXX-XX-X... U.S. NAVY.

HOUSE OF REPRESENTATIVES—*Wednesday, October 20, 1993*

The House met at 10 a.m. and was called to order by the Speaker pro tempore [Mr. VOLKMER].

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
October 20, 1993.

I hereby designate the Honorable HAROLD L. VOLKMER to act as Speaker pro tempore on this day.

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

PRAYER

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

We know, O God, that before the mountains were formed or the waters filled the seas, Your grace and mercy have been Your gifts to us. You have blessed us, O God, in so many ways and Your goodness is ever with us. We pray that we will be steadfast in our commitment to justice and truth, that we will be faithful in our tasks, constant in our commitments, and devoted to that which is honorable and good. Bless us this day and every day, we pray. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Michigan [Mr. STUPAK] to lead the House in the Pledge of Allegiance.

Mr. STUPAK 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 PRO TEMPORE

The SPEAKER pro tempore. The Chair will now recognize 15 Members on each side for 1-minute requests.

THE FALLACY OF BORROWING MONEY TO FIGHT IN OTHER PEOPLE'S WARS

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

Mr. JACOBS. Mr. Speaker, to use the relaxed grammar of Abraham Lincoln, "Don't it seem strange that some of our colleagues are saying the same things about Somalia which they have condemned President Clinton for saying about Vietnam?"

I think they are right the second time. It never did make sense to borrow money to borrow trouble in other people's wars.

A BLUEPRINT FOR INCARCERATION

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

Mr. KINGSTON. Mr. Speaker, the President is proposing to put 50,000 new police officers on the street, but while I think this proposal has merit, let us not kid ourselves. Having 50,000 new officers to arrest more criminals for the second, third, fourth, fifth, sixth, and seventh offenses will not do it. We need to lock them up and keep them locked up.

Today the average murderer is sentenced for 15 years, yet serves only 8, the average rapist gets an 8-year sentence and serves only 3, and the average mugger gets a 5-year sentence and serves only 2. These career criminals cost us on an average a half a million dollars a year in theft and property damage. Society cannot afford it. Incarceration is cheaper.

Let us put them in jail, make them work, teach them a skill, and make it so miserable that when they get out, they will not want to get back in and so they will get a job.

INTRODUCTION OF LEGISLATION TO REDUCE MEMBERS' SALARIES TO MEXICAN STANDARD IF NAFTA IS PASSED

(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, the essence of NAFTA is that American workers will be forced to compete against the desperate and impoverished people of Mexico who earn a minimum wage of 58 cents an hour.

It seems to me that if the United States Congress is going to force American workers to compete against our Mexican neighbors, then it is only appropriate that we ourselves, the Congress, lead by example and show the world that we, too, in terms of our paychecks, are prepared to accept the same level of compensation as those in Mexico who do the same work that we do.

Mr. Speaker, the Members of the Mexican Chamber of Deputies, Mexico's equivalent of our House of Representatives, earn the equivalent of $35,410 per year.

Therefore, Mr. Speaker, I am introducing legislation today which would mandate that if NAFTA is passed, our salaries in the House of Representatives be competitive with the Mexican Chamber of Deputies and be reduced to $35,410 a year.

Mr. Speaker, if we are going to ask American automobile workers and dairy farmers and truck drivers to be competitive with their counterparts in Mexico, then the salaries of the United States Congress should be competitive with the Mexican Congress.

THE NO. 1 ISSUE

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

Mr. BOEHNER. Mr. Speaker, the No. 1 issue facing the country today is crime.

Should the American people really trust the Clinton administration to come up with a tough anticrime package? Can we really trust liberal Democrats in this House to fight for victims of crime and against the perpetrators?

I do not think so.

The Democrats' answer to crime is to weaken current law when it comes to the death penalty.

In fact, instead of clearing the obstacles to swift justice, the Democrat crime bill puts more legal roadblocks in the way.

Instead of including the death penalty for drug kingpins, the Democrats removed it from their bill.

Instead of including a mandatory minimum sentence for the use of semiautomatic weapons, the Democrats leave it out.

Mr. Speaker, when it comes to the No. 1 issue facing this country, the Democrats don't measure up.

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

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

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EXPORTS THE NO. 1 SUBJECT OF NAFTA—THE EXPORT OF JOBS

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

Mr. STUPAK. Mr. Speaker, the administration says that NAFTA is all about exports. Unfortunately, they are right, because if this agreement passes, our No. 1 export is going to be American jobs.

But Members do not have to take my word for it. A year ago, on September 24, 1992, the Wall Street Journal polled 455 of our Nation's top executives. This was before NAFTA became the volatile issue it is today, and executives stated what they saw in NAFTA. In response to this poll, 55 percent of these executives said they would move operations to Mexico if NAFTA passed—25 percent said they had used the threat of moving operations to Mexico in the collective-bargaining process.

So much for American jobs and our standard of living.

Mr. Speaker, this is exactly what the opponents of this agreement have been saying all along. If we pass NAFTA, there is a better than 50-50 chance your constituents' jobs will be gone. You do not have to take our word for it; ask your district's top executives. I did, and the Wall Street Journal did. They want to increase exports all right—your jobs.

Mr. Speaker, I urge my colleagues to vote against this agreement. We must not adopt this NAFTA agreement.

THE REPUBLICAN POSITION

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

Mr. BUNNING. Mr. Speaker, on April 1, 1993, the Republican Policy Committee had this to say:

> U.S. military forces in Somalia have fulfilled the mission given them by President Bush. Republicans therefore call on President Clinton to bring our troops home.

Mr. Speaker, we're still waiting.

President Clinton chose to ignore our advice. Instead, he preferred to put our troops under U.N. command, and in real danger.

The mission has degenerated from humanitarian to humiliation, and it is past time for it to stop.

The President's response is not sufficient. He should not keep our troops in harm's way into next year without real justification and without a detailed strategy.

Republicans have been consistent in our opposition to a policy of troop commitment without focus.

I urge the President to heed our advice and bring our troops home now.

□ 1010

NAFTA: A BAD DEAL FOR A LOT OF REASONS

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

Mr. BROWN of Ohio. Mr. Speaker, you have heard in this Chamber this morning and other days all the reasons to oppose NAFTA: the environmental reasons, loss of jobs, depressing of American wages, food safety, truck safety, all of the issues that make NAFTA a bad deal.

One issue nobody wants to talk about is that NAFTA is a new $50 billion Government program. Proponents of NAFTA do not like to talk about the lost tariff revenues that our Government will forgo. They do not like to talk about border cleanup, $20 billion for environmental costs. They do not like to talk about the request of the Governor of Texas for $10 billion, or the requests from Arizona, California, and New Mexico, for billions of dollars to prepare for NAFTA.

NAFTA is a $50 billion new program. It is something we cannot afford. It is something we have to pay for with either increased taxes or cuts in services that nobody wants to specify.

Mr. Speaker, NAFTA is a bad deal for a lot of reasons. It is a bad deal because it is a $50 billion new Government program.

STOP VIOLENCE AGAINST PEOPLE OF KASHMIR

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

Mr. PAXON. Mr. Speaker, the violence in Kashmir that I spoke about earlier this year continues unabated. On Friday, 1,000 Indian troops surrounded the Hazratbal mosque in the capital city of Srinagar, trapping approximately 100 Kashmiri separatists inside.

This mosque, the holiest shrine in Kashmir, contains a relic of the prophet Mohammed. For years it has been a focal point of Kashmiri separatist feelings. It appears that the siege was planned to strike at the very heart of the Kashmiri separatist movement.

Unfortunately, this is all too reminiscent of the Indian Government's 1984 siege of the Golden Temple of Amritsar in which over 1,200 people were killed.

This attack is but the latest round of violence and terror against the Kashmir people by the Indian Government since the uprising began in January 1990. Over 7,500 Kashmiris have been killed, with thousands more beaten, raped, and detained without charge, according to international human rights organizations.

Mr. Speaker, it is high time for the United States and all nations to press India to stop the violence in Kashmir, remove their troops, and give the people of Kashmir the vote on independence long ago promised.

CONGRESSIONAL PRIORITIES ASKEW

(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, Americans are losing their jobs, losing their homes, losing their families, losing their pensions, and losing their health insurance. There are 25,000 murders a year in our country. Kids are literally being killed in their own homes by drive-by shooters. AIDS is exploding, taxes keep going up and up, strangling this economy, our debt is now over $5 trillion, and American soldiers are literally being killed in foreign lands. And the other body today is debating Beavis and Butthead.

Beam me up. Think about it. Maybe it is time that Congress starts looking at itself in the mirror. Maybe it is not just television.

SILLY ARGUMENTS

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

Mr. BALLENGER. Mr. Speaker, there is one word that adequately describes the arguments against the NAFTA treaty: silly.

NAFTA opponents say that jobs will go to Mexico if we pass this agreement. Mr. Speaker, if we do not pass this treaty jobs will continue to flow to Mexico.

High Mexican tariffs create an incentive for American companies to move south of the border. This treaty lowers tariffs and encourages companies and jobs to stay in the United States.

NAFTA opponents say that the environment will be harmed if NAFTA is passed. That is ridiculous. If NAFTA is passed, we will finally have the ability to force Mexico to uphold their environmental laws. If NAFTA fails, the leverage will be lost.

NAFTA opponents ignore the positive effects this treaty will have on illegal immigration, our regional relations with our neighbors and our balance of trade.

Scare tactics and silly arguments should not be enough to stop NAFTA from being implemented. This is a treaty we can all feel good about.

BUILD A STRONGER AMERICA BY STARTING AT HOME

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

minute and to revise and extend his remarks.)

Mr. FLAKE. Mr. Speaker, I rise this morning realizing that all over the country, all over the Nation, and, yes, indeed, some parts of the world, the foremost discussion we are involved in is about NAFTA.

Mr. Speaker, I am concerned because of the lack of discussions about community development in this Third World nation within our borders, these urban and rural communities where people have already been displaced, where people are already without jobs, where people already do not have access to good education that prepares them for jobs. As we talk about NAFTA, we are not talking about what we need to do for our own people. Some of them will be displaced. But what about those that already are? That have discovered that training programs have not prepared them adequately to be able to assume the jobs that are available or prepare them in areas where there are jobs going to be opening by virtue of the great arguments that are made for what NAFTA is going to do for this country?

Mr. Speaker, it seems to me that our first responsibility is to make sure that we are as strong a nation as we can possibly be. Certainly I think there are some who would listen very favorably to the NAFTA discussion if it was somehow related to a discussion about how to build a stronger America.

DEMOCRATS ARE ONCE AGAIN SOFT ON CRIME

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

Mr. HEFLEY. Mr. Speaker, the liberal Democrats who brought you the largest tax increase in history are preparing to sell America another Trojan horse, this time disguised as crime reform. The Democrat crime bill is worse than current law. Just listen to what they want now.

New habeas corpus language for death row criminals which allows them to avoid serving their sentence; weakened probation standards allowing drug addicts to remain on the streets; a fraudulent death penalty that will never be enacted; and the removal of the death penalty for drug kingpins which are strangling our cities.

Mr. Speaker, this is not crime reform. It is just another example of how soft the liberal Democrats are on violent criminals. Let us pass real reform in this body, stop these hardened criminals in their tracks, and provide some sort of relief to the all too often ignored victims.

AN OUNCE OF PREVENTION

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

Mr. SKAGGS. Mr. Speaker, our health care system needs reform. We spend much more money per person on health care than any other nation. But we do not get the results we should.

Even with the finest doctors, the best hospitals, and the most advanced technology, our infant mortality is among the highest in the industrialized world. Nearly half of American children between the ages of 1 and 4 lack basic childhood immunizations. We are again seeing outbreaks of measles, mumps, and whooping cough.

Our health care system skimps on low-cost prenatal care, but then spends over $30,000 a month to keep low-birthweight babies alive in high-technology neonatal units. That's just not very smart—or cost effective.

President Clinton wants to change this. He's proposed comprehensive health care reform that emphasizes the simple preventive measures that are crucial to long-term health—immunizations, checkups, education, preventive screenings and tests. The President understands that good health care means keeping people healthy, not waiting until people get sick to treat them.

An ounce of prevention really is worth a pound of cure. Controlling health-care costs and improving health-care quality depends on living by these words.

ECONOMIC WAR BEING WAGED AGAINST THE WEST

(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, President Clinton and Secretary Babbitt and his Department of Ulterior Motives are waging an economic war on the West. This is not about western people prospering; this is about survival. This is about families keeping their homes. This is about ensuring that people can live and work where they choose—in the West.

Mr. Speaker, this Congress says it wants to make people and jobs a priority, so we ought to be working to keep the ones we have. The people in the West, threatened by Clinton's land policies, do not want to be handed unemployment checks because their jobs have been taken away by the Government.

This President talks a lot about jobs. He talks a lot about rejuvenating America. These are just statements—just as vague, shallow, and failed as his efforts to build other nations.

Mr. Clinton and Mr. Babbitt are reinventing a whole new constituency for unemployment benefits. If this continues, the sign at State borders in the West will read, "Last one out of the West, turn off the lights."

IMMIGRATION STABILIZATION ACT OF 1993

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

Mr. BILBRAY. Mr. Speaker, today I introduce the Immigration Stabilization Act of 1993. Along with Mr. GOODLATTE, Mr. HUNTER, Mr. LEHMAN, and Mr. TRAFICANT, I present this comprehensive piece of legislation aimed specifically at reforming, not just one section of the law, but our Nation's laws governing both legal and illegal immigration in their entirety.

Recent events have brought to light evidence of the desperate need for wholescale reform of the U.S. immigration system. The breakdown of the system is seen not only in high-profile cases like the bombing of the World Trade Center and the murder of government employees at our CIA headquarters, but also in the everyday life of our citizens and our economy.

The employment needs of our Nation have changed. No longer do we require a massive influx of unskilled labor as we did when current immigration law was written.

No longer can we afford to offer blanket asylum for all seeking protection from their enemies, whether they are real or alleged.

Our social services system is on the verge of collapse under the weight of our own citizens. We must take action so that we may retake control of our future.

Some people will say this legislation is xenophobic. Nothing could be further from the truth. Our immigrant past is one of the greatest contributions to our Nation's strength today. What this bill says, is that the United States should, like every other industrialized country, control the flow of people into our country, ensuring the best interests of our Nation are served rather than the narrow interests of certain groups.

I ask for the support of my colleagues from both sides of the aisle in seeking the swift passage of this bipartisan legislation.

□ 1020

TOP 10 REASONS TO VOTE AGAINST NAFTA

(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, I am happy to report to our colleagues that I just received from the home office in San Diego, CA, the top 10 reasons as to why we should vote against the North American Free-Trade Agreement.

Reason No. 10: I like living in the past. Reason No. 9: We need a good revolution in Mexico. Reason No. 8: It is

best to close the barn door after the horse is out. Reason No. 7: Jobs, who needs stinking jobs. Reason No. 6: The Toronto Blue Jays. Reason No. 5: It is the best way to get labor PAC money. Reason No. 4: Pat Buchanan, Jesse Jackson, Ralph Nader, and Jerry Brown—wow. Reason No. 3: The Japanese want me to vote "no." Reason No. 2: We need more illegal immigrants.

And the No. 1 reason to vote against the North American Free-Trade Agreement: Perotnoia will destroy ya.

Mr. Speaker, there are no reasons to vote against the North American Free-Trade Agreement. We should line up and provide support for the American consumer and creation of jobs right here in the United States.

NAFTA'S EFFECTS TERMED DEVASTATING

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

Ms. DELAURO. Mr. Speaker, few issues that we address here provoke such passion and are the targets of such distortion as the North American Free-Trade Agreement. The most prevalent distortion floated by the proponents of NAFTA is that it will create jobs—it won't.

We have already lost 500,000 jobs to Mexico and estimates are that enactment of this trade agreement would cost us 500,000 more jobs. In my State—Connecticut—where we have lost 180,000 to a continuing recession—we cannot afford one more job loss. But, NAFTA will cost us in other ways as well: It will cost us in lost revenues—in lost tariffs to the U.S. Government; in lost corporate tax revenues as businesses move to Mexico; in lost income tax revenues—unemployed workers cannot pay income taxes. And, hundreds of thousands of workers will lose their jobs as a result of NAFTA no matter whose economic model you use.

I am not opposed to free trade. If there were compelling evidence that the long-term payoffs of NAFTA would offset the devastating short-term effects, then I could get behind it. But the long-term effects of NAFTA will be equally devastating: a lower standard of living for workers on both sides of the border.

The bottom line is that NAFTA will cost us jobs and it will cost us money. Our workers cannot afford NAFTA. Our country cannot afford NAFTA. Not this NAFTA.

SOMALIA

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

Mr. WELDON. Mr. Speaker, Congress has said it wants a full and open debate and vote on Somalia. The American people have said they want a full and open debate and vote on Somalia. We were told we would have a full and open debate and a vote on Somalia by November 15, and new we see what is happening: A watered down Senate provision will be buried in a conference report. We will never have that debate. We will never have that up-or-down vote.

My colleagues, we can force that debate. We can force that vote.

Yesterday I filed a discharge petition No. 9 to force out House Resolution 227, offered by my Democrat colleague, the gentleman from Ohio [Mr. BROWN].

Ben Pilla, from Vineland, NJ, said it best, and I quote: "I ask this Congress to put as much effort into investigating this foreign policy disaster as they put into investigating Watergate and Iran-Contra. Neither Watergate nor Iran-Contra cost the lives of American soldiers."

Ben's son, Dominick, was killed in Somalia on October 3, 1993, and buried on October 11. To Ben, his father, to his son, to Dominick, we owe the American people a debate and a vote on the presence of our troops in Somalia.

BREAST CANCER AWARENESS MONTH

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

Mr. POMEROY. Mr. Speaker, I rise today in recognition of Breast Cancer Awareness Month.

Having personally witnessed how this disease afflicted my wife's family, how it robbed them of a cherished sister and daughter, I stand before this body to remind us all that the issue of breast cancer is not just a women's issue. It is an issue of finding a cure for a life-threatening disease that is killing thousands beloved family members and valuable citizens every day in our country.

With 1 in 8 women now at risk of developing this disease, all of us will be impacted one way or another by this ongoing tragedy. We must support additional funding for research and provide for adequate access to new therapies. Likewise, health care reform must provide for preventive measures such as screening mammograms in the basic benefits package.

This week, the National Breast Cancer Coalition presented President Clinton a petition, calling for increased funding for breast cancer research. It was signed by 2.6 million people throughout the country. The breast cancer survivors who participated in the event are living proof that we can win the battle against breast cancer. We must continue to elevate the public consciousness about this disease, and commit the necessary resources to end the breast cancer epidemic.

COMMERCE SECRETARY RON BROWN'S HAITIAN AND VIETNAM CONNECTIONS

(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, Secretary of Commerce Brown should not be a part of the decisionmaking process concerning our economic embargo on Haiti. This is due to the fact that a few years ago he legally took large fees to lobby for the former Haitian dictatorship.

Our Secretary of Commerce testified before my committee that he excluded himself from any discussion on easing the embargo on Communist Vietnam. This is due to the fact that he did not take the $700,000 that may or may not have been offered to him.

Mr. Speaker, I have been asked why all the fuss? Let me answer in human terms. A few months ago I put a list of 500 political prisoners in the hands of the head of the Communist Party of Vietnam.

I personally put the same list in President Clinton's hands. With a whisper our President could have asked for the release of these prisoners as a sign of good faith before taking any steps to ease the embargo.

Obviously no such request was made. Yesterday a story in a local paper indicates religious persecution continues unabated in Vietnam.

Let us hope the reason for our silence on human rights in Vietnam has not been an illegal deal between high government officials.

We need a special prosecutor for an impartial investigation of this issue.

□ 1030

URGING BIPARTISAN SUPPORT FOR THE PRESIDENT'S POLICY ON HAITI

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

Mr. OWENS. Mr. Speaker, the President's policy on Haiti is now on the most productive track possible and it deserves the bipartisan support of the entire Congress. The President has decided to go beyond the Boy Scout approach of certain naive and deceived State Department diplomats. We still support the Martin Luther King nonviolent approach of the Governor's Island Agreement. But the President now realizes that we are dealing with a Haitian army led by drug smugglers and killers. Armed protection for the constitutional democratic government of President Aristide is a definite necessity.

In order to take care of our own national interest in Haiti, in order to promote democracy in this Western Hemisphere, we have no choice but the pursuit of a policy of firmness which confronts the forces of lawlessness and brutality. For too many decades the United States has dominated Haiti by assisting the oppressors of the majority.

Now is the time to reverse the negative impact of the Monroe Doctrine. Now is the time to act with strength and firmness to support democracy and the economic redevelopment of Haiti. Help the Haitians to take democratic control of their own destiny and then the Haitians will take care of themselves.

URGING CONGRESS TO REJECT THE ADMINISTRATION'S CRIME BILL AND GET SERIOUS ABOUT CRIME

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

Mr. HOKE. Mr. Speaker, we do not have to be rocket scientists to know that crime in the United States has reached an epidemic level. What has the President decided to do about it? He has dropped from previously introduced bills a number of provisions. He has eliminated mandatory minimum sentences for armed career criminals. He has eliminated mandatory minimum sentences for drug trafficking near schools. He has eliminated the death penalty for convicted drug kingpins. He has eliminated increased mandatory minimum sentences for the criminal use of semiautomatic weapons, and he has eliminated language that would curtail excessive appeals by death row inmates.

In short, Mr. Speaker, the President has written a bill which is worse than our current law. Let us reject the administration's crime bill and get serious about crime.

NAFTA: A MISTAKE FOR AMERICA

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

Mr. DERRICK. Mr. Speaker, I rise today with the strongest possible opposition to the North American Free-Trade Agreement. For too long, American textile workers have acted as the punching bag for one administration after another, and NAFTA would be more of the same.

NAFTA supporters point out that our exports to Mexico are growing. The truth is, American factories and American jobs account for the great majority of our increased exports to Mexico during the past few years.

They also say the Mexican consumer market is expanding. Mr. Speaker, Mexican workers are making 62 percent less money today than they were in 1980. Workers that only make one dollar an hour cannot offer much in the way of buying power.

The supporters also say NAFTA means jobs. That is right. NAFTA means the loss of American jobs for the sake of expanding the Mexican economy.

Average American workers are the backbone of our economy, and they are being abandoned by this agreement.

Mr. Speaker, I will not support—and I urge my colleagues not to support—this legislation that robs Americans of employment opportunities. NAFTA is a mistake, and it should fail.

CLINTON HEALTH CARE PLAN: IT IS OCTOBER 20 AND WE ARE STILL WAITING

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

Mr. STEARNS. Mr. Speaker, on October 5, Secretary of Health and Human Services Donna Shalala testified before the Energy and Commerce Committee that in 2 weeks Congress would have the details of the Clinton health care plan. That would have been October 19, or yesterday. Well, it is October 20 and we are still waiting. The chairman of the Ways and Means Committee, Mr. ROSTENKOWSKI, has criticized the Clinton administration's delay in sending the specifics of its health care reform to his committee recently. In the meantime, committees have been holding hearings on legislation that does not exist, trying to study "devil in the details" problems with no details. My constituents, and I am sure those of every Member of this House, have asked for copies of the Clinton legislation, only to be told that the bill still doesn't exist. And, everyone wants to know, realistically, how much this will cost.

The uncertainty over this plan also is causing real concerns in our Nation's teaching hospitals. Young men and women studying medicine have legitimate concerns that a new Federal authority is being created to dictate where and what they can practice under the guise of "creating a new health work force."

There are so many fundamental questions this issue of health care reform raises, and right now none of them are being answered. It's time for the administration to stop delaying and bring forward this legislation, with facts and figures to back up their claim of a $700 billion price tag.

INTRODUCTION OF LEGISLATION PROVIDING INCENTIVES FOR REHABILITATION OF HOUSING PROJECTS

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

Mr. JEFFERSON. Mr. Speaker, today I am introducing a bill to provide for 15-year straight-line depreciation for new investors in housing projects in need of rehabilitation, together with an exemption from the passive loss rules.

According to a 1992 Harvard University study, there are only 4.1 million units of HUD-assisted housing units available to a population of 13.8 million households eligible for the assistance. Many of the units that could be put in commerce to meet this need are in deteriorating buildings with financially strapped owners, who have no incentive to improve their properties and no market to dispose of them. These conditions are due in part not only to a continuing real estate recession and the general aging of housing stock, but also, in no small part, to changes this Congress made in the 1986 revisions to the tax laws.

New investors with the requisite capital that can be generated by the bill we introduce today can finance the necessary renovations and greatly increase the availability of secure housing for low-income tenants who will be the direct beneficiaries of the infusion of this new capital.

I strongly urge my colleagues to join me in support of this legislation.

URGING THE ADMINISTRATION TO CONTINUE EFFORTS TO RESTORE DEMOCRACY IN HAITI

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

Mrs. CLAYTON. Mr. Speaker, the current situation in the Republic of Haiti has reached a critical point and has caused great debate. The recent incident in Port-au-Prince in which American troops were refused safe entry reveals the unstable conditions in this troubled island nation. Moreover, the imposition of United States economic sanctions shows that the administration is indeed concerned about the hope of restoring democracy in Haiti.

Many will argue that the United States should not be involved in "basket-case" countries who possess little in terms of U.S. economic interest. It is true that Haiti is one of the world's leaders in poverty. It is true that Haiti possesses immeasurable problems related to infrastructure and modernity. And, the Haitian record on human rights can best be characterized as deplorable.

So, the question remains: Why is Haiti important? Or better stated, what is America's vested interest in Haiti? First, Haiti is important because it is a nation longing for the same democratic principles we cherish here in the United States. Before the military coup on September 30, 1991, the Haitian people popularly elected Jean-Bertrand Aristide as the President of the Republic of Haiti. As the leader of the free world, the United States plays a powerful ideological and moral role in assisting aspiring democracies. We are privileged to have this distinction, and we must fulfill our responsibility. If we do not, we lose respect internationally for our complacency.

Second, Haiti is crucial for American self-interest because it is geographically located in our own precious hemisphere, only 80 miles from our shores. The most obvious way in which we are affected by the chaos in Haiti is by looking at the refugee crisis felt by the State of Florida. I know that Representative MEEK can testify to this fact.

Third, earlier this year, the United States Government ruled that boats with Haitians seeking freedom in our countries should be returned to their homeland. The United States and the international community must seek to stabilize the Haitian society so that large numbers of Haitians do not jeopardize their lives by taking to the turbulent waters with their makeshift vessels.

I urge the administration to work toward the restoration of democracy in Haiti. The Governor's Island Agreement should be honored because it is good for the thousands of Haitian people who deserve the fruits of democracy. Ultimately, the stability of Haiti is good for our hemisphere and the United States. Let us be decisive for the sake of democracy and the people of Haiti.

CALLING ON THE DEMOCRATIC LEADERSHIP TO IMPROVE SCHEDULING OF LEGISLATION

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

Mr. WOLF. Mr. Speaker, I had no intention of speaking to the House, but I just found out that we were going to be in here until probably 10 o'clock tonight. Let me just say to the leadership of this House, we really have to do a better job of scheduling. One day we hear we are going to have votes on Monday, then Monday comes and we do not have votes. Then we hear we are going to have votes on Friday, and then they tell us we do not have votes on Friday.

We cannot schedule. We cannot know whether we can go to a children's event. We cannot know whether we can do something in our congressional district. The hours that we keep in this body and the schedule in this body is a disgrace. It must change. Husbands do not know their wives. Husbands and wives do not know their children. People do not have any control over the schedule.

I call on the leadership of the party that controls this House to do a better job of scheduling. It is unacceptable to keep the hours and the uniformed schedule that we have in this House.

□ 1040

CONFERENCE REPORT ON H.R. 2492, DISTRICT OF COLUMBIA SUPPLEMENTAL APPROPRIATIONS AND RESCISSIONS ACT, 1993

Mr. DIXON. Mr. Speaker, I call up the conference report on the bill (H.R. 2492) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1994, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. MFUME). Pursuant to the rule, the conference report is considered as having been read.

(For conference report and statement, see proceedings of the House of Thursday, October 14, 1993, at page H7900.)

The SPEAKER pro tempore. The gentleman from California [Mr. DIXON] will be recognized for 30 minutes, and the gentleman from New York [Mr. WALSH] will be recognized for 30 minutes.

The Chair recognizes the gentleman from California [Mr. DIXON].

GENERAL LEAVE

Mr. DIXON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the conference report and on the amendments in disagreement, and that I may be permitted to include tabulations summarizing the conference agreement.

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

There was no objection.

Mr. DIXON. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. TUCKER].

(Mr. TUCKER asked and was given permission to proceed out of order.)

NOT THIS NAFTA

Mr. TUCKER. Mr. Speaker, I thank the gentleman from California for yielding the time.

Mr. Speaker, we have heard a lot about the North American Free-Trade Agreement. I rise today in opposition to that particular agreement. As has been said, not this NAFTA.

It is not that many Members on this side of the aisle, Mr. Speaker, are against the concept of free trade or the concept of a North American Free-Trade Agreement. It is a fact, Mr. Speaker, that the NAFTA that is coming to this House for a vote in the next few weeks is not a good deal. It is not a good deal for the American people, and if we take it, we will truly have been hoodwinked and bamboozled, and we will truly have been led astray, because all of these promises and representations of net job gains are just that, Mr. Speaker, promises, just the promises for a middle-class income tax cut that never came down. These promises of more jobs will not come with a NAFTA. There will be in fact the reality of job loss.

We cannot afford any more job losses, not only in California, but all across this country. This is not a good deal. We need to go back and renegotiate.

To all of those who say we have to take it or leave it, I say leave it, because we can renegotiate it. Not this NAFTA, Mr. Speaker.

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

Mr. Speaker, I am pleased today to present the highlights of the conference report on the fiscal year 1994 District of Columbia Appropriations Act.

There were 48 Senate amendments, and we were able to resolve all of them in conference. In summary, the amounts recommended in this conference agreement are within the 602(b) allocation in both budget authority and outlays, and we are $5.1 million below the budget that the President requested.

The conference agreement includes $700 million in Federal funds and $3.7 billion in District funds. Over 80 percent of this budget is financed from local revenues—income taxes, property taxes, and various fees and charges.

The $700 million in Federal funds is identical to the amount that passed the House, but it is $2 million above the Senate allowance and $12 million higher than last year's appropriation. The $700 million consists of three items. First, the Federal payment of $630 million, which is based on a formula of 24 percent of the local revenues. Second is the Federal contribution of $52 million to the police, fire, teachers, and judges retirement funds. Third, the Federal contribution of $17 million for major crime and youth initiatives to reduce the District's rising crime rate and to reach out to young people who are at risk.

In District funds, the conference agreement provides $3.7 billion which is the same as the budget request, but $13 million below the House allowance and $38 million below the Senate allowance.

Mr. Speaker, the conference agreement does not include any funds for

George Washington University to build a medical center. Instead, the conferees agreed to include language under amendment No. 25 that requires the District government to submit a proposed plan by April 15 next year that provides for financing of capital rehabilitation and revitalization of the medical infrastructure within the District of Columbia. The bill language requires that the currently authorized George Washington University project be specifically addressed as part of the overall plan.

Under general provisions, Mr. Speaker, the conferees deleted language under section 135. That language would have required the Mayor to prepare a cost analysis and show a 10-percent savings before she could contract out for goods and services now provided by District employees.

The conferees also deleted language under section 136 of the House bill that would have required Council review of certain contracts over $1 million.

There is no language in the bill concerning abortions. Neither the House-passed bill nor the Senate-passed bill make reference to that issue. Both versions of the bill allow the District of Columbia to use the funds in the bill for abortions in accordance with the District's regulations and guidelines in compliance with the various Supreme Court decisions that have been handed won on this issue. These decisions apply to the District just as they apply to the 50 States.

However, I would point out to Members that Federal Medicaid funds are governed by the Hyde amendment in the Labor-HHS appropriations bill (H.R. 2518), and any Federal Medicaid funds received by the District cannot be used for abortions, except when it is made known to the Federal entity or official to which funds are appropriated under H.R. 2518 that the procedure is necessary to save the life of the mother and in the case of rape or incest. In other words, Mr. Speaker, the District is treated in the same manner as each of the 50 States are treated. There is absolutely no difference.

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

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

Mr. Speaker, I rise today in opposition to the conference report on H.R. 2492, the District of Columbia Appropriations Act for Fiscal year 1994.

Before I state specifically why I oppose the report, I would like to compliment Chairman DIXON and my colleagues from both sides of the aisle on the responsible manner in which they addressed our constitutional responsibility to the District of Columbia.

Regarding the substance of the bill: The Federal formula payment for fiscal year 1994 is $630.6 million. The Federal contribution to the retirement fund stands at $52 million and $17 million going to the crime and youth initiative. I expressed opposition to certain portions of the bill early on. Those reservations remain. Specifically, abortion funding, the crime and youth initiative, and fiddling with the Federal employees retirement fund.

Allow me to take a moment to detail this opposition. As we know, Mr. Speaker, as this conference report is currently constructed, Federal and local taxpayer dollars will be used to fund abortion. This has never been done before. Recently the Congress voted overwhelmingly for a somewhat revised Hyde amendment on the Labor/HHS bill. At the least, this bill should comply with that language. As for the crime and youth initiatve, I consider $17 million to the District beyond our commitment. The Federal Government's obligation as cited by GAO is to pay the District $630.6 million. Let us stick to it. We enacted a law to take the guesswork out of how much we owed the District. I have accepted the argument that the District is in financial peril and that youth in the city are being killed at an alarming rate. However, I do not honestly believe that in effect paying youths to stay off the streets will accomplish our social goals. No American in any city wants to see children hurt, old people robbed, or residents carjacked, for that matter. I would suggest we look at other cities of comparable size to see what they are doing about these problems, to try to find solutions that are results-oriented. As it stands, the program is wasteful.

Last, I oppose delaying the obligation of $2 million to the Federal employees retirement fund. I support the Senate action which makes the $52 million available immediately and cuts $2 million from the crime and youth initiative.

The pension fund, which received a commitment from Congress several years ago for an annual contribution, is woefully underfunded as it is. It will require major surgery if it is to meet its obligations to those workers. To deny the fund the relatively minor amount of $2 million for the relatively short period of a couple of months still amounts to actuarial larceny. Perhaps more importantly, it sets a dangerous precedent and weakens our commitment to the District. As the ranking republican member of the subcommittee, I applaud the District, and especially Mayor Sharon Pratt Kelly, for the fiscal prudence used in sorting out the District's budget challenges. As a former city official I know tough decisions when I see them, and for everyone's information tough decisions have been made.

At the same time, for the reasons stated, I strongly urge my colleagues to reject this conference report, with one final note on how I think we can work together.

The Corporation Counsel's Office of the District of Columbia has strained relations with Congress by not prosecuting the offenders of law and order, specifically the demonstrators for D.C. statehood. Again, speaking as a former city official in my hometown, I would remind the Corporation Counsel that it has a responsibility to prosecute violators of the law—whether they like the law or not. The demonstrators have been a threat to public safety by blocking House buildings. This is not just my opinion. They were arrested for this reason. In conclusion, I urge my colleagues to vote down this conference report.

□ 1050

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

Mr. DIXON. Mr. Speaker, I yield 5 minutes to the distinguished Delegate from the District of Columbia [Ms. NORTON].

Ms. NORTON. Mr. Speaker, I rise this morning to ask my colleagues and friends in this body, on both sides of the aisle, to affirm the D.C. appropriations for which the majority voted earlier this year. May I ask my colleagues as well to consider this appropriation without discrimination or malice toward the Capital of our Nation at a time when the city is being ravaged by financial trouble.

Mr. Speaker, the District appropriation before us consists largely of funds raised in the District of Columbia itself, paid by District taxpayers and businesses. The smaller portion that is the Federal payment is different from every single appropriation that comes before the House. The District appropriation is not called a Federal payment for nought. The term "payment" is technically precise. The Federal payment is meant to pay the District for what it loses in restrictions that this body has placed on the city's ability to develop itself economically, for land taken off the tax rolls by the Federal Government and for services rendered to the Federal Government.

No one pretends that the amount has ever been adequate to make up for these restrictions, but all agree that the Federal payment is a debt owed the District, not a grant like our other appropriations. To fail to pay the full amount owed is to repudiate a debt. I ask this body to keep faith with this debt and with the District.

I especially ask my colleagues for your help this year when the Capital City has been the victim of a cruel recession that has simply refused to let go and let the city recover. I recognize that there are some among my colleagues who have sometimes looked at the District appropriation as an expendable vote. We are not your constituents so what do you have to lose, some have reasoned.

But this is your city too. It is the Capital of your country. It is in deep financial trouble. To vote against the

District appropriation this year is to vote to tell the Capital of this Nation to go to hell.

This much is sure, without this full appropriation the District's finances and stability will go south. The 600,000 residents of the District need and deserve better.

Mr. Speaker, I ask my colleagues not to engage in brinkmanship with the city's solvency. That is what a nay vote will do. A nay vote this year is not a vote without consequences. A nay vote is a cruel vote that could threaten the solvency of a city that is still struggling to balance its budget and is still laying off employees.

Whatever your vote in the past, I am asking for your vote this year. An aye vote is necessary to preserve the financial solvency of the Capital of this Nation. Please vote "aye" on H.R. 2492.

Mr. WALSH. Mr. Speaker, I yield 4 minutes to the distinguished gentleman from California [Mr. ROHRABACHER].

Mr. ROHRABACHER. I thank the gentleman for yielding this time to me.

Mr. Speaker, I rise in strong opposition to this conference report.

Mr. Speaker, this is a controversial bill for several reasons. It passed this House by a vote of 213–211 on June 30. One reason that vote was so close was that the bill exceeded the authorization level by $17 million. This conference report does not change that is still at $17,000,000 over that level.

But the House should be aware that circumstances have changed in the last 3½ months that should make us even less willing than then to throw an extra $17 million in to the D.C. government.

Each Thursday since the House voted and first passed this bill, District of Columbia government officials have organized and participated in illegal demonstrations involving the arrest of several demonstrators for blocking traffic at the intersection of Independence and New Jersey Avenues, just outside this building. The last three times, demonstrators switched to blocking the entrance doors to the Longworth Building.

These demonstrations are preceded by the District's unmarked police cars with flashing red lights, they begin just outside the Mayor's office, and they are led by Mayor Kelly and other city officials. These officials, including the Mayor herself on one occasion, have been among those arrested for personally blocking traffic through the Capitol Grounds.

Yesterday, the District of Columbia government's involvement became even more blatant, when its prosecutor dropped all charges against those arrested for blocking the Capitol traffic. Moreover, he seems to have invited further direct interference with Congress by reaching an agreement with the arrestees to stop actions which are prosecutable by him, rather than by the U.S. attorney. In other words, from now on, statehood protesters are to keep blocking our office doors, rather than blocking Independence Avenue.

Admittedly, these illegal activities have not had a great effect. They have not been able to block our streets for more than about 20 minutes or our doors for more than about 5 minutes before our Capitol Police are able to clear the way.

They have failed miserably as a publicity stunt, receiving almost no notice outside the Washington area, and getting very little coverage even in the local press. If only private citizens were involved, I would not even bother mentioning this situation.

But the point the House should note is this: These are not just the actions of private individuals—these are the actions of supposedly responsible public officials who are sworn to uphold the law, but instead are violating the law in physical attacks aimed at the Congress, for which they ensure there is no punishment for the acts they committed.

Never before in the history of our country has there ever been such an attack on Congress by another government. Even early in our history, when Pennsylvania State officials failed to protect Members of Congress from disgruntled veterans—at least the State officials were not participating personally.

I know my colleagues are not ready to punish the D.C. government by appropriating below the formula level.

And there is a formula that we worked out that we thought was fair and just; but do we really still have to go beyond the formula payment and provide $17 million extra when this type of action is being taken to pressure us, to intimidate us? I do not think so. Congress must draw the line somewhere.

I ask my colleagues to vote "no" on the extra money for lawbreakers who are trying to intimidate Congress. A "no" vote on this conference report is saying that the people who direct the government of the District of Columbia ought to obey the law and cannot try to force us, to intimidate us, to block our doors, to come into this Capitol and get their way.

□ 1100

Mr. DIXON. Mr. Speaker, I yield 3 minutes to the gentlewoman from Connecticut [Mrs. KENNELLY].

Mrs. KENNELLY. Mr. Speaker, let's take a minute to cut through the rhetoric and be clear about what we are talking about here. Some of these points have already been made; some will be made again. But I think it is important to get them right.

First, the conference report contains no language restricting choice because that is what the House voted for last June. And that was the position of the other body as well. We have, in effect, already decided this issue. We should stand by this decision and support the conference report.

Second, it is no great secret around here that it is not difficult to vote against the District of Columbia. The harder vote is to stand up for what is right. What is right here is to allow the citizens of the District to make their own decisions about how they want to allocate their tax dollars.

D.C. citizens have limited political rights. As we all know, they do not elect full voting Members of the House, although we have taken some steps in that direction. They do not elect Senators. But they do elect a mayor and a city council.

These women and men set the policy for the city. They are accountable to their voters. As Members of Congress, we are free to disagree with their positions. But we must understand that D.C. voters ask no more than what our own constituents ask, indeed demand: The right to make their own decisions about how they will be governed.

Third, I want to make it perfectly clear that Medicaid funds that go to the District are governed by the Hyde amendment in the Labor-HHS bill. Many Members may think this debate is about Medicaid funding, but it is not. It is about preventing the District from using its funds as it chooses.

In your States, in your cities and towns, you have large taxpayers—none as large as the Federal Government, but sizable all the same. But you do not, and we in Connecticut do not, permit these individuals and taxpayers to dictate the terms on which their tax dollars can be used. That is a local governmental matter, one that is left to the will of the people and their elected representatives.

And so, Mr. Speaker, I see no reason why this House should not stand by its previous decision and support this conference report. I would urge my colleagues to maintain their original position, and vote for the conference report.

Mr. WALSH. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Illinois [Mr. HYDE].

Mr. HYDE. Mr. Speaker, this year's bill, the District of Columbia appropriation, contains no language restricting abortion funding, which means, of course, if left to the devices of the District of Columbia government, there will be abortion on demand paid for by the taxpayers.

I would only say in response to my dear friend and someone I admire greatly, the delegate from the District of Columbia, that a nay vote is not a cruel vote. A "nay" vote could save 24,000 babies, little tiny members of the human family who have a future and who we should help enjoy that future.

Washington is the Nation's Capital, but it is also the abortion capital of

this country. Do you realize the District of Columbia has an abortion rate triple the rate of any State in the Union? The statistics are appalling—appalling.

The President has said he wants to make abortion safe, legal and rare—rare. The last year for which we have statistics for the District of Columbia is 1986 and that year there were 23,910 abortions and 10,945 live births, nearly 3 times the number of live births you have abortions. That is an appalling lack of reverence of life.

What does that mean? There is massive devaluing of the sanctity—forget sanctity, that may offend some people who have a different view of the first amendment that I do, let us talk about reverence, the reference for life.

Our corporations are downsizing their employment rolls. We are morally downsizing our laws when we treat abortion like we treat an appendectomy. Abortion is the only surgical procedure that intentionally exterminates a human life. That life is not animal, mineral or vegetable.

My dear friend, the gentlewoman from Connecticut, said there is no language about choice. Well, she should have specified, she did not mean choice in education. She means the right to choose to exterminate your unborn child because somebody does not want that child.

I suggest to you that we vote no on this appropriation, send it back and put the Hyde amendment in which says no public funds may be expended to pay for abortions, except where the life of the mother would be endangered if the fetus were carried to term, or in cases or rape or incest. That would put the District of Columbia in step with what I believe to be and ought to be the rest of the country and would save a lot of human lives that are precious, that deserve reverence and that certainly do not deserve to be exterminated through abortion.

Mr. DIXON. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. FAZIO].

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

Mr. Speaker, I rise in support of this conference report. I want to specifically focus on the issue of local control as it relates to the issued of abortion.

You know, we use this bill in many ways, I would say misuse it, to send messages to our constituents at home which are really at odds with what we would be willing to do if we had the power to impose on them, our State and local governments, the same sort of controls that—with impunity—we impose on the District of Columbia.

The issue growing in this body recently has been to avoid mandates on State and local governments, Federal requirements, that we do not reimburse for. It is a bipartisan movement. You can see it on both sides of the aisle.

It is strange then that we would so inconsistently take this piece of legislation and annually attempt to mandate on the District of Columbia a different standard that most of us would not have the stomach to impose on our own local constituencies.

We are saying in this bill that the people who are in effect the State legislature and the city council, the people who run the District of Columbia, cannot use their own locally derived funds and other funds that they control for purposes that they decide.

Now, they may well conclude that putting funds into the hands of public health facilities that may use them on occasion to provide abortions is something that should not be permitted, while every other community in this country can do it. But it seems to me that is totally wrong, totally against the grain, totally out of keeping with the trends that are moving in this institution, to keep the heavy hand of the Federal Government off the necks of people who run our State and local facilities, our State and local programs all across the country.

We ought not to have a different and separate standard for the people who live in the District of Columbia.

I would hope that we would adhere to the concept of local control, put our personal views on abortion, and they range across the spectrum in this institution, aside. We should let locally elected officials who have the same cross section of views in common with us, the same public pressure on them, make this determination.

It is really the only position that we can intellectually take that is consistent with what we ask for our own constituents.

Mr. Speaker, I would hope that we would support this conference report and provide local control of this very fundamental and sensitive issue for the people of the District.

Mr. WALSH. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Oklahoma [Mr. ISTOOK], a member of the Committee on Appropriations and the Subcommittee on the District of Columbia.

Mr. ISTOOK. Mr. Speaker, it is always interesting to hear Members of Congress talk in terms of the people who run the District of Columbia. According to the U.S. Constitution and according to the final language of the home rule charter that this Congress has granted the District of Columbia, the buck still stops here.

□ 1110

Mr. Speaker, we may not have asked for responsibility regarding the affairs of the District of Columbia, but the U.S. Constitution says we have that responsibility. We cannot escape it, we cannot evade it, we should not try to do so, and it is no excuse for us to say that something may occur in the governance of the District of Columbia that is at odds with what the American people want it to be and we say, "That is what some locally elected leaders want, and so we as Members of Congress will let them have free rein." We do not apply that philosophy, Mr. Speaker, to cities and State governments all across this country.

Having served in local government and having served in State government, I have heard constantly from people back in Oklahoma, and other Members hear it from people in their States, "Why does the Federal Government keep giving us these mandates? Why do they keep telling us how we should govern our affairs, what money we have to spend, what laws we have to pass, what redtape we have to put around the necks of other people, but then when it comes to the District of Columbia, when it comes to the issue of Federal funding of abortions, using Federal money for the District of Columbia, suddenly it surfaces that we are supposed to have a hands-off policy?"

Even though the U.S. Constitution tells us that Congress has the ultimate authority over the District of Columbia, we have the duty and we cannot escape it. We had the Hyde amendment up here earlier this year which passed overwhelmingly, and Members of Congress said, just like the people say, that taxpayers' money should not be used for funding abortions.

Mr. Speaker, we need similar language to that in the D.C. appropriations bill.

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

Mr. Speaker, I rise to respond to some of the issues that my colleagues on the other side have so well responded to and to once again make several points.

Most of the debate in this body this morning has focused on the issue of abortion. The most recent case on abortion is the 1989 Supreme Court case of Webster versus Reproductive Health Services, and in that case the Court held that as long as the limitations were reasonable, States could promulgate reasonable rules as it relates to abortion. Many people were very happy with that decision.

I am saying here, as my distinguished colleague, the gentlewoman from the District of Columbia [Ms. NORTON] has said, that the District stands in the same shoes as a State, and they should be allowed to do what every other State can do.

Now, addressing the question of the gentleman from Illinois [Mr. HYDE], Mr. HYDE has indicated that the Hyde amendment should be adopted here. The Hyde amendment is in H.R. 2518, and it applies exclusively to Federal funds. The language says, "None of the funds appropriated under this act."

The money in H.R. 2518 is Federal money. Now, one could argue that

there is Federal money in the appropriations bill that we are discussing here today.

The gentlewoman from the District of Columbia [Ms. NORTON] makes the point that we have provided a Federal payment in lieu of the Federal Government paying property taxes on the 41 percent of the land it owns, but one could say that once that money goes to the District government, it then becomes the District government's money and the Webster case should apply to it. But even if we consider it to be Federal money, the District under the Webster case should be allowed to spend its own money.

There is $3 billion of District revenue here. One would have to argue that $3 billion was used for abortions before we ever got to Federal money. So in either case it is totally inappropriate to allow States, that we represent, to do one thing and then mandate our rule, a different rule, as it relates to the District of Columbia.

The gentleman from California [Mr. ROHRABACHER] has an interesting argument. He says that he disagrees with those people who are demonstrating about a vote on statehood, and to illustrate his displeasure with that, he would cut off money for law enforcement and initiatives to reach out to young people who are at risk. I understand his reservation about having people come to the Capitol to demonstrate on an issue that they feel strongly about. Certainly it has been traditional in this city and in the Capitol of the United States for people to address Congress through demonstrations. It happens every day. But I do not understand the gentleman's logic.

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

Mr. DIXON. No, I will not yield at this point.

But I do not understand the gentleman's logic in saying "If they are demonstrating and I disagree with them, let's reduce the money the Federal Government might provide to reduce crime and for youth initiatives." I do not think the rationale is logical.

Mr. Speaker, I will now yield to the gentleman from California.

Mr. ROHRABACHER. Mr. Speaker, let me ask, does the gentleman equate acts of blocking the roads and blocking our office hallways with demonstrating? I certainly do not equate demonstrating with that.

I certainly think that demonstrating and expressing one's opinion is a constitutional right that I respect, but we are talking about breaking the law and public officials breaking the law and actually trying to disrupt our procedures. Is there not a fundamental difference there as it relates to just demonstrating?

Mr. DIXON. Mr. Speaker, reclaiming my time, I am referring to the next-to-the-last paragraph in the gentleman's "Dear Colleague," where he said, "Such actions constitute an unprecedented illegal attack on Congress by another government."

I personally think that is open to question. The letter goes on "This is hardly the time to reward government by giving them $17 million more than authorized by the negotiated Federal payment formula

What I am saying is that if there is one thing most Members in this body have agreed on, it is that we should attack crime and try to divert as many at-risk youth away from crime. So I do not understand the logic, assuming that what the gentleman says in addressing the Congress here is unprecedented and is an illegal attack—assuming that to be the case, I do not understand the logic of cutting the police department and youth agencies to retaliate.

Mr. Speaker, I yield 2 minutes to the gentleman from Georgia [Mr. LEWIS].

Mr. LEWIS of Georgia. Mr. Speaker, I rise today in support of H.R. 2492.

You know that it wasn't so long ago that I—and thousands of others—participated in nonviolent demonstrations throughout the South. Like the statehood activists here in Washington, we were engaged in a struggle for civil rights.

We were beaten, arrested, and sent to jail—numerous times. We took our punishment. The punishment was doled out to those of us who had engaged in nonviolent protest—not to the State of Alabama or the State of Mississippi or the people of Selma or the people of Jackson.

When I arrived at my office this morning, I was shocked to see this "Dear Colleague" from Congressman ROHRABACHER. It appears that he is not content with denying the people of the District of Columbia representation. He wants to deny the District of Columbia some of its Federal payment. He wants to punish the people of the District of Columbia for the nonviolent protests in which some of them have been involved.

I say to Mr. ROHRABACHER, "Isn't it enough that the citizens of the District of Columbia have taxation without representation? Isn't it enough that their vote does not count as much as yours, or mine?"

I cannot sit idly by and watch you, Mr. ROHRABACHER, attempt to punish over 700,000 people who have done nothing wrong; 700,000 people who do not have a Representative who can vote against your proposal.

I urge my colleagues to vote "yes" on H.R. 2492.

□ 1120

Mr. WALSH. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Nevada [Mrs. VUCANOVICH].

Mrs. VUCANOVICH. Mr. Speaker, I rise in opposition to the conference report on D.C. appropriations. I wish to associate myself with the remarks of the gentleman from Illinois [Mr. HYDE].

Mr. Speaker, in this day when 72 percent of Americans oppose Federal funding of abortion it is unthinkable that this body should bring to the floor a bill that does not address this critical issue. This conference report falls silent on this issue which almost guarantees abortion on demand. Why should abortion be so readily available? Since 1988 each D.C. appropriations bill has contained a provision that no Federal taxpayer funds may be used for abortion except to save the life of the mother. Let us send this bill back to conference until it contains this important language that prohibits the use of taxpayer funds for abortions.

Mr. WALSH. Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey [Mr. SMITH].

Mr. SMITH of New Jersey. Mr. Speaker, I thank my good friend from New York for yielding.

Mr. Speaker, the D.C. appropriations conference report before us today radically reverses current policy as it relates to taxpayer subsidized abortion, and, if passed, will force every taxpayer in both the District of Columbia and the 50 States and territories to pay for thousands of abortions each year in the District of Columbia.

Mr. Speaker, the harsh undeniable consequence of passing this legislation into law is that more children will be put at risk of suffering violent deaths from abortion.

Sanitize it if you like, but abortion methods either rip the child apart with razar blade-tipped hoses connected to a suction device, a suction action more powerful than the force of 30 vacuum cleaners, or the child is destroyed with an injection of chemical poison.

Mr. Speaker, it seems clear to me that this is child abuse. When a child is the third, fourth, fifth, or sixth month gestation or beyond is treated in such a inhumane way, what is it—it not the abuse of kids.

Mr. Speaker, before the law in the District of Columbia was reformed in 1989, thousands of abortions each year were paid for with taxpayer funds. Today that number, I am happy to say, is almost nil.

Mr. Speaker, there have always been, I would submit, some ancillary benefits with regard to the abortion rate that is attributable to curbing abortion subsidies. The abortion rate has declined in the District of Columbia as well as the overall number of repeat abortions, which were very, very high, suggesting that if we do not provide this subsidy for the killing and the demise of these unborn children, more children will be protected from the abortionist's knife or from the abortionist's poison.

Mr. Speaker, there are kids walking the streets of the District of Columbia today, perhaps enjoying the World Series this week, perhaps playing soccer or football, who are here precisely because this Congress did not provide the

wherewithal, the ways and means, to kill them. And that is the bottom line.

I would say to my colleagues who admonish us to pass the report with appeals to home rule that I support home rule, but this is not and never has been an absolute. In those circumstances when we have the opportunity to enhance and protect human lives, to protect a baby from chemical poisoning or dismemberment, we ought to do it. As lawmakers I think we have a responsibility, a moral duty, if you will, to protect and enhance human life whenever and wherever that is possible.

Mr. Speaker, the argument has been advanced that Members would be reluctant to take actions that would affect their own States. Let the record show that I would like my home State of New Jersey to show respect in law for the sacredness of human life. If there was a way via legislation to protect children in New Jersy I would be first in line to secure that protection. As the Chairman knows, however, we face a myriad of obstacles, including our own State supreme court, that precludes that. But my argument that I respectfully ask my colleagues to consider is that where we have the opportunity to safeguard human life, we ought to embrace it. Adherence to home rule to prop up injustice is a weak and morally indefensible position.

The SPEAKER pro tempore (Mr. MFUME). The Chair would advise those Members controlling the debate time that the gentleman from New York [Mr. WALSH] has 13 minutes remaining and the gentleman from California [Mr. DIXON] has 7 minutes remaining, and that the gentleman from California, under the rule, has the right to close debate.

Mr. DIXON. Mr. Speaker, I yield 2 minutes to the gentlewoman from New York [Mrs. LOWEY].

Mrs. LOWEY. Mr. Speaker, I rise in strong support of the conference report on D.C. appropriations. Chairman DIXON has worked hard to craft a bill that deals sensibly with the Federal Government's responsibilities toward the District of Columbia. In addition, this bill restores to the D.C. government the authority to determine the use of local tax dollars. Indeed, let us not be fooled—this bill gives the District the same choice all 50 States have—nothing more, nothing less.

Mr. Speaker, basic health care for women includes a full range of reproductive health services. For far too long, we have condoned a two-tiered health care system that penalizes poor women. Today, we have an opportunity to allow the District government to—with its own funds—correct past inequities and ensure that poor women in the District of Columbia receive the same health care as other women.

For over a decade, regressive forces have not allowed the District of Columbia to use their own, locally raised funds for abortions for poor women. This has deprived many women in the District of access to complete health care—and has jeopardized their health. It has also been an affront to the taxpayers of the District of Columbia.

Some of my colleagues may recall past debates we have had—and won—on this issue. We know that this vote is about allowing the District to decide how to use its own locally raised funds—as New York, Washington, North Carolina, and many other States do. Today we should not allow ideologically driven rhetoric to obscure the facts or distort reality.

I urge my colleagues to continue to support allowing the District of Columbia to use its own funds as it sees fit, and to vote for the same position that has passed the House for the last 3 years, including earlier this year.

Vote "yes" on the conference report.

Mr. WALSH. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Virginia [Mr. BLILEY].

Mr. BLILEY. Mr. Speaker, I rise because this conference report does not contain the Hyde language. Had it contained the Hyde language, I would not be here speaking. That is why I am here.

Mr. Speaker, I would remind all Members that just a few weeks ago we had a vote on the Hyde amendment and it passed overwhelmingly. So if you voted that way several weeks ago, you ought to vote the same way today, against this conference report.

Mr. WALSH. Mr. Speaker, I yield 2½ minutes to the distinguished gentleman from Texas [Mr. DELAY].

Mr. DELAY. Mr. Speaker, I rise in strong opposition to the conference report. This report, and the spending contained in it, represents continued fiscal mismanagement by the District. Let us look at what has been said in the past. When Mayor Kelly was first elected she made strong statements that the District was going to take seriously its huge financial problems. She made sweeping promises that her new administration was going to clean house—to sweep all of the problems out the door and usher in a new fiscally responsible government. Well, for one reason or another, it has not happened. In fact, the fiscal situation is as bad as it ever has been. The District has turned its back on the fiscal crisis and continued business as usual. True, the Federal payment for the District has only climbed 1.8 percent over last year—less than the rate of inflation—but where are the sweeping changes? Where is the new fiscally responsible government we were all promised? Until this question is answered, I do not see how anyone can support this conference report.

If the fiscal situation is not enough to make you vote against this conference report, I urge you to look at another problem. This legislation is silent on the use of taxpayers dollars for abortion in the District of Columbia. This silence basically means that the District is allowed to use either its own funds for Federal funds for abortions or Federal taxpayer dollars. Something should and will be done to correct this problem. But there is a problem.

Why can we not have a separate vote on the abortion issue? Why must we defeat the entire conference report to get to this controversial issue? As I understand the situation, efforts were made to keep the abortion issue separate from the rest of the conference report. Obviously, the will of the House was not taken into consideration and a defeat of the entire conference report is necessary to change this silence on the abortion issue.

I urge all Members to vote against the conference report so that the controversial silence on the abortion issue can be addressed. It is important that no Federal funds, taxpayer dollars, go for the funding of abortion.

Mr. DIXON. Mr. Speaker, I yield 1 minute to the gentlewoman from California [Ms. PELOSI].

□ 1130

Ms. PELOSI. Mr. Speaker, I thank the gentleman for yielding time to me and for his leadership in bringing this appropriations bill for the District of Columbia to the floor. I commend him and the gentleman from New York [Mr. WALSH] for their bipartisan leadership and cooperation in presenting this vote to us today.

Mr. Speaker, I do have one concern about the debate thus far. I had thought by the manner in which this bill was put together and with, frankly, the passage of the Hyde amendment a few weeks ago, which applies to Medicaid funds, that we could have put this kind of debate behind us today.

This debate on abortion does not have any role in the debate on the funding for the District of Columbia. I respect the beliefs and the thinking of my colleagues and respect the differences we have on this issue. I believe that this Congress has to resolve some of those issues. But this is not the place.

Frankly, bringing it up now is a disservice to the people of the District of Columbia, and it is a disservice to our colleagues by taxing the energy and the time of this body.

I urge my colleagues to support home rule, to support this bill, which allows the District to use its own funds as it sees fit.

I take pride in rising in association with this bill because my father chaired this committee. I believe in home rule. I hope our colleagues will, too.

Mr. WALSH. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. ROHRABACHER].

Mr. ROHRABACHER. Mr. Speaker, the Federal payment is 24 percent of locally generated revenue in the District budget. That is 20 percent of the budget, some $630 million this year.

We worked out that formula. It is a fair formula. Now we are being asked to put $17 million extra into that for a law enforcement initiative. Well, shoveling $17 million more into the District coffers for some sort of a law enforcement initiative at a time when government officials of the District of Columbia are intentionally breaking the law, trying to blockade the entrances to this building and to the streets that lead into this building and blockading the doorways to our office buildings, is absolutely ridiculous.

I believe in the right to demonstrate. I believe in the right to speak. It is something I cherish. I am someone who believes in human rights and civil rights. But blockading buildings and blockading doorways is not the same as demonstrating. What are they demonstrating for?

If those people want to have a vote, they do not need to pressure us for a vote. The Democratic Party controls this body. They control the House. If the Democrats want to give them a vote, they can have a vote without pressuring us into it. The Democrats do not want to give them a vote.

Mr. WALSH. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. DORNAN].

Mr. DORNAN. Mr. Speaker, this appropriation bill always brings great pain to me. Our culture is in serious trouble and, in particular, the District of Columbia is being torn apart by deteriorating family structures, crime and pervasive violence. For 10 years, I offered the Dornan amendment to protect the very life blood of the District of Columbia by defending abortion. I don't want to see more children butchered in this city, particularly with public funds. I am not going to back off, especially when I know, that the vast majority of the African-American clergy in this country, probably 85 to 90 percent, are opposed to speaking out against abortion. In fact, 73 percent of all African-Americans favor restrictions on abortion, so it is certainly no stretch to think that the clergy is even more pro-life. So I ask my colleagues to stand with me and the majority of African-Americans to stop funding abortions in the District of Columbia. It is a pity that we go through this horrible charade here every year where pro-abortion elitists want to use public money to kill black babies in the womb. Enough. In this city more babies are aborted than born every year. This has to stop.

Ms. PELOSI. Mr. Speaker, will the gentleman yield?

Mr. DORNAN. No, NANCY, I will not yield, because you think you know more than the Pope and Mother Teresa on the issue of life. Not this time, from a father of five to a mother of five you think you know more than the Pope and Mother Teresa. Tell me how you know more than Mother Teresa about death in the womb?

Ms. PELOSI. Mr. Speaker, will the gentleman yield?

Mr. DORNAN. I yield to the gentlewoman from California.

Ms. PELOSI. Mr. Speaker, my question to the gentleman is, was he telling the body that 85 percent of the black clergy in the country has written to him on this subject?

Mr. DORNAN. No, but I assert 85 percent of African-American clergy is easily pro-life. Absolutely.

Ms. PELOSI. I do not think this discussion is appropriate on this bill, but on what do you base those statistics, sir?

Mr. DORNAN. Do you want me to send statistics on African-American attitudes on abortion to your office? You are now on my mailing list. Every time I send you a poll on black clergymen across this country, I hope you feel some pain of conscience.

Ms. PELOSI. So this is anecdotal?

Mr. DORNAN. No, it is not anecdotal. The polls tell the story. This debate tells us another story. It tells us that an elitist form of thinking in this country says it is ok that more black babies in the District of Columbia are killed in their mothers' wombs than are born.

Mr. Speaker, I yield the rest of my time to the gentlewoman from California [Ms. PELOSI] who knows more than Mother Teresa about life.

Mr. WALSH. Mr. Speaker, I yield myself the balance of my time.

In conclusion, I would just remind the Members that abortion is an issue on this bill. There are others. One is the $17 million over and above the formula funds for the District of Columbia, additional funds that other States and cities are now receiving.

Second, the commitment that we made to the District of Columbia and to the Retired Federal Employees Pension Fund that we would give them $52 million a year every year through our appropriations process. Under this arrangement, they will only receive $50 million this year. That is the first chink in the armor of commitment.

I am afraid that commitment will suffer over the long term and everyone agrees that that pension fund is woefully underfunded. We cannot be fiddling around with that money. That is a commitment.

Mr. Speaker, I thank you for your patience and judiciousness.

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

Mr. DIXON. Mr. Speaker, I yield such time as he may consume to the gentleman from California [Mr. EDWARDS].

Mr. EDWARDS of California. Mr. Speaker, I rise in strong support of this bill.

Please, my colleagues, stop micromanaging the people of Washington, DC. How would Members like it if we did the same thing back in their districts? Pass this bill. It is a good bill.

Mr. DIXON. Mr. Speaker, I yield 3 minutes to the gentlewoman from the District of Columbia [Ms. NORTON].

□ 1140

Ms. NORTON. Mr. Speaker, it is both outrageous and heartbreaking to hear Members get up on the floor of the House and rationalize denying democracy to the District of Columbia on the basis of the Constitution of the United States. If that were ever true, this line of argument ceased having any credibility 20 years ago when this Congress delegated the responsibility of self-government to the District. Every time we make ourselves an exception to the Home Rule Act that we ourselves enacted, we violate the most cherished principles of this country.

My colleagues, this is not an abortion vote. The District has not indicated that it would spend one red cent of this money for abortion. Given its very serious financial condition, the District is very unlikely to do so. As it is, the District cannot use Medicaid funding for abortion, the only available funds for this purpose. Do not read more into this vote than is there. This vote is about providing funds, critically needed funds to the residents of the District of Columbia.

I particularly ask Members to reject the mean-spirited attempt to punish 600,000 residents because of the actions of a few who protested the absence of full democracy in the District of Columbia. I must object in the strongest terms to the argument that appropriations by this body should be voted on the basis of punishment by association.

It is nonsense to impute the actions of the protestors to District residents by making them pay the price through the Federal payment. District residents have not voted for the protests. I ask my colleagues not to compound the existing deficit in democracy in the District by assigning to its innocent residents responsibility for demonstrations in which the overwhelming majority have no say and took no part. It would be extremely unfair to defeat or deduct any part of what the Federal Government owes District residents because of the protests of a small number.

Mr. Speaker, I do not recall the use of punishment by denial of appropriations even at the height of civil rights demonstrations in the South. Southern jurisdictions and their police came at demonstrators with a fury—often with violent retaliation and certainly with arrests—but the Southern governments did not attribute to the black part of town actions of those who sat-in downtown. The responses of Southern States, cities and towns were often

cruel, illegal and unconstitutional, but they were aimed at those who did the deed, at the protestors themselves, not at others who may have looked like the protestors or come from the same place as the protestors or claimed to represent the protestors.

Mr. ROHRABACHER does not stop with imputing the actions of some to all. He actually objects that the corporation counsel has chosen to drop the charges rather than engage in the show trials some of the protestors have said that they want. The U.S. attorney, of course, is still free to prosecute. How can Mr. ROHRABACHER complain that the corporation counsel's office has reached an agreement with the protestors that they will stop activities that violate District law. Give me a break. This is hardly complicity by the government. On its face, it is the opposite.

Mr. ROHRABACHER now complains that the protesters will block congressional offices in order to get trials by the U.S. attorney. However, the protesters have never attempted to interfere with Congress but have always carried out their actions nonviolently, and considerately. They have remained in an illegal spot only long enough to be arrested. In that spirit, I am certain they have no intention to block our office doors as Mr. ROHRABACHER has said, or to keep Congress from carrying out its business.

Even if you oppose the demonstrations, however, the remedy of denying part of the Federal payment to District residents is totally disproportionate. Mr. ROHRABACHER is plainly wrong that the District is receiving $17 million more than the amount to which it is entitled. A laborious audit by independent auditors and the GAO shows that the amount Mr. ROHRABACHER claims to be due, seriously short changes the District. Unfortunately, the audit and GAO accounting were not completed before the appropriations hearings. After what Members have seen of the tragic crimes in the District during this year, surely the Congress does not propose to remove $17 million that was appropriated to fight crime and keep kids alive and out of trouble.

Mr. Speaker, the protesters in the District have acted in the tradition of Ghandi and King. This body has honored Martin Luther King, Jr., with a national commemorative day in his name for doing precisely what the District protesters have done. King sat-in because African-Americans did not enjoy full democracy. He then took his punishment. The District protesters, who have their local laws and local budget decided by this body, have protested because District residents do not enjoy full democracy. They too have taken their punishment. We cannot buy into the hypocrisy of historically celebrating Southern protesters far from the Capital but taking offense when similar protests are brought here for similar reasons.

I do not ask you to sanction the abortion protests or to agree with the protesters. I do ask you to affirm the appropriation of our own conference committee. I ask you not to punish all of my constituents because you may not agree with a few of them.

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

Mr. Speaker, I would like to thank the minority members of the committee, and the ranking member, the gentleman from New York [Mr. WALSH] in particular. Notwithstanding our deep philosophical differences on the issue of abortion, we have worked in a very cooperative fashion.

Mr. Speaker, there are three things that cannot be disputed on this bill, and I would ask that Members adopt the conference report. One, it is within the 602(b) allocation; two, the Hyde amendment does apply to the District, notwithstanding what the gentleman from Virginia [Mr. BLILEY] said earlier. Federal Medicaid funds cannot be used by the District for abortions except within the parameters of the Hyde language. And three, this bill treats the District the same as the 50 States are treated with respect to abortion funding.

Mr. Speaker, I ask for an aye vote on the conference report.

Mr. STARK. Mr. Speaker, I rise today in very strong support of H.R. 2492, the District of Columbia appropriations conference report for fiscal year 1994. I would like to commend the conferees and their staffs for their hard work and diligence in bringing this bill to the floor.

I especially want to express my gratitude for the efforts of JULIAN DIXON, a dedicated supporter of home rule. Throughout consideration of the budget for the District of Columbia, he has resisted attempts to load the bill with legislative matters that have no place in the appropriations bill.

I urge my colleagues to support this conference report.

Mr. MCDADE. Mr. Speaker, I rise in reluctant opposition of the conference report on H.R. 2492, the District of Columbia Appropriations Act for fiscal year 1994.

I want to first commend the efforts of the subcommittee chairman, Mr. DIXON of California, and the ranking minority member, Mr. WALSH of New York. They did a fine job in bringing to the House a conference report that meets the Federal responsibilities concerning the Federal formula payment and the Federal contribution to the retirement funds for teachers, police, firefighters and judges.

The budget authority in the bill is $12 million over the current year funding, $5 million under the President's request and it complies with the House 602 B allocation. Contained within the $700 million is the Federal payment of $630.6 million. However, the House language prevailed in conference which would delay the obligation and expenditure of $2 million of the $52 million for the Federal contribution to the retirement fund until September 30, 1994 and October 1, 1994 respectively. The House Republican members of the subcommittee objected to this delay in obligation because the retirement fund is already seriously underfunded.

It was heartening to see a sincere effort this year to streamline the District government programs, the Mayor and council made difficult but needed cuts. However, the same restraint was not used in allocating Federal funds. In addition to the Federal formula payment of $630 million an additional $17 million was provided for the mayor's youth and crime initiative. Republican members of the committee found this objectionable. Although the $17 million fell within the caps, it was felt that this program should have been funded from within the Federal payment.

The most objectionable issue for this member is the absence of any restrictions on use of funds to perform abortions. The language included in the current law was omitted by both the House and the Senate.

For all of these reasons, I am opposed to the conference report in its present form.

Mr. STARK. Mr. Speaker, I rise today to support the language in the conference report making permanent the authority of the District of Columbia over Group Hospitalization and Medical Services, Inc., hereinafter "GHMSI". It incorporates H.R. 2716, which I introduced earlier this session.

In 1939, when Congress first granted the charter to GHMSI's predecessor, Group Hospitalization, Inc., it did not foresee the severe impact that an exemption from most D.C. insurance laws and regulations would have on this insurer. Fifty years later, imprudent business practices and fiscal irresponsibility carried out by GHMSI officers began to jeopardize its solvency and the security of its policyholders.

The District of Columbia's superintendent of insurance testified during last year's congressional investigation hearings that GHMSI was beyond, the scope of most of his authority. He cannot, for example, require GHMSI to submit to an outside auditor's review or one by is own examiner. He is also unable to apply the District's insurance solvency standards on the GHMSI plan.

The amendment to the charter included in the conference report before us today permanently establishes the District of Columbia as the legal domicile of GHMSI and ensures its regulation in accordance with the laws and regulations of the District of Columbia. The amendment simply extends legislation adopted in the 1993 D.C. appropriations bill.

Mr. Speaker, as we launch into the daunting task to reform our Nation's health care system, let us make sure that we close windows of opportunity through which unscrupulous insurers and providers can and have violated the trust of millions of Americans.

The SPEAKER pro tempore (Mr. MFUME). Without objection, the previous question is ordered on the conference report.

There was no objection.

The SPEAKER pro tempore. 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. WALSH. 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 206, nays 224, not voting 3, as follows:

[Roll No. 518]

YEAS—206

Abercrombie
Ackerman
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Bacchus (FL)
Baesler
Barca
Barrett (WI)
Becerra
Beilenson
Berman
Bilbray
Bishop
Blackwell
Bonior
Boucher
Brooks
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Byrne
Cantwell
Cardin
Carr
Chapman
Clay
Clayton
Clinger
Clyburn
Coleman
Collins (IL)
Collins (MI)
Conyers
Cooper
Coppersmith
Coyne
Darden
DeFazio
DeLauro
Dellums
Derrick
Deutsch
Dicks
Dingell
Dixon
Dooley
Durbin
Edwards (CA)
English (AZ)
Eshoo
Evans
Farr
Fazio
Fields (LA)
Filner
Fingerhut
Flake
Foglietta
Ford (MI)
Ford (TN)
Frank (MA)
Franks (CT)
Frost
Furse
Gallo
Gejdenson
Gephardt
Gilchrest
Gilman
Glickman
Gonzalez
Gordon
Gutierrez
Hamburg
Hamilton
Harman
Hastings
Hefner
Hilliard
Hinchey
Hoagland
Hochbrueckner
Horn
Houghton
Hoyer
Hughes
Inslee
Jacobs
Jefferson
Johnson (CT)
Johnson (GA)
Johnson (SD)
Johnson, E. B.
Johnston
Kennedy
Kennelly
Kleczka
Klein
Kolbe
Kopetski
Kreidler
Lambert
Lancaster
Lantos
Laughlin
Lehman
Levin
Lewis (GA)
Long
Lowey
Maloney
Margolies-Mezvinsky
Markey
Martinez
Matsui
McCloskey
McCurdy
McDermott
McHale
McKinney
Meehan
Meek
Menendez
Mfume
Miller (CA)
Mineta
Minge
Mink
Molinari
Moran
Morella
Murtha
Nadler
Natcher
Obey
Olver
Owens
Pallone
Pastor
Payne (NJ)
Pelosi
Peterson (FL)
Pickle
Pomeroy
Price (NC)
Rangel
Reed
Reynolds
Richardson
Rose
Rostenkowski
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Schenk
Schroeder
Schumer
Scott
Serrano
Sharp
Shays
Shepherd
Sisisky
Skaggs
Slaughter
Smith (IA)
Snowe
Spratt
Stark
Stokes
Strickland
Studds
Swett
Swift
Synar
Tanner
Thompson
Thornton
Thurman
Torres
Torricelli
Towns
Traficant
Tucker
Unsoeld
Velazquez
Vento
Visclosky
Washington
Waters
Watt
Waxman
Wheat
Whitten
Williams
Wilson
Wise
Woolsey
Wyden
Wynn
Yates
Zimmer

NAYS—224

Allard
Applegate
Archer
Armey
Bachus (AL)
Baker (CA)
Baker (LA)
Ballenger
Barcia
Barlow
Barrett (NE)
Bartlett
Barton
Bateman
Bentley
Bereuter
Bevill
Bilirakis
Bliley
Blute
Boehlert
Boehner
Bonilla
Borski
Brewster
Browder
Bunning
Burton
Buyer
Callahan
Calvert
Camp
Canady
Castle
Clement
Coble
Collins (GA)
Combest
Condit
Costello
Cox
Cramer
Crane
Crapo
Cunningham
Danner
de la Garza
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Dornan
Dreier
Duncan
Dunn
Edwards (TX)
Emerson
English (OK)
Everett
Ewing
Fawell
Fields (TX)
Fish
Fowler
Franks (NJ)
Gallegly
Gekas
Geren
Gibbons
Gillmor
Gingrich
Goodlatte
Goodling
Goss
Grams
Grandy
Green
Greenwood
Gunderson
Hall (OH)
Hall (TX)
Hancock
Hansen
Hastert
Hayes
Hefley
Herger
Hobson
Hoekstra
Hoke
Holden
Huffington
Hunter
Hutchinson
Hutto
Hyde
Inglis
Inhofe
Istook
Johnson, Sam
Kanjorski
Kaptur
Kasich
Kildee
Kim
King
Kingston
Klink
Klug
Knollenberg
Kyl
LaFalce
LaRocco
Lazio
Leach
Levy
Lewis (CA)
Lewis (FL)
Lightfoot
Linder
Lipinski
Livingston
Lloyd
Machtley
Mann
Manton
Manzullo
Mazzoli
McCandless
McCollum
McCrery
McDade
McHugh
McInnis
McKeon
McMillan
McNulty
Meyers
Mica
Michel
Miller (FL)
Moakley
Mollohan
Montgomery
Moorhead
Murphy
Myers
Neal (MA)
Nussle
Oberstar
Ortiz
Orton
Oxley
Packard
Parker
Paxon
Payne (VA)
Penny
Peterson (MN)
Petri
Pickett
Pombo
Porter
Portman
Poshard
Pryce (OH)
Quillen
Quinn
Rahall
Ramstad
Ravenel
Regula
Ridge
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Rowland
Royce
Sangmeister
Sarpalius
Saxton
Schaefer
Schiff
Sensenbrenner
Shaw
Shuster
Skeen
Skelton
Slattery
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Solomon
Spence
Stearns
Stenholm
Stump
Stupak
Sundquist
Talent
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas (CA)
Thomas (WY)
Torkildsen
Upton
Valentine
Volkmer
Vucanovich
Walker
Walsh
Weldon
Wolf
Young (AK)
Young (FL)
Zeliff

NOT VOTING—3

Engel
Neal (NC)
Santorum

□ 1203

Mr. BARLOW changed his vote from "yea" to "nay."

Mr. SISISKY changed his vote from "nay" to "yea."

So the conference report was rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

FURTHER APPOINTMENT OF CONFEREES ON H.R. 2492, DISTRICT OF COLUMBIA SUPPLEMENTAL APPROPRIATIONS AND RESCISSIONS ACT, 1993

Mr. DIXON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill—H.R. 2492—making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1994, and for other purposes, and insist on the disagreement to all Senate amendments and request a further conference with the Senate thereon.

The SPEAKER pro tempore (Mr. MFUME). Is there objection to the request of the gentleman from California. The Chair hears none and, without objection, appoints the following conferees: Messrs. DIXON, STOKES, and DURBIN, Ms. KAPTUR, Mr. SKAGGS, Ms. PELOSI, and Messrs. NATCHER, WALSH, ISTOOK, BONILLA, and MCDADE.

There was no objection.

□ 1230

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2862

Mr. LEWIS of Florida. Mr. Speaker, I ask unanimous consent to have my name removed from cosponsorship of H.R. 2862.

The SPEAKER pro tempore (Mr. MAZZOLI). Is there objection to the request of the gentleman from Florida?

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1627

Mr. GUTIERREZ. Mr. Speaker, I ask unanimous consent to remove my name as a cosponsor of H.R. 1627.

The SPEAKER pro tempore (Mr. MFUME). Is there objection to the request of the gentleman from Illinois?

There was no objection.

H.R. 2519—CONFERENCE REPORT ON DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 1994

The SPEAKER pro tempore. Pursuant to the order of the House of Tuesday, October 19, 1993, the unfinished business is consideration of Senate amendment number 147 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.

The Clerk read the title of the bill.

GENERAL LEAVE

Mr. SMITH of Iowa. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the remaining amendments in disagreement on H.R. 2519, the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1994: Amendment Nos.: 147, 148, 171, 174, and 175.

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

There was no objection.

PERMISSION TO INSERT IN THE RECORD SUMMARY OF TABLES SHOWING COMPARABLE CONFERENCE ACTIONS, FISCAL YEARS 1993 AND 1994

Mr. SMITH of Iowa. Mr. Speaker, I ask unanimous consent that I may be permitted to insert a summary of tables showing by department and agencies the conference action compared to the amounts provided for fiscal year 1993, the budget estimates for 1994, and the amounts contained in the House and Senate bills.

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

There was no objection.

AMENDMENTS IN DISAGREEMENT

The SPEAKER pro tempore. The Clerk will designate the first amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 147; page 59, after line 24, insert:

CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

For expenses, not otherwise provided for, necessary to meet annual obligations of membership in international multilateral organizations, pursuant to treaties ratified pursuant to the advice and consent of the Senate, conventions or specific Acts of Congress, $904,926,000, of which not to exceed $44,041,000 is available to pay arrearages, the payment of which shall be directed toward special activities that are mutually agreed upon by the United States and the respective international organization: *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 of audits and inspections with responsibilities and powers substantially similar to offices of Inspectors General authorized by the Inspector General Act of 1978, as amended or that the United Nations has established a mechanism process, or office—

(1) to conduct and supervise audits and investigations of United Nations operations;

(2) to provide leadership and coordination, and to recommend policies, for activities designed—

(A) to promote economy, efficiency, and effectiveness in the administration of, and

(B) to prevent and detect fraud and abuse in,

such operations, and

(3) to provide a means for keeping the Secretary-Generally fully and currently informed about problems and deficiencies relating to the administration of such operations and the necessity for and progress of corrective action: *Provided further*, That the Secretary of State, acting through the United States Permanent Representative to the United Nations, may propose that the Secretary-General of the United Nations establish an advisory committee to assist in the creation within the United Nations of such mechanism, process, or office: *Provided further*, That an advisory committee established consistent with the proceeding proviso should be comprised of the permanent representatives to the United Nations from 15 countries having a commitment or interest in budgetary and management reform of the United Nations, including a wide range of contributing countries and developing countries representing the various regional groupings of countries in the United Nations: *Provided further*, That such advisory committee should evaluate and make recommendations regarding the efforts of the United Nations and its specialized agencies—

(i) to establish a system of cost-based accounting;

(ii) to continue the practice of conducting internal audits;

(iii) to remedy any irregularities found by such audits; and

(iv) to make arrangements for regular, independent audits of United Nations operations: *Provided further*, That it is the sense of the Congress that even tougher measures to achieve reform should be put in place in the event that the withholding of arrearages does not achieve necessary reform in the United Nations: *Provided further*, That none of the funds appropriated in this paragraph shall be available for a United States contribution to an international organization for the United States share of interest costs made known to the United States Government by such organization for loans incurred on or after October 1, 1984, through external borrowings.

POLICY ON THE REMOVAL OF RUSSIAN ARMED FORCES FROM THE BALTIC STATES

(a) FINDINGS.—The Congress finds that—

(1) the armed forces of the former Soviet Union currently under control of the Russian Federation, continue to be deployed on the territory of the sovereign and independent Baltic States of Estonia, Latvia, and Lithuania against the wishes of the Baltic peoples and their governments;

(2) the stationing of military forces on the territory of another sovereign state against the will of that state is contrary to international law;

(3) the presence of Russian military forces in the Baltic States may present a destabilizing effect on the governments of these states;

(4) the governments of Estonia, Latvia, and Lithuania have demanded that the Russian Federation remove such forces from their territories;

(5) Article 15 of the July 1992 Helsinki Summit Declaration of the Conference on Security and Cooperation in Europe specifically calls for the conclusion, without delay, of appropriate bilateral agreements, including timetables for the "early, orderly and complete withdrawal of such foreign troops from the territories of the Baltic States";

(6) the United States is aware of the difficulties facing the Russian Federation in resettling Russian soldiers and their families in Russia, and that the lack of housing is a factor in the expeditious removal of Russian troops;

(7) the United States is committed to providing assistance to the Russian Federation for construction of housing and job retraining for returning troops in an attempt to help alleviate this burden; and

(8) the United States is encouraged by the progress achieved thus far in removal of such troops, and welcomes the agreement reached between the Russian Federation and Lithuania establishing the August 1993 deadline for troop removal.

(b) POLICY.—The Congress calls upon the Government of the Russian Federation to continue to remove its troops from the independent Baltic States of Estonia, Latvia, and Lithuania through a firm, expeditious, and conscientiously observed schedule.

MOTION OFFERED BY MR. SMITH OF IOWA

Mr. SMITH of Iowa. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. SMITH of Iowa moves that the House recede from its disagreement to the amendment of the Senate numbered 147, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment, insert:

CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

For expenses, not otherwise provided for, necessary to meet annual obligations of membership in international multilateral organizations, pursuant to treaties ratified pursuant to the advice and consent of the Senate, conventions or specific Acts of Congress, $860,885,000: *Provided*, That any payment of arrearages made from these funds shall be directed toward special activities that are mutually agreed upon by the United States and the respective international organization: *Provided further*, That of the funds appropriated in this paragraph for the assessed contribution of the United States to the United Nations, ten percent of said assessment shall be available for obligation only upon a certification to the Congress by the Secretary of State 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: *Provided further*, That none of the funds appropriated in this paragraph shall be available for a United States contribution to an international organization for the United States share of interest costs made known to the United States Government by such organization for loans incurred on or after October 1, 1984, through external borrowings.

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].

□ 1210

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

Mr. Speaker, this is the amendment now that funds the general budget of the United Nations. I rise in strong support of the motion offered by the gentleman from Iowa [Mr. SMITH], and I will tell you why.

This bill is $52 million below the 1993 account. It is $97.7 million below the request. It is $44 million below the Senate level and it is $27.7 million below what our subcommittee had recommended to the full House before it was stricken on a point of order, so this number is the lowest possible number that we could possibly derive out of these proceedings here today.

This amendment funds our contributions not only to the United Nations, but also to all the other international organizations that we provide money for; for example, the International Atomic Energy Agency; but Mr. Speaker, more important in my judgment than a dollar figure in this bill is the fact that for the first time today if we pass this amendment we are reforming the United Nations.

How? Because in this bill we withhold 10 percent of the contributions to the United Nations until they certify that they have an independent inspector general to weed out waste, fraud, abuse, and report it to the Secretary General and assumably to the member nations, such as the United States.

As the Speaker knows, we fund 25 percent of the general budget of the United Nations. Many of us think that is too high a figure and would like to see it reduced, and I would hope that the authorizing committee would take that up.

Germany pays 8 percent. Japan pays 12 percent, and that is just not right.

This 1946-set figure may have been realistic in that day, but it is certainly not realistic today.

So this provision, put in at the conference level at the request of the House conferees, withholds 10 percent of our U.N. contribution until they certify they have an inspector general.

Now, 2 weeks ago, 420 Members of this body voted to instruct our conferees to put a provision in the conference report withholding this funding until the United Nations establishes an inspector general. We have that provision in this bill, so you have a chance to vote again now on the actual provision that you instructed us to put in the bill 2 weeks ago, and I would hope that you would follow up on this motion.

So if you want U.N. reform, Mr. Speaker, you want to go for this conference report if this provision should come to a vote.

Now, some people have said, "Well, what's the problem? What kind of waste or mismanagement is there in the United Nations that needs this attention?"

I would just point out that for several decades we have been trying in the U.S. Government, both the executive and the legislative branches, to force the United Nations to appoint some sort of inspector general to police its own actions. All to no avail.

Right now, Mr. Speaker, the United Nations is involved in 18 peacekeeping missions around the world. Do you know how many of the 14,000 employees in the U.N. headquarters is in the command and control of some 90,000 troops around the world in 18 different peacekeeping missions? Thirty, Mr. Speaker, 30 and only 9 of those are military type people.

You wonder why these so-called peacekeeping missions around the world are going awry and leaderless, it is because the United Nations spends all their money on bureaucrats, not involved in the peacekeeping mission, only 30 they have assigned to these 90,000 troops around the world.

Now, Mr. Speaker, I am for the United Nations. I do not want to give the idea that this is a "Bash the U.N. Day," but I think we are entitled as the one-fourth sponsor of this group to have some kind of accountability back to this body about how our tax dollars are being spent.

I would point out to you that it is upward of $300 million every year just for the general account of the United Nations.

Richard Thornburgh who was our former Attorney General and then went to the United Nations as a Deputy and came back and filed a very lengthy volume, his report on the shortcomings in bookkeeping and accounting at the United Nations. I commend that reading to you.

It is no wonder that he found:

> Too many deadwood employees doing too little work and too few staff members doing too much.

In the words of some employees of the United Nations that were quoted in the Chicago Tribune lately:

> The United Nations has become a repository for guys who want to go to cocktail parties in Geneva to celebrate somebody's national day.

According to an Arab officer of the U.N. Agency in Somalia:

> We are not doing anything here. It is just bureaucracy.

A University of Chicago professor who has extensively studied the United Nations told a U.S. panel recently:

> Hiring for U.N. offices was rather like patronage in the old Chicago Streets and Sanitation Department. That Streets and Sanitation Department actually picked up garbage, while the United Nations only complains about it.

The United Nations gives very lavish benefits and salaries to their employees. Salaries are guaranteed at rates 15 to 20 percent higher than the highest comparable private sector salaries, and by the way, those salaries are tax free, Mr. Speaker. They have guaranteed cost-of-living increases. They get payments to cover up to 75 percent of all education costs of their children, including college.

No wonder people from Third World countries around the world almost kill to get these jobs in New York at the United Nations. They make more than the national leaders back in their home countries and have much more benefits in most cases.

There are numerous reports of special financial arrangements, Mr. Speaker, given to U.N. officials who have been removed from their jobs or retirees. For example, two very high-ranking bureaucrats recently were given lucrative consulting contracts after their jobs were eliminated. One now earns $18,000 a month, Mr. Speaker, double his former salary from which he was fired at the United Nations.

One U.N. official was quoted in the Washington Post as saying:

> United Nations rules on consultants' payments are violated all over the place. The latest cases are just the tip of the iceberg.

Other examples: Recent suspension of eight high-ranking U.N. peacekeeping procurement officers on charges of procurement fraud.

□ 1220

All attempts so far to get the United Nations to launch real reform, Mr. Speaker, have fallen on deaf ears. I think it is time that we seize control of this thing. It is the only choice left to us.

Some time back we, the Congress, installed a 25-percent cap on the share the United States gives to the United Nations. We did that unilaterally. There is no reason why we should not also do this. So I ask that we include this amendment that 10 percent of all the funds that we contribute be withheld until it is certified to us that an inspector general has been appointed by the United Nations.

Mr. Speaker, we do not call it an inspector general. We call it an auditing officer, but the auditing officer has the same powers and responsibilities as the inspector generals in our departments of the U.S. Government have—nothing less, nothing more.

Mr. Speaker, I ask approval of this motion offered by the gentleman from Iowa [Mr. SMITH], and I reserve the balance of my time.

Mr. SMITH of Iowa. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, former Attorney General Thornburgh went to work for the United Nations, and he made a recommendation earlier this year that the United Nations establish an inspector general. Ambassador Albright, as soon as she arrived there, said she agreed with that. We are all in agreement with the United Nations having an inspector general.

What I want to warn the Members about, though, is this: There are different definitions of "inspector general." Some inspector generals that we have in the departments of this Government represent waste themselves. They have entirely too big a bureaucracy, two or three times the number of people they ought to have to do the job that they are expected to do. Many of them are merely auditing the books, all the books in the department that have already been audited. Instead of that, what they are supposed to do is investigate, find out what may be wrong, and report to the top management. In this case, that would be the members of the Security Council, as well as the Secretary General of the United Nations.

That is what we want them to do. We do not want this to be an excuse, though. When we demand that they have an inspector general, we do not want this to be an excuse for them to build up a bureaucracy and have waste like we have in some of our departments.

We are all in agreement. The United Nations needs an inspector general

that would do what they need to have done, and this would help our people at the United Nations to impress upon other members of the United Nations that we need to get on with this business and appoint an inspector general.

Mr. ROGERS. Mr. Speaker, I yield 5 minutes to the gentleman from Indiana [Mr. BURTON].

Mr. BURTON of Indiana. Mr. Speaker, I thank the gentleman for yielding this time to me.

Mr. Speaker, I was listening very intently to what the gentleman from Kentucky [Mr. ROGERS] just said, and I hope my colleagues were paying attention as well.

Seventy-five percent of the expenses of some of the U.N. employees' children's colleges are being paid for by the United Nations. I do not know how many of our colleagues here have our Government's and our taxpayers' dollars paying for 75 percent of our college education. Yet our tax dollars are going over there to do just that.

There are 179 or 180 countries in the United Nations, and we are paying 25 percent of the costs. Imagine that, that is 25 percent of the cost, and it makes no sense. They are getting us into problems all around the world. I just found out that in 1987 there were under 10,000 U.N. peacekeepers around the world, and now they have 90,000.

This administration has been going along with this, and our U.N. Ambassador has gotten us into places like Rwanda, Macedonia, Somalia, and elsewhere, and we are all going along with it and we are still paying the freight.

The gentleman from Kentucky [Mr. ROGERS] just raised issue after issue after issue where there is a waste of funds, theft of funds, and an excessive use of funds. And we are going to do what? We are going to withhold 10 percent.

I think we should make a real slash in our U.N. commitment until they change this thing, until they quit making these crazy decisions. We as a nation should not be allowing our young people to be subservient to U.N. command and to go to these places throughout the world.

We just saw 18 young men killed last week in Somalia. They were under a U.N. commander. That is a mistake. I understand that in Macedonia we have 300 American young people who are under a Danish commander. He may be very competent, but a lot of people in this country would question whether or not we ought to have 300 young American fighting men or women under a foreign commander of Danish descent.

So I would just like to say to my colleagues that the $861 million that we are talking about appropriating, 25 percent of all the money going to the United Nations, with much of it being wasted or squandered or stolen, should not go there, that we should not send it, and instead we should send a very strong signal.

So I say to my colleagues on the floor here today, let us go back to the drawing boards on this. Instead of just withholding 10 percent, let us cut. Let us cut maybe 25 percent. That would send a strong signal for them to clean up their act.

Urging them to get an inspector general is fine, and I congratulate the gentleman for moving in that direction, but once we control the pocketbook and control their money, they start paying attention. If we would cut, let us say, a couple of hundred million dollars out of this, which would be applauded by the American taxpayers, the people at the United Nations would really get the message.

Mr. SMITH of Iowa. Mr. Speaker, will the gentleman yield?

Mr. BURTON of Indiana. Let me just continue for a few seconds, and then I will be happy to yield to my colleague.

I also understand that they have many employees over there. Did the gentleman tell me how many employees they had just a minute ago?

Mr. ROGERS. Yes, 14,000.

Mr. BURTON of Indiana. All right, 14,000 employees. And the gentleman said that only about 30 of them were involved in peacekeeping, yet we are providing $401 million or $402 million for the peacekeeping effort, and out of 14,000 employees they assign 30 people. That is totally inadequate.

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

Mr. BURTON of Indiana. I yield to my colleague, the gentleman from Kentucky.

Mr. ROGERS. Mr. Speaker, I just wanted to correct the number the gentleman had earlier mentioned. The amount in this bill for the United Nations general budget contribution itself is $291 million. The $860.9 million figure includes many other international organizations like the International Atomic Energy Agency, and so forth.

Mr. BURTON of Indiana. I see. The U.N. number is $291 million, and you are going to withhold how much?

Mr. ROGERS. Ten percent.

Mr. BURTON of Indiana. Ten percent. If it is $291 million and we are paying 25 percent of the total cost, let us just cut it by $50 million to send a signal. If we want them to clean up their act over there, the easiest way to do it is to hold funds back or cut them off.

Can you imagine this? I hope the American people are paying attention to this debate. Some of those people are getting 75 percent of their children's college education paid for with money coming out of the United Nations, and we are providing 25 percent of those funds. That is crazy. There are 179 countries that are represented at the United Nations, and we are paying one-fourth? Give me a break.

Mr. SMITH of Iowa. Mr. Speaker will the gentleman yield?

Mr. BURTON of Indiana. I am happy to yield to my colleague, the gentleman from Iowa.

Mr. SMITH of Iowa. Mr. Speaker, I would like to mention to the gentleman that for 4 years in the 80's, we withheld one quarter of our assessment each year so that we were appropriating in the last quarter of the calendar year for which the assessment was due instead of appropriating the funds in the calendar year before the payments was due.

Mr. BURTON of Indiana. How much?

Mr. SMITH of Iowa. That was done in order to get them to do some things that we wanted them to do.

The SPEAKER pro tempore (Mr. MAZZOLI). The time of the gentleman from Indiana [Mr. BURTON] has expired.

Mr. SMITH of Iowa. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana [Mr. BURTON].

Mr. Speaker, will the gentleman yield?

Mr. BURTON of Indiana. I yield to the gentleman from Iowa.

Mr. SMITH of Iowa. Mr. Speaker, our committee was in full support of that process it was the Reagan administration at the time. Four years the administration decided that we ought to start paying these arrearages on the basis of 20 percent a year for 5 years. The amount we were supposed to pay in this year was $97 million on arrearages. We do not have those funds in this bill. So what I am telling the gentleman is that we have cut $97 million.

Mr. BURTON of Indiana. Mr. Speaker, I thank the gentleman from Iowa. But let me just say that evidently nobody at the United Nations, neither Mr. Boutros Boutros-Ghali or anybody else over there, is getting the message, because if they are getting fringe benefits to the degree I just heard from the gentleman from Kentucky [Mr. ROGERS], somebody over there is not listening. They should not be getting our American tax dollars to pay for their kids' college educations in the first place, let alone 75 percent.

In addition to that, the gentleman told us that these people who have been fired would then come back with lucrative contracts that are worth more than double their previous pay. What is going on over there?

Mr. SMITH of Iowa. Mr. Speaker, if they do not get the $79 million, the United Nations is going to get the message because they are depending on it.

Mr. BURTON of Indiana. Mr. Speaker, I will object to this motion to concur because I think the message should be stronger, I think the message should be louder, and I think the American people would agree to that after what we heard today.

Mr. SMITH of Iowa. Mr. Speaker, will the gentleman yield further?

Mr. BURTON of Indiana. I am happy to yield to the gentleman from Iowa.

Mr. SMITH of Iowa. Mr. Speaker, the gentleman might be interpreted as objecting because we did not put the $97 million in.

Mr. BURTON of Indiana. Mr. Speaker, I do not think anybody who has heard this debate will misundertand my intention.

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

Mr. Speaker, I will wrap up in a very brief statement here. I appreciate the concerns of the gentleman from Indiana [Mr. BURTON] and all of the others who are similarly concerned. That is the same motivation that moved us to not only put this 10 percent withholding in this bill until the United Nations appoints that inspector general to root out the kinds of things that we are talking about. Not only is that 10 percent in there, but let me point out again, they requested $97.7 million more than we are giving in this bill. We are $44 million below the Senate level in the bill. We are $27.7 million below the figure that our subcommittee earlier had come up with and then was knocked out on a point of order on the floor. And we are $52 million below the 1993 figure.

So they are getting a pretty loud message, not just from the 10 percent withholding, but from the tremendous cuts that we are putting in the overall account. So if they do not get the message, Mr. Speaker, they are deaf, dumb, and blind.

Mr. BURTON of Indiana. Mr. Speaker, will the gentleman yield?

Mr. ROGERS. I yield to the gentleman from Indiana.

Mr. BURTON of Indiana. Mr. Speaker, let me ask this question: Has there been any indication that the abuses the gentleman talked about just a few minutes ago are being addressed? Has anybody over there indicated they are going to change these policies?

Mr. ROGERS. Mr. Speaker, reclaiming my time, I would point out to the gentleman that Attorney General Thornburgh, who then became a deputy at the United Nations, in his report which formed the basis of my thinking about what should be done, says no, they have not yet. But we have not had a chance to act on that Thornburgh report until now. So if we adopt the chairman's position, you are adopting, number one, reform at the United nations; you are adopting the 10 percent withholding; you are adopting these big cuts in their funding from this year's level and everybody else's level. It is sending a giant message up there. If that does not work, then there will be further action.

Mr. BURTON of Indiana. Mr. Speaker, if the gentleman will yield further, I appreciate what the gentleman is saying and appreciate his attempts and the attempts of the chairman to do this. But it seems to me if Mr. Thornburgh has reported that even though we have been withholding funds and are in arrearage that they continue to do these things, even just the arrearages alone are the problem, then I think we ought to not just send a giant message, but maybe a ball bat with a nail in it.

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

Mr. SMITH of Iowa. Mr. Speaker, a yes vote on this means you really want to call to the attention of the United Nations that they had better move and put reform in place. A no vote means you are very satisfied with the ways things are going.

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

The SPEAKER pro tempore. Without objection, the previous question is ordered.

There was no objection.

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

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

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

The SPEAKER 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 422, nays 2, not voting 9, as follows:

[Roll No. 519]

YEAS—422

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
Becerra
Beilenson
Bentley
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Bishop
Blackwell
Bliley
Blute
Boehlert
Boehner
Bonilla
Bonior
Borski
Boucher
Brewster
Brooks
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Bunning
Buyer
Byrne
Callahan
Calvert
Camp
Canady
Cantwell
Cardin
Carr
Castle
Chapman
Clay
Clayton
Clement
Clinger
Clyburn
Coble
Coleman
Collins (GA)
Collins (IL)
Collins (MI)
Combest
Condit
Conyers
Cooper
Coppersmith
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cunningham
Danner
Darden
de la Garza
Deal
DeFazio
DeLauro
DeLay
Dellums
Derrick
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Dooley
Doolittle
Dornan
Dreier
Duncan
Dunn
Durbin
Edwards (CA)
Edwards (TX)
Emerson
English (OK)
Eshoo
Evans
Everett
Ewing
Farr
Fawell
Fazio
Fields (LA)
Fields (TX)
Filner
Fingerhut
Fish
Flake
Foglietta
Ford (MI)
Ford (TN)
Fowler
Frank (MA)
Franks (CT)
Franks (NJ)
Frost
Furse
Gallegly
Gallo
Gejdenson
Gekas
Gephardt
Geren
Gibbons
Gilchrest
Gilman
Gingrich
Glickman
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Grams
Green
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
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Stenholm
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Strickland
Studds
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Thomas (CA)
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Tucker
Unsoeld
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Velazquez
Vento
Visclosky

Volkmer	Wheat	Wyden
Vucanovich	Whitten	Wynn
Walker	Williams	Yates
Walsh	Wilson	Young (AK)
Washington	Wise	Young (FL)
Watt	Wolf	Zeliff
Weldon	Woolsey	Zimmer

NAYS—2

Burton Stump

NOT VOTING—9

Engel	Grandy	Michel
English (AZ)	Greenwood	Waters
Gillmor	McMillan	Waxman

□ 1253

So the motion was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Ms. ENGLISH of Arizona. Mr. Speaker, I was unavoidably absent for rollcall vote No. 519 on the motion to recede and concur in the amendment of the Senate regarding contributions to international organizations. Had I been present, I would have voted "aye."

The SPEAKER pro tempore (Mr. MAZZOLI). The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 148: Page 60, line 5, strike out "$422,499,000" and insert "$444,736,000".

MOTION OFFERED BY MR. SMITH OF IOWA

Mr. SMITH of Iowa. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. SMITH of Iowa moves that the House recede from its disagreement to the amendment of the Senate numbered 148, and concur therein with an amendment, as follows:

In lieu of the sum proposed by said amendment insert "$401,607,000".

The SPEAKER pro tempore. Does the gentleman from Kentucky [Mr. ROGERS] seek time on the motion offered by the gentleman from Iowa [Mr. SMITH]?

Mr. ROGERS. I seek time, Mr. Speaker.

The SPEAKER pro tempore. Under the rule, 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, I yield myself such time as I may consume.

Mr. Speaker, the last amendment dealt with the contribution to the general budget of the United Nations. This amendment deals with the contributions we make to the United Nations for peacekeeping operations, so Members should listen up.

Mr. Speaker, this is a most serious subject, because in the last 3 months our delegate in the United Nations from the United States has supported, and the Security Council has adopted, four brandnew peacekeeping missions somewhere around the world, including Rwanda and Liberia and others. The United Nations is engaged in 18 peacekeeping missions around the world with 90,000 troops, some 13,000 of whom are Americans, including Somalia. There are some 10 applications pending for more peacekeeping missions.

Not only are we talking about the loss of American lives and blood, but also American money, because in the past we have been billed for 31.7 percent of the total U.N. peacekeeping budget. I would point out to the Members that is now amounting to over $1 billion, just the American part.

Mr. Speaker, there are just no controls that this body has on how much money we get obligated to pay to the United Nations without any decisions being made on our part. The United Nations votes to go to a peacekeeping mission and then they send us the bill, 31.7 percent of it. What choice do we have in it? None. What checks do we have on making sure the right decision was made in the first place? None.

Mr. Speaker, we have launched an initiative that was included in the statement of managers in this section of the bill that instructs the Secretary of State to notify the Congress 15 days in advance before our Ambassador in the United Nations votes for any new or expanded or changed peacekeeping missions. Had we had had this provision before Somalia went bad, Mr. Speaker, we would have at least had 15 days notice of the change of mission or the fact we were going there in the first place.

Mr. Speaker, we are not seeking prior approval of the decision of whether or not our Ambassador votes for a peacekeeping mission. I doubt we can do that, but we can require that they notify us of their intent to seek a peacekeeping mission in the Security Council. Why? Because we have to budget for it, Mr. Speaker. We have to find the money for it. Their requirement this year is about $1.3 billion. We are giving them $898 million less than the requirement. It is $58.7 million below the 1993 level. This is $21 million below the House-passed level. It is $43 million below the Senate-passed level. It is $43 million less than the request.

Mr. Speaker, we are sending a message just by the dollar figure, but more importantly, Mr. Speaker, is this requirement that this administration give us notice 15 days before they seek a new peacekeeping mission in the United Nations. There is nothing extraordinary about that. It should have been done all along.

No. 2, in the statement of managers we also say we want to cut our share of this peacekeeping assessment to 25 percent. It is now 31.7 percent. Until the first of the year it was 30.4 percent. They keep increasing it.

We say no way. We cannot even pay the 25 percent, but we are going to say we are not going to pay more than 25 percent, regardless, and we are cutting back down to the same level that we support the general budget of the United Nations.

□ 1300

No. 3, in this statement of managers we say we expect the administration to submit a report to the Congress on how they are going to improve their peacemaking and peacekeeping policy in these missions around the world.

Mr. Speaker, I think we all support the United Nations. We understand the importance of alliances in battling the problems in the world. I do not think any of us want to throw away the impact of the United Nations or the other multilateral organizations.

However, I think we have to realize that there are limitations on what the United Nations can do as a body, and we are going to have to realize that if we are going to pay the costs, and be the leader of these missions with blood, then the United States needs to have more impact in the decisions in the first place. So that is what these provisions attempt to do.

The United Nations, Mr. Speaker, has 14,000 employees at their headquarters. Do Members know how many of those 14,000 employees are working on overseeing these military peacekeeping missions around the world? Guess? Would you say a third, a fourth? I wish that were so. There are 30, 30 people in the United Nations headquarters overseeing 18 peacekeeping missions around the world, Mr. Speaker, with 90,000 troops, 25,000 of whom are American boys and girls. There are 30 people in command and control in New York City. Suppose you get in trouble somewhere in one of these missions, half a day off timewise over there, and they call headquarters. Will they be open at 12 midnight in New York City time or 3 a.m.? I do not know. Will they be there on weekends? They have only got 30 people to oversee all of these missions. That is hardly enough to oversee a company of Rangers, let alone 90,000 troops.

So, Mr. Speaker, this language will at least give the Congress notice of any new peacekeeping missions that are planned. It will require the administration to tell us what it is going to cost, how long we are to be there, and the goals of that mission. At least the administration must be forced to refine in their own minds and for planning purposes all of these items in advance before they vote to send our money and our blood onto these foreign shores.

I do not think that is unreasonable, Mr. Speaker. In fact, I think it is utterly reasonable and necessary, and should be done, and should have been done a long time ago.

So, I urge the adoption of the chairman's motion. His motion cuts peacekeeping even below the House-passed

level, coupled with this very strong language. It puts the administration on notice that the Congress will not look kindly on future U.N. peacekeeping missions when it has not been consulted first, and we have not been consulted in these last four that have been voted in the United Nations by our delegate there.

So, I urge the adoption of this motion, Mr. Speaker.

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

Mr. SMITH of Iowa. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, we have been very concerned about the cost of peacekeeping, and also about the worth of peacekeeping for many years.

We heard about UNIFIL. That was the peacekeeping force between Lebanon and Israel. But we sent some investigators over there several years ago, and they came back and said it had very little value. Since that time we have seen that it does not have much value because when the Israelis wanted to take a shortcut someplace, they just smashed down the gate and went through the middle.

The United Nations has a problem. They say well, we will set up some peacekeeping operations and they say we took care of a problem.

The value of these peacekeeping operations is very limited I think. The cost has been going up astronomically. I believe, if I remember correctly, about 10 years ago, the cost was about $65 million.

Then in fiscal year 1993 the request was $753 million, but we appropriated $460 million. We gave them $293 million less than they requested. I think that sent a message that the United Nations needed to get serious, because there is not going to be the kind of money there, especially when it is going to come out of salaries and expenses of the State Department. There is a cap on how much you can spend for our international organizations and operations.

The United Nations has started looking into the rate at which we are paying. The rates were established for the various nations in 1973. The assessments to the United Nations are determined on the gross national product of the various countries. Obviously the gross national product has changed a great deal since 1973.

Since 1973 our assessment for peacekeeping has been 30.4 percent. So in the fall of 1992, the administration at that time sought to cut it to the regular budget assessment of 25 percent. This effort was complicated by the breakup of the Soviet Union because those new Republics could not pay at the same rate. So instead of cutting the U.S. assessment back to 30.4 percent, our assessment went up to 31.7 percent.

We have never paid the 31.7 percent. We were successful in securing a freeze at 30.4 percent, pending completion of a study which is now being made, and it will be presented to the United Nations during this session of the General Assembly.

Our representatives at the United Nations, and I was up there in the spring and talked to all five of the Ambassadors and to some others, are determined when this study is completed to negotiate for a much lower rate. And that is what we should have done I think 3 or 4 years ago. They know that it is a serious problem and that any increase that we have in the assessments that are paid will have to come one way or another out of the salaries and expenses for the State Department.

It is a serious matter, and I think they recognize it.

In fiscal year 1993 the request for peacekeeping was $753 million, and we gave them $460 million. So we came up short last year $293 million.

This year the request was for $619 million, and we have included $401 million, which is $219 million less than they requested. Those figures should tell Members that we are serious about not paying this 30.4 percent, especially when it is going to come out of salaries and expenses and other funds that we need in this bill.

Mr. BURTON of Indiana. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Iowa. I yield to the gentleman from Indiana.

Mr. BURTON of Indiana. Mr. Speaker, did the gentleman say a while ago that about 10 years ago the amount of money expended for peacekeeping forces around the world by the United States through the United Nations was about $40 million.

Mr. SMITH of Iowa. It was $65 million.

Mr. BURTON of Indiana. I just wanted to confirm that for my presentation.

Mr. SMITH of Iowa. That is my memory, and it has been going up substantially in the last several years.

Mr. BURTON of Indiana. I thank the gentleman.

Mr. SMITH of Iowa. And it is too high I think, and they know that we are serious about it at the United Nations. And when Ambassador Albright was before us in the spring at the hearing, she indicated it was a concern. The administration is going to negotiate a better deal than we have now. They will have to or they will not have the money.

□ 1310

Mr. ROGERS. Mr. Speaker, I yield 3 minutes to the gentlewoman from Maine [Ms. SNOWE] the distinguished ranking member of the subcommittee of the Committee on Foreign Affairs.

Ms. SNOWE. I thank the gentleman for yielding this time to me.

Mr. Speaker, as most of my colleagues know, I serve as ranking Republican on the Subcommittee on International Operations, which has jurisdiction over the State Department and other foreign affairs agencies.

I would like to congratulate the managers of this bill, the gentleman from Kentucky [Mr. ROGERS] and the gentleman from Iowa [Mr. SMITH] for their product. In general, the funding contained in this bill for the foreign affairs agencies is fiscally responsible and stays with House-passed authorization levels. I have been working for years to restrain budget growth in the foreign affairs agencies, and I am pleased that this appropriation accomplishes exactly that. This bill actually cuts funding for the foreign affairs agencies over $350 million below the existing appropriated level.

I am pleased by the funding cuts and report language contained in this bill for the United Nations and for the international peacekeeping account. This bill places a badly needed brake on the runaway growth in U.N. peacekeeping activities. I added an amendment to the State Department authorization addressing this problem, and I am grateful that the appropriations bill follows up on this issue.

The appropriations conference report calls on the administration to report to Congress 15 days prior to approving any new peacekeeping missions. While the report language asks the administration to notify the Appropriations Committees, I would like to emphasize the importance of prior 15-day notification of the Foreign Affairs Committee as well. In the past 4 weeks and without any consultation with Congress, the administration approved three new nation-building peacekeeping operations for Haiti, Rwanda, and Liberia. This was done though it was clear that appropriations were insufficient even to pay for existing peacekeeping operations.

Today, there are 18 U.N. peacekeeping operations, 15 of which were established since 1990. In 1987, the United Nations spent $233 million on all of its international peacekeeping operations, compared to $3.8 billion budgeted for this function in 1993. The current funding level does not even count the cost of the three new U.N. nation-building operations, which have an estimated cost of $253 million just for the first 6 months. And if the proposed 50,000 peacekeeping force for Bosnia were approved, it would immediately double the U.N. peacekeeping budget to nearly $8 billion.

Furthermore, until this year the United States was overbilled at a 30.4-percent rate for all U.N. peacekeeping costs, compared to the 25 percent U.S. assessment level for the regular U.N. budget. But in January of this year, the United Nations unilaterally raised the U.S. peacekeeping assessment even further to 31.7 percent without any protest by the new administration. The report language in this conference report

calls for a moratorium on any new U.N. peacekeeping operations until the United Nations agrees to reduce the U.S. assessment to no more than 25 percent.

Today, the United Nations is placing a new emphasis on direct military intervention into internal conflicts. The dangers of what Ambassador Madeline Albright has termed assertive multilateralism were graphically displayed in the back alleys of South Mogadishu and on the docks of Port-au-Prince.

For the cost of this new form of U.N. interventionism is not just runaway spending, but the lives of American troops. I am extremely concerned that U.S. soldiers are increasingly being called not just to defend vital American interests, but to advance nebulous U.N. nation-building goals. Just this weekend I attended the funeral in Lincoln, ME, for M. Sgt. Gary Gordon, who was killed in action 2 weeks ago in Somalia. I regret that because of my congressional duties I was unable to attend a funeral earlier in the week of S. Sgt. Thomas Field of Lisbon, ME, who also lost his life in Somalia. Maine may be a small State, but patriotism runs strong and Mainers serve proudly in our Nation's Armed Forces. We must be sure that our own Government always keeps its faith with these brave men and women.

So again, I would like to congratulate the Republican manager of this bill, the gentleman from Kentucky [Mr. ROGERS], for insisting on forceful action on this timely issue.

Mr. SMITH of Iowa. Mr. Speaker, I yield 1 minute additional to the gentlewoman from Maine [Ms. SNOWE].

Mr. Speaker, will the gentlewoman yield?

Ms. SNOWE. I yield to the gentleman from Iowa.

Mr. SMITH of Iowa. I thank the gentlewoman for yielding.

Mr. Speaker, I have no quarrel with what the gentlewoman said except one thing. I think maybe the gentlewoman made an error when she said there was no protest against the 31.7 assessment rate. Both the last administration and this administration have refused to recognize that increase.

Ms. SNOWE. I thank the gentleman.

Mr. ROGERS. Mr. Speaker, I yield 6 minutes to the gentleman from Indiana [Mr. BURTON].

Mr. BURTON of Indiana. I thank the gentleman for yielding this time to me.

Mr. Speaker, I do not agree with much of what my colleagues have said, and I think they are moving in the right direction. The fact of the matter is that in 1978 there were 10,000 U.N. peackeeping troops around the world. And now there are over 90,000.

The gentlewoman just expressed her concern that it is expanding, we are going into nation-building in other parts of the world, and I agree with that. We are still going to be spending 25 percent of the total U.N. budget for peacekeeping forces around the world. Why should we be doing that? I do not understand; I simply cannot understand why we are going to pick up 25 percent of the freight when we are not 25 percent of the world's land mass, we are not 25 percent of the world's population. Of the 90,000 troops in the field right now, over one-fourth of those are young American men and women. Why are we providing the lion's share of that? Why is, for instance, Japan providing only 12.5 percent and Germany providing only 8.9 percent while we are assessed 31.7 percent? Even 25 percent is too much.

It seems to me we ought to send a much stronger signal. I agree with the 15 days' advance notice. I agree with a lot of the things that my colleagues have been talking about. But it seems to me we should not be sending $402 million when just 10 years ago the total amount of spending for the U.N. peacekeeping efforts was $40 million.

The U.S. participation is going to be 10 times what it was 10 years ago for the whole world. It seems to me that $402 million is excessive.

Mr. Speaker, we have severe budgetary problems in this country. Everybody knows what the national debt is, what the deficit is, and what the interest on that debt is. Yet we are sending 10 times what the total United Nations peacekeeping costs were 10 years ago, just from the United States alone. And I think that is excessive.

Now, if we want to control what the United Nations is doing as far as sending peacekeeping troops around the world, the best way to do it is with the dollars; if you do not send them the money, they cannot send those people around out in the field.

I agree that getting 15 days' advance notice, if possible, from our U.S. Ambassador is a step in the right direction, but more than that should be done. We should not be sending at this time $402 million to the United Nations for this effort. We just should not be doing it. They are making mistakes doing it.

Boutras-Ghali has made numerous mistakes that have not only cost us lives but millions and maybe ultimately billions of dollars.

We went into Somalia to feed the starving masses, and then we got into nation building. As we just heard from the gentlewoman a few moments ago, there are three or four more nations that we are going to be nation building. These people do not want nation-building. They want food and they want other things, but they do not want us to come in telling them how to run their country.

Our tax dollars, $402 million of them, is going to be used, in large part, for that purpose. I do not believe the American people want that. I believe the American people would like to see this cut dramatically. I think we should cut it.

So, I will object and I will ask for a rollcall vote on this. I do not expect a lot of support, because this is a cut and people coming in and saying, "Well, you are already cutting. How are you going to explain that back home?" Well, I think you can refer to the CONGRESSIONAL RECORD of this debate. I want to cut more. I do not think we should be sending 25 percent. We should be sending a lot less than that, if any, a lot less than that, and we should be controlling what is going on over there instead of just protesting.

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

Mr. BURTON of Indiana. I yield to the gentleman from Kentucky.

Mr. ROGERS. I thank the gentleman for yielding to me.

Mr. Speaker, does the gentleman realize that we in this bill are appropriating $402 million; does the gentleman know how much they requested?

Mr. BURTON of Indiana. $642 million.

Mr. ROGERS. Their requirement was $1.3 billion. That is not the request, that is the amount they say it would take to pay their bills. They now currently estimate for the 18 ongoing missions.

Mr. BURTON of Indiana. They requested $642 million.

Mr. ROGERS. That is right, the request was that. But they say it would take $1.3 billion to pay all the bills, our share of the bills, they say. So, we are $898 million less than that figure, and we are $43 million less than their official request, lower than the Senate and the House.

Mr. BURTON of Indiana. May I ask the gentleman a question. Let me just say one thing. If my children said that they wanted a Chevrolet and they knew that I was in a negotiating mood, they would probably ask for a Mercedes or a Cadillac. And I submit to you we do not have a lot of morons over there at the United Nations. They are probably asking for an excessive amount of money, knowing that we are going to compromise down like we do on every other single thing around this place. But the fact of the matter is, 10 years ago the total amount of expenditures for U.N. peacekeeping was about $40 million, according to the chairman, for all the worldwide costs. All the countries of the world kicked in for that, $40 million. Today we are going to be appropriating $402 million, 10 times that, just for the United States share. Granted, that is a lot less than they requested.

□ 1320

We should not be giving them 25 percent and we most certainly should not be giving them all the young American men and women who are sacrificing

their lives and everything else in these various God-forsaken places, and we should not be giving them $402 million in American taxpayer dollars.

Let us send this back to the conference committee and cut this figure.

Mr. ROGERS. Mr. Speaker, I yield 4 minutes to the gentleman from Iowa [Mr. LIGHTFOOT], a member of our committee.

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

I would say to our distinguished committee chairman, the gentleman from Iowa [Mr. SMITH], and to our ranking member, the gentleman from Kentucky [Mr. ROGERS], listening to their voices, we have a veterinary back in Iowa who could probably fix that problem. It is kind of a red liquid in a bottle, but I am not sure it has been approved by the FDA.

Mr. Speaker, there has been a lot of discussion about peacekeeping and we discussed it here on the floor some last night. I think one of the things that I do not believe is a partisan issue, that there is very strong agreement on both sides of the aisle that we are treading into some dangerous waters with these peacekeeping efforts. We have heard that from both Republicans and Democrats alike.

I think there is one thing probably that is driving a lot of that. In the instance of the United States, the young men and women who we are sending off to do these peacekeeping missions raised their hands and took an oath to put their lives on the line for their country. Quite frankly, some of the people who are promoting peacekeeping have never had the will or the backbone to do that. That is creating some problems, at least in our thought processes.

As the gentleman from Indiana [Mr. BURTON] pointed out, and I think accurately so, why are we spending these kinds of dollars in countries that we cannot even pronounce, in which we have absolutely no national interest whatsoever? I think it is a good point and it is a good question that we need to answer.

One of the things that concerns me a great deal about this whole process is Presidential Decision Directive 13, which has been kept very conveniently out of the public's eye. President Clinton in that PDD 13 has stated that he wants to place U.S. troops under the command of U.N. or foreign commanders. He states in that directive that he wants to eliminate the law which puts a cap on the number of U.S. soldiers that can be committed to a U.N. peacekeeping effort.

In that directive he wants to share our intelligence with members of the United Nations. We have not seen that here in the Congress. I think that is where a lot of the consternation is coming from, that so much of this is being done behind our backs and around the corner.

By putting in this 15-day notification, at least it is a step in the right direction.

By reducing the amount of funding that has been asked for is a step in the right direction.

I would agree with the gentleman from Indiana [Mr. BURTON] that it needs to go further, but I think if we can show our will here as a group that we are going to put the reins on the United Nations and try through the IG process to shake out the cronyism and the absolute corruption that is from the basement of that building to the attic and everywhere in between, that the people of the United States represented by those of us who were sent here finally have said it is time to draw the line on the shenanigans in the United Nations, then we have accomplished something and we can get the American people to continue to support us in that measure. Then possibly we can do something constructive in reforming the United Nations.

A lot of us would like to see it abolished, quite frankly, but as Mr. MacDougal, a member of the U.S. Commission on Reporting the Effectiveness of the United Nations, made the comment if this unit were to be constructed as it is now, no one could possibly conceive of ever putting something together that was like the United Nations. As it currently exists, it does not make any sense at all. It is a huge power play by a lot of little countries around the world who basically are prospering at the behest of the American taxpayer and on the blood of American citizens.

Mr. ROGERS. Mr. Speaker, I yield myself such time as I may consume. I am prepared to conclude.

Mr. Speaker, in addition to the money reductions that we have in this conference report, there are four major provisions in the Statement of Managers. The dollar figures, first off, were 10 percent below their request, were 13 percent below what we gave them in 1993, were 223 percent below what they say is their actual requirements for peacekeeping in 1994, were 5 percent below what the House figure was and were 10 percent below what the Senate figure was; so our conference came way down, I say to the gentleman from Indiana [Mr. BURTON], even from all the other levels, including the House and the Senate; so we have made substantial cuts in the amount of money that we are giving to the United Nations for peacekeeping operations.

Then in addition to that cut are these four provisions in the statement of managers:

One. We instruct the administration to conduct a thorough review of the current process of committing to peacekeeping operations. Change, we are saying, the way you actually commit us to these operations.

Two. We Say to the United Nations, we are not going to accept more than 25 percent of these peacekeeping costs, if that much. We are not going to pay the 31.7 percent that you arbitrarily billed us for. If we pay anything, it will be no more than 25 percent.

Three. The statement of managers says that the administration shall undertake badly needed organizational and management changes to carry out peacekeeping activities effectively. We are not happy with the way you are carrying out these peacekeeping operations. Change, we are saying.

Then number four is an instruction of 15 days' notice to the Congress. Before you want to go into another new peacekeeping operation, all we ask is just 2 weeks' notice, and in that notice we want to know where you are proposing to take us.

Number two, How much is it going to cost?

Three. What is the mission? What are you trying to achieve there? What is the goal of the mission?

Four. How long are you going to be there?

And five, How are you going to pay for it? What source of U.S. funding are you going to use to pay for it, reprogramming, a budget amendment, a supplemental request, just what?

We think these are reasonable requests and we think that the State Department and the administration would be very well-advised to follow the requests that we are making in this statement of managers, because this is the subcommittee, after all, that you will be looking to for future funding of all the activities of the State Department, the United Nations and so forth, so we think they will be reasonable in adhering to these simple requests.

Now, in the event that does not take place, Mr. Speaker, I filed a free-standing bill yesterday that incorporates the 15 days' notice for new peacekeeping operations. Members are invited to sign on to the bill. I do not know the number, but you can find that out. If you would like to be a part of that bill that we want to make into the law, then I would urge Members to sign on to that bill.

I would point out that what we are talking about today, though, is merely language in the Statement of Managers to this conference report.

Mr. Speaker, I urge support for the motion offered by the gentleman from Iowa [Mr. SMITH]. It is altogether fair and reasonable. We have the figures. We have reforms built into the United Nations and U.S. procedures here and we think we have made tremendous progress toward cutting costs, cutting our share and putting in place some significant changes and reforms that are desperately needed.

Mr. Speaker, I want to express my strong support for a provision included in the conference report to accompany H.R. 2519, the

Departments of Commerce, Justice, State, the Judiciary, and Related Agencies Appropriations Act for fiscal 1994.

Included in the conference report is a provision for a grant from the Small Business Administration to the city of Prestonsburg, KY, for small business development. It is my understanding this grant will be used to help design and construct a Mountain Arts Center in Prestonsburg, KY. This center will be a tremendous boon to small businesses in an economically depressed area. Not only will the project stimulate small businesses throughout the area during the construction phase of the project, once completed, the center will be a boon for small business creation and development through the increased tourism and economic activity which will be attracted.

I am grateful for its inclusion in the conference report.

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

Mr. SMITH of Iowa. Mr. Speaker, I yield myself such time as I may consume, just for a brief summary.

Mr. Speaker, I think we are making some progress. We had soldiers in Lebanon. This subcommittee went over to Lebanon several years ago, looked the situation over, and came back and said immediately, "Get those boys out of there. They should not even be there."

I understand that the gentleman from Pennsylvania [Mr. MURTHA] went over there with his subcommittee. He came back and was concerned. About 2 weeks later, you know what happened. We lost 250 boys.

Soldiers from major nations are sort of a target. They are a built-in target. It is better to have soldiers from Third World countries in these peacekeeping operations.

□ 1330

On the other hand, Mr. Speaker, I say to my colleagues, "If you do establish peacekeeping forces, there's very little they can do, go in, and set up a camp, and put a guard around the perimeter. What more can they do? They are not going to fight anybody."

So, there is very limited value, I think, to some of these peacekeeping operations but in the last year we finally have been getting attention on this. I think that last year the last administration finally recognized that this is a serious problem and that could not continue to escalate the cost, and this administration, I know, believes that because I talked to them about it a number of times.

So, what we have here is a request for $619 million, and we are cutting it back to $401 million, a reduction of $218 million, and a yes vote on this would mean endorsement of the approach that we are taking, and, if my colleagues do not believe we ought to do that, then they can vote "no."

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

The SPEAKER pro tempore (Mr. MFUME). Without objection, the previous question is ordered on the motion.

There was no objection.

The question is on the motion offered by the gentleman from Iowa [Mr. SMITH].

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

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

The SPEAKER 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 367, nays 61, not voting 5, as follows:

[Roll No. 520]

YEAS—367

Abercrombie
Ackerman
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Applegate
Armey
Bacchus (FL)
Baesler
Ballenger
Barca
Barlow
Barrett (NE)
Barrett (WI)
Bateman
Becerra
Beilenson
Bentley
Bereuter
Berman
Bevill
Bilbray
Bishop
Blackwell
Bliley
Blute
Boehlert
Boehner
Bonior
Borski
Boucher
Brewster
Brooks
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Bunning
Buyer
Byrne
Callahan
Calvert
Camp
Canady
Cantwell
Cardin
Carr
Castle
Chapman
Clay
Clayton
Clement
Clinger
Clyburn
Coleman
Collins (IL)
Collins (MI)
Condit
Cooper
Coppersmith
Costello
Cox
Coyne
Cramer
Crapo
Danner
Darden
de la Garza
Deal
DeFazio
DeLauro
Dellums
Derrick
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Dooley
Dreier
Dunn
Durbin
Edwards (CA)
Edwards (TX)
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
Furse
Gallegly
Gallo
Gejdenson
Gephardt
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Gingrich
Glickman
Goodlatte
Goodling
Gordon
Goss
Grams
Grandy
Green
Greenwood
Gunderson
Gutierrez
Hall (OH)
Hamburg
Hamilton
Harman
Hastert
Hastings
Hayes
Hefner
Hilliard
Hoagland
Hobson
Hochbrueckner
Hoke
Holden
Horn
Houghton
Hoyer
Huffington
Hughes
Hutchinson
Hutto
Hyde
Inglis
Inslee
Istook
Jefferson
Johnson (CT)
Johnson (GA)
Johnson (SD)
Johnson, E. B.
Johnson, Sam
Johnston
Kanjorski
Kaptur
Kasich
Kennedy
Kennelly
Kildee
King
Kingston
Kleczka
Klein
Klink
Knollenberg
Kolbe
Kopetski
Kreidler
Kyl
LaFalce
Lambert
Lancaster
Lantos
LaRocco
Laughlin
Lazio
Leach
Lehman
Levin
Levy
Lewis (GA)
Linder
Lipinski
Livingston
Lloyd
Long
Lowey
Machtley
Maloney
Mann
Manton
Margolies-Mezvinsky
Markey
Martinez
Matsui
Mazzoli
McCandless
McCloskey
McCollum
McCrery
McCurdy
McDade
McDermott
McHale
McKeon
McKinney
McNulty
Meehan
Meek
Menendez
Meyers
Mfume
Mica
Michel
Miller (FL)
Mineta
Minge
Mink
Moakley
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)
Pickett
Pickle
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quillen
Rahall
Ramstad
Rangel
Reed
Regula
Reynolds
Richardson
Ridge
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Rostenkowski
Roukema
Rowland
Roybal-Allard
Royce
Rush
Sabo
Sanders
Sangmeister
Santorum
Sarpalius
Sawyer
Saxton
Schenk
Schiff
Schroeder
Schumer
Scott
Serrano
Sharp
Shaw
Shays
Shepherd
Sisisky
Skaggs
Skeen
Skelton
Slattery
Slaughter
Smith (IA)
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
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
Tucker
Unsoeld
Valentine
Velazquez
Vento
Visclosky
Volkmer
Vucanovich
Washington
Waters
Watt
Waxman
Weldon
Wheat
Whitten
Williams
Wilson
Wise
Wolf
Woolsey
Wyden
Wynn
Yates
Young (FL)

NAYS—61

Allard
Archer
Bachus (AL)
Baker (CA)
Baker (LA)
Barcia
Bartlett
Barton
Bilirakis
Bonilla
Burton
Coble
Collins (GA)
Combest
Crane
Cunningham
DeLay
Doolittle
Dornan
Duncan
Emerson
Fields (TX)
Gekas
Gonzalez
Hall (TX)
Hancock
Hansen
Hefley
Herger
Hoekstra
Hunter
Inhofe
Jacobs
Kim
Klug
Lewis (CA)
Lewis (FL)
Lightfoot
Manzullo
McHugh
McInnis
Molinari
Petri
Pombo
Quinn
Ravenel
Roth
Schaefer
Sensenbrenner
Shuster
Smith (MI)
Solomon
Spence
Stump
Traficant
Upton
Walker
Walsh
Young (AK)
Zeliff
Zimmer

NOT VOTING—5

Conyers
Engel
Hinchey
McMillan
Miller (CA)

□ 1353

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

Mrs. KENNELLY, and Messrs. PETERSON of Florida, ABERCROMBIE, CAMP, and MOORHEAD changed their vote from "nay" to "yea."

So the motion was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. ENGEL. Mr. Speaker, I was unable to vote ofn rollcall votes 518 through 524 due to the hospitalization of my wife. Had I been present, I would have voted:

On Rollcall 518, "yea."
On Rollcall 519, "yea."
On Rollcall 520, "yea."
On Rollcall 521, "yea."
On Rollcall 522, "yea."
On Rollcall 523, "yea."
On Rollcall 524, "yea."

The SPEAKER pro tempore (Mr. MAZZOLI). The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 171: Page 68, after line 26, insert:

NATIONAL ENDOWMENT FOR DEMOCRACY

For grants made by the United States Information Agency to the National Endowment for Democracy as authorized by the National Endowment for Democracy Act, $35,000,000, to remain available until expended: *Provided*, That none of the funds appropriated under this heading may be disbursed to grantees who have not reimbursed the National Endowment for Democracy, from nongovernmental funds, for disallowed expenditures by such grantees for first class travel, alcohol and entertainment, identified in the March 1993 report of the Inspector General of the United States Information Agency.

MOTION OFFERED BY MR. SMITH OF IOWA

Mr. SMITH of Iowa. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. SMITH of Iowa moves that the House recede from its disagreement to the amendment of the Senate numbered 171, and concur therein.

The SPEAKER pro tempore. Does the gentleman from Iowa [Mr. SMITH] wish time on this motion?

Mr. SMITH of Iowa. Yes, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Iowa [Mr. SMITH] will be recognized for 30 minutes, and the gentleman from Kentucky [Mr. ROGERS] will be recognized for 30 minutes.

Does the gentleman from Pennsylvania [Mr. KANJORSKI] seek time on the motion offered by the gentleman from Iowa [Mr. SMITH]?

Mr. KANJORSKI. Yes, Mr. Speaker.

The SPEAKER pro tempore. Does the gentleman from Kentucky [Mr. ROGERS] oppose the motion offered by the gentleman from Iowa [Mr. SMITH]?

Mr. ROGERS. Mr. Speaker, I am not opposed.

The SPEAKER pro tempore. The gentleman from Pennsylvania [Mr. KANJORSKI] will be recognized for 20 minutes, the gentleman from Iowa [Mr. SMITH] will be recognized for 20 minutes, and the gentleman from Kentucky [Mr. ROGERS] will be recognized for 20 minutes.

Mr. SMITH of Iowa. Mr. Speaker, I ask unanimous consent to yield 17 minutes of my time to the gentleman from California [Mr. BERMAN], and that he have the right to yield to others.

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

There was no objection.

The SPEAKER pro tempore. The gentleman from California [Mr. BERMAN] will be recognized for 17 minutes and, in turn, have the right to yield time. The gentleman from Iowa [Mr. SMITH] will retain 3 minutes.

Mr. SMITH of Iowa. Mr. Speaker, I reserve my time.

Mr. ROGERS. Mr. Speaker, I yield 3 minutes to the gentleman from Louisiana [Mr. LIVINGSTON], a member of our committee.

Mr. LIVINGSTON. Mr. Speaker, I am very pleased to take the well and speak on behalf of the National Endowment for Democracy and hope that this body will recede to the Senate amendment which included some $35 million in funding.

The White House had requested $50 million. If we pass this $35 million, it will be a bargain for this country. And, it will be a bargain for democracy all throughout the world.

That $35 million will go to grantees, including the Democrat and Republican Party Institutes, and institutes linked to the AFL-CIO, the Chamber of Commerce and numerous other private voluntary organizations who send people throughout the world with meager resources to encourage countries to study the democratic system and become democratic, free nations.

NED is a small, cost-effective, nongovernmental institution. It has the bipartisan support of the current administration as well as all former living Presidents who regard it as an investment in a safer world, beneficial to American security and economic interests.

NED is a dynamic, flexible and cost-effective means of furthering United States interests by promoting the development of stable democracies in strategic, important parts of the world. NED provides aid to democratic movements around the globe by dispatching experts to help those seeking freedom to assemble the building blocks necessary to sustain a stable and democratic system, including representative political parties, a free market economy, independent trade unions and a free press.

I can say definitively to this body that the predecessor of NED helped fund the AFL-CIO go to El Salvador and plant the seeds of democracy there, while the Communists were trying to take over that country by force. Likewise, the AFL-CIO went to Poland to establish a framework of support for Solidarity, which ultimately led not only to freedom and democracy in Poland, but also to the collapse of the Soviet empire. NED is now all over the globe, helping privatization in Russia, helping Bulgaria write their constitution, helping Ukraine solve their economic problems, and helping democracy establish roots in Latin America. The list goes on and on.

This is a good program. It works, It is cost-effective.

□ 1400

By promoting democracy around the world, this proposal is in our national interest, and this money is an investment in a peaceful future so the United States can spend less on defense and more on our own people. It is the best deal going. I urge the adoption of the motion.

Mr. KANJORSKI. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, I bring up this issue, the National Endowment for Democracy, again. It is almost 4 months to the day that we addressed this same matter in the House, and the House chose to eliminate NED by a resounding vote of 247 to 171. NED's fate was then sent to the other body where it was debated on the Senate floor. I have to say that any Member of the House that read Senator BUMPERS' statement on this can appreciate what I would like to say today, but will not take the time.

Obviously, the proponents of the NED think that it is totally responsible for the breakdown of the Soviet Union and the emergence of democracy throughout the world. If only we had known in early 1980 that for a mere $35 million we could have saved $2 trillion in defense and other foreign aid, we would have looked like geniuses in the Congress.

I would say that, one, my opposition to this is based on the fact that the Founding Fathers in our Constitution directed that the President of the United States through the State Department, should carry on the foreign affairs of this country. NED is a divergence from that principle. Through NED taxpayers' money is delegated and earmarked specifically for a private fund to use as it will, without any direct accountability as to how those funds are expended, and no oversight by this Congress. I think that is one fundamental mistake.

Two, this organization in the past, over the past 8 years, has funded such things as campaigns in Great Britain, France, and New Zealand. I do not know what is wrong with these nations' democracies, but I would suggest that they may have been democratic for a few years and the American taxpayers' money, one, is not necessary to keep them democratic, but two, quite

an intrusion by one great democracy in the democracies of others.

Often we find that NED money is spent promoting programs that are in contradiction of known American policy. I think we need that to be brought into check by putting all of this entity under the State Department and under the executive branch as intended by the Constitution.

Finally, it is hard to argue against the National Endowment for Democracy, because my friends say I am not a Democrat. I resent that, but there is nothing that can be said to that. Let me tell the Members what the real name of this organization should be: The National Endowment for the Republican Party, the Democratic Party, the AFL-CIO, and the U.S. Chamber of Commerce, that is who it really funds. Maybe another name should be the Political Consultants Relief Act of 1993, because that is who it funds, the Washington "beltway bandits" that operate in our campaigns and presidential campaigns, but in off years like to sell their wares around this world, instilling their political information and ability to emerging parties or democracies.

I suggest, one, Mr. Speaker, that is an insult. Two, that is not building the know-how of how to carry on democratic campaigns in other countries. It is financing the consultants in this country.

Finally, Mr. Speaker, I will tell the Members, I have watched this House run under tremendous pressure when we defeated SSC yesterday. I have also seen us try to eliminate or run in other projects or programs, but never have I seen a harder lobbying effort by all the former Presidents, by all the leadership on both the Democratic side and the Republican side, by all the people who are anything in this town, and most of all, by the estate of our commentators and our journalists throughout the United States.

I think it is unfortunate that, the 30 or 40 votes that made the difference last time have probably been changed by this pressure. I think we are going to lose this, and I think the lobbyists and the political forces of this city and this country and the journalists of America have done their work well.

I think they are going to change 30 or 40 votes from that June 22 vote, but all it attests to is what Mr. Perot said: The people who are wearing the Gucci shoes and carrying the alligator bags are going to prove again in this town that they can do their job and do it well when they are at risk.

It is unfortunate for democracy, that we cannot, in 1993, send the message that we will not spend 17.5 percent more this year than we spent last year for an endowment that does well at some things but is questionable on other things. The fact of the matter is that all of those things could be accomplished by a direct contract between the State Department and any other private entity, including the Endowment for Democracy, if the worthwhile work is worth supporting. At least if the State Department were involved, we would have programmatic accountability.

I would urge my colleagues to hold tight with that vote we made in June, and send the proper message to the American people that their representatives are trying to take a responsible budgetary course in this country, and not letting our economy and our Nation go to rot.

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

Mr. SMITH of Iowa. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, I have laryngitis, so I am not going to talk very much. I think that if all these people are lobbying, that they would not have, any of them, contacted the chairman of the subcommittee that is handling the bill. I have not heard from any of those people.

I will tell the Members who I have heard from, or who did make an impression on me. I was in Albania. there was not a country that was more despotic than Albania. The new President of Albania said:

> The greatest thing that ever helped me was the National Endowment for Democracy.

He said:

> Those people came over here; they are not a part of your government, they are independent, but they came over here and told me about how private organizations work.

If any of the Members have been to Albania, they know what it is. It is a country filled with pillboxes. The former dictator filled it with pillboxes. The Albanians had no freedom at all, had no idea how to operate these institutions. The President of Albania said:

> Those people came over here and they did the best service that anybody could possibly do. Nobody from our government could have done that.

I think this is a very good investment at $35 million.

Mr. Speaker, at this point in the RECORD I would like to insist a table which compares conference agreement for the items funded in the bill with the amounts appropriated for fiscal year 1993, the amount requested for fiscal year 1994, and the House and Senate bills.

Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies, FY 1994 Appropriations Bill (H.R. 2519)

	FY 1993 Enacted	FY 1994 Estimate	House	Senate	Conference	Conference compared with enacted
TITLE I - DEPARTMENT OF JUSTICE AND RELATED AGENCIES						
DEPARTMENT OF JUSTICE						
Office of Justice Programs						
Justice Assistance	665,299,000	665,652,000	650,000,000	683,314,000	679,605,000	+14,306,000
(Transfer out)					-500,000	-500,000
Law Enforcement Personnel (H.R. 2118 Supp.)	150,000,000					-150,000,000
Public safety officers benefits program:						
Death benefits	28,013,000	28,936,000	28,936,000	28,936,000	28,936,000	+923,000
Disability benefits		2,000,000				
Total, Office of Justice Programs	843,312,000	696,588,000	678,936,000	712,250,000	708,041,000	-135,271,000
General Administration						
Salaries and expenses	115,929,000	119,289,000	117,196,000	115,000,000	119,000,000	+3,071,000
Advance appropriation		20,000,000		20,000,000	20,000,000	+20,000,000
Repeal of Advance Appropriation				-20,000,000	-20,000,000	-20,000,000
Office of Inspector General	30,622,000	30,898,000	30,898,000	30,723,000	30,000,000	-622,000
Quantico Training Center	7,700,000					-7,700,000
Weed and Seed Fund	13,150,000	13,492,000	12,829,000	13,150,000	13,150,000	
Federal/State partnerships		100,000,000				
Total	167,401,000	283,679,000	160,923,000	158,873,000	162,150,000	-5,251,000
United States Parole Commission						
Salaries and expenses	9,309,000	9,385,000	9,385,000	9,123,000	9,123,000	-186,000
Legal Activities						
Salaries and expenses, general legal activities	395,500,000	409,984,000	400,968,000	400,086,000	403,968,000	+8,468,000
Vaccine injury compensation trust fund	2,000,000	3,000,000	1,900,000	2,000,000	2,000,000	
Independent counsel (permanent, indefinite)	4,500,000	4,000,000	4,000,000	4,000,000	4,000,000	-500,000
Civil liberties public education fund (permanent, definite)	500,000,000	100,000,000	100,000,000	100,000,000	100,000,000	-400,000,000
Civil liberties public education fund		5,000,000				
Salaries and expenses, Antitrust Division	44,626,000	44,817,000	44,817,000	43,092,000	45,997,000	+1,371,000
Offsetting fee collections	(16,900,000)	(17,275,000)	(19,000,000)	(19,000,000)	(20,820,000)	(+3,920,000)
Total budget authority available	(61,526,000)	(62,092,000)	(63,817,000)	(62,092,000)	(66,817,000)	(+5,291,000)
Salaries and expenses, United States Attorneys	768,300,000	808,797,000	808,797,000	818,797,000	813,797,000	+45,497,000
Assets forfeiture fund surplus	22,400,000					-22,400,000
Total budget authority available	790,700,000	808,797,000	808,797,000	818,797,000	813,797,000	+23,097,000
United States Trustee System Fund	57,221,000	57,350,000	56,521,000	46,150,000	61,513,000	+4,292,000
Offsetting fee collections	(32,300,000)	(37,487,000)	(37,487,000)	(53,687,000)	(37,487,000)	(+5,187,000)
Total budget authority available	(89,521,000)	(94,837,000)	(94,008,000)	(99,837,000)	(99,000,000)	(+9,479,000)
Salaries and expenses, Foreign Claims Settlement Commission	898,000	940,000	940,000	898,000	940,000	+42,000
Salaries and expenses, United States Marshals Service	333,300,000	339,808,000	339,808,000	339,808,000	339,808,000	+6,508,000
Support of United States prisoners	234,125,000	319,384,000	307,700,000	312,884,000	312,884,000	+78,759,000
Assets forfeiture fund surplus	27,600,000					-27,600,000
Total budget authority available	261,725,000	319,384,000	307,700,000	312,884,000	312,884,000	+51,159,000
Fees and expenses of witnesses	81,010,000	103,022,000	103,022,000	103,022,000	103,022,000	+22,012,000
D.C. Informant Protection		1,400,000				
Total budget authority available	81,010,000	104,422,000	103,022,000	103,022,000	103,022,000	+22,012,000
Salaries and expenses, Community Relations Service	26,106,000	34,545,000	26,792,000	26,106,000	26,106,000	
Assets forfeiture Fund (Incl. H.R. 2118 Supp.)	58,000,000	63,000,000	60,275,000	58,000,000	55,000,000	-3,000,000
Total, Legal activities	2,555,586,000	2,295,047,000	2,255,540,000	2,254,843,000	2,269,035,000	-286,551,000
Radiation Exposure Compensation						
Administrative expenses	2,722,000	2,722,000	2,586,000	2,668,000	2,668,000	-54,000
Payment to radiation exposure compensation trust fund	170,750,000	250,000				-170,750,000
Total	173,472,000	2,972,000	2,586,000	2,668,000	2,668,000	-170,804,000
Interagency Law Enforcement						
Organized crime drug enforcement	385,248,000	384,381,000	384,381,000	382,381,000	382,381,000	-2,867,000
Federal Bureau of Investigation						
Salaries and expenses (Incl. H.R. 2118 Supp.)	1,932,023,000	1,976,005,000	1,949,305,000	1,954,305,000	1,954,305,000	+22,282,000
Identification division automation	75,400,000	84,400,000	75,400,000	84,400,000	84,400,000	+9,000,000
Total	2,007,423,000	2,060,405,000	2,024,705,000	2,038,705,000	2,038,705,000	+31,282,000

Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies, FY 1994 Appropriations Bill (H.R. 2519) - Continued

	FY 1993 Enacted	FY 1994 Estimate	House	Senate	Conference	Conference compared with enacted
Drug Enforcement Administration						
Salaries and expenses	718,684,000	731,639,000	718,684,000	727,161,000	722,000,000	+3,316,000
Diversion control fund	(12,000,000)	(42,123,000)	(42,123,000)	(42,123,000)	(42,123,000)	(+30,123,000)
Total budget authority available	(730,684,000)	(773,762,000)	(760,807,000)	(769,284,000)	(764,123,000)	(+33,439,000)
Immigration and Naturalization Service						
Salaries and expenses	965,000,000	1,094,052,000	1,059,000,000	1,048,538,000	1,048,538,000	+83,538,000
Immigration legalization fund	(8,281,000)	(2,248,000)	(2,248,000)	(2,248,000)	(2,248,000)	(-6,033,000)
Immigration user fund	(253,608,000)	(255,016,000)	(255,016,000)	(255,016,000)	(305,016,000)	(+51,408,000)
Land border inspection fund	(4,000,000)	(4,094,000)	(17,094,000)	(17,094,000)	(17,094,000)	(+13,094,000)
Immigration examinations fund	(337,415,000)	(347,529,000)	(347,529,000)	(347,529,000)	(347,529,000)	(+10,114,000)
Breached bond fund	(5,000,000)	(5,900,000)	(5,900,000)	(5,900,000)	(5,900,000)	(+900,000)
Immigration Emergency Fund		6,000,000			6,000,000	+6,000,000
Total budget authority available	(1,573,304,000)	(1,714,839,000)	(1,686,787,000)	(1,676,325,000)	(1,732,325,000)	(+159,021,000)
Federal Prison System						
Salaries and expenses	1,681,822,000	1,988,003,000	1,950,000,000	1,971,615,000	1,950,000,000	+268,178,000
Prior year carryover	(40,000,000)					(-40,000,000)
Transfer of excess criminal fines	(63,000,000)					(-63,000,000)
Offsetting fee collections		(48,360,000)	(48,360,000)	(48,360,000)	(48,360,000)	(+48,360,000)
Total budget authority available	(1,784,822,000)	(2,036,363,000)	(1,998,360,000)	(2,019,975,000)	(1,998,360,000)	(+213,538,000)
Proposed fees, offsetting receipts	-48,360,000					+48,360,000
National Institute of Corrections	10,250,000	10,211,000	10,211,000	9,995,000	10,211,000	-39,000
Buildings and facilities (incl. H.R. 2118 Supp.)	194,225,000	276,850,000	175,000,000	351,850,000	269,543,000	+75,318,000
Transfer from assets forfeiture fund			20,000,000			
Subtotal	194,225,000	276,850,000	195,000,000	351,850,000	269,543,000	+75,318,000
Federal Prison Industries, Incorporated (limitation on administrative expenses)	(3,181,000)	(3,395,000)	(3,100,000)	(3,395,000)	(3,395,000)	(+214,000)
Total	1,837,937,000	2,275,064,000	2,155,211,000	2,333,460,000	2,229,754,000	+391,817,000
Total, Department of Justice	9,663,372,000	9,839,212,000	9,449,351,000	9,668,002,000	9,578,895,000	-84,477,000
(Limitation on administrative expenses)	(3,181,000)	(3,395,000)	(3,100,000)	(3,395,000)	(3,395,000)	(+214,000)
RELATED AGENCIES						
Commission on Civil Rights						
Salaries and expenses	7,776,000	7,923,000	7,565,000	7,923,000	7,776,000	
Equal Employment Opportunity Commission						
Salaries and expenses	222,000,000	234,845,000	230,000,000	227,305,000	230,000,000	+8,000,000
Federal Communications Commission						
Salaries and expenses (incl. H.R. 2118 Supp.)	140,000,000	129,889,000	129,889,000	129,889,000	99,900,000	-40,100,000
Offsetting fee collections		(16,105,000)			(60,400,000)	(+60,400,000)
Total budget authority available	(140,000,000)	(145,994,000)	(129,889,000)	(129,889,000)	(160,300,000)	(+20,300,000)
Federal Maritime Commission						
Salaries and expenses	18,300,000	19,450,000	18,383,000	19,450,000	18,900,000	+600,000
Federal Trade Commission						
Salaries and expenses	69,650,000	71,740,000	69,740,000	69,740,000	67,920,000	-1,730,000
Offsetting fee collections	(16,900,000)	(17,275,000)	(19,000,000)	(19,000,000)	(20,820,000)	(+3,920,000)
Total budget authority available	(86,550,000)	(89,015,000)	(88,740,000)	(88,740,000)	(88,740,000)	(+2,190,000)
National Commission to Support Law Enforcement						
Salaries and expenses			500,000		500,000	+500,000
Securities and Exchange Commission						
Salaries and expenses (incl. H.R. 2118 Supp.)	115,535,000	57,856,000	57,856,000	57,856,000	57,856,000	-57,679,000
Offsetting fee collections - new	(96,000,000)			(172,000,000)	(171,621,000)	(+75,621,000)
Offsetting fee collections - carryover	(30,000,000)			(31,238,000)	(30,840,000)	(+840,000)
Investment Advisor Fee		16,587,000				
Investment advisor fee offsetting receipt		-16,587,000				
Special Fund (Registration Fees)		180,000,000				
Offsetting receipts		-180,000,000				
Total budget authority available	(241,535,000)	(57,856,000)	(57,856,000)	(261,094,000)	(260,317,000)	(+18,782,000)

Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies, FY 1994 Appropriations Bill (H.R. 2519) - Continued

	FY 1993 Enacted	FY 1994 Estimate	House	Senate	Conference	Conference compared with enacted
State Justice Institute						
Salaries and expenses 1/	13,550,000	20,000,000	13,550,000	13,000,000	13,550,000	.....
Total, related agencies	586,811,000	541,703,000	527,483,000	525,163,000	496,402,000	-90,409,000
Total, title I, Department of Justice and related agencies	10,250,183,000	10,380,915,000	9,976,834,000	10,193,165,000	10,074,797,000	-175,386,000
(Limitation on administrative expenses)	(3,181,000)	(3,395,000)	(3,100,000)	(3,395,000)	(3,395,000)	(+214,000)
TITLE II - DEPARTMENT OF COMMERCE						
National Institute of Standards and Technology						
Scientific and technical research and services	192,940,000	240,988,000	210,000,000	240,988,000	226,000,000	+33,060,000
(Transfer out)	.....	.....	.....	.....	-1,500,000	-1,500,000
Industrial technology services	86,067,000	232,524,000	.....	232,524,000	232,524,000	+146,457,000
Construction of research facilities	105,000,000	61,686,000	.....	61,686,000	61,686,000	-43,314,000
Total	384,007,000	535,198,000	210,000,000	535,198,000	518,710,000	+134,703,000
National Oceanic and Atmospheric Administration						
Operations, research & facilities (inc. HR 2118 Supp)	1,519,872,000	1,757,672,000	1,650,000,000	1,685,000,000	1,694,753,000	+174,881,000
(By transfer from Promote and Develop Fund)	(55,000,000)	(61,400,000)	(55,544,000)	(54,000,000)	(54,800,000)	(-200,000)
(By transfer from Damage assessment & restoration revolving fund, permanent)	.....	1,500,000	1,500,000	1,500,000	1,500,000	+1,500,000
(Damage assessment & restoration revolving fund)	-17,506,000	-1,500,000	-1,500,000	-1,500,000	-1,500,000	+16,006,000
Total	1,502,366,000	1,757,672,000	1,650,000,000	1,685,000,000	1,694,753,000	+192,387,000
Construction	94,500,000	79,063,000	89,775,000	109,703,000	109,703,000	+15,203,000
Fleet modernization, shipbuilding and conversion	30,000,000	23,064,000	23,064,000	77,064,000	77,064,000	+47,064,000
Aircraft procurement and modernization	.....	.....	.....	46,000,000	43,000,000	+43,000,000
Fishing vessel obligations guarantee	470,000	.....	459,000	459,000	459,000	-11,000
Fishing vessel and gear damage fund	1,306,000	1,335,000	1,273,000	1,273,000	1,273,000	-33,000
Fishermen's contingency fund	1,025,000	1,051,000	999,000	999,000	999,000	-26,000
Foreign fishing observer fund	565,000	564,000	550,000	550,000	550,000	-15,000
Total, National Oceanic and Atmospheric Administration	1,630,232,000	1,862,749,000	1,766,120,000	1,921,048,000	1,927,801,000	+297,569,000
General Administration						
Salaries and expenses	31,712,000	38,042,000	33,042,000	31,712,000	33,042,000	+1,330,000
Office of Inspector General	15,805,000	18,381,000	15,860,000	16,500,000	16,000,000	+195,000
Working capital fund (transfer in)	.....	.....	.....	.....	1,500,000	+1,500,000
Total	47,517,000	56,423,000	48,902,000	48,212,000	50,542,000	+3,025,000
Bureau of the Census						
Salaries and expenses	123,955,000	140,798,000	131,170,000	128,286,000	128,286,000	+4,331,000
Periodic censuses and programs	173,300,000	130,918,000	110,000,000	120,084,000	110,000,000	-63,300,000
Total	297,255,000	271,716,000	241,170,000	248,370,000	238,286,000	-58,969,000
Economic and Statistical Analysis						
Salaries and expenses	39,353,000	49,802,000	45,220,000	45,220,000	45,220,000	+5,867,000
International Trade Administration						
Operations and administration	213,851,000	246,333,000	221,445,000	251,103,000	248,590,000	+34,739,000
Export Administration						
Operations and administration	41,015,000	34,747,000	34,747,000	34,747,000	34,747,000	-6,268,000
Minority Business Development Agency						
Minority business development	37,889,000	45,381,000	38,362,000	43,381,000	42,100,000	+4,211,000
United States Travel and Tourism Administration						
Salaries and expenses	15,608,000	20,298,000	.....	20,298,000	17,120,000	+1,512,000
Proposed fees, offsetting receipts	-3,000,000	-3,000,000	.....	-3,000,000	-3,000,000	.....
Patent and Trademark Office						
Salaries and expenses	86,672,000	103,000,000	88,329,000	88,329,000	88,329,000	+1,657,000
Technology Administration						
Salaries and expenses	4,450,000	5,425,000	4,500,000	6,000,000	5,700,000	+1,250,000
National Technical Information Service						
NTIS revolving fund	8,000,000	.....	.....	.....	.....	-8,000,000
National Telecommunications and Information Administration						
Salaries and expenses	17,900,000	21,927,000	18,927,000	20,927,000	19,927,000	+2,027,000
Public telecommunications facilities, planning and construction	21,320,000	20,636,000	20,254,000	28,000,000	24,000,000	+2,680,000

Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies, FY 1994 Appropriations Bill (H.R. 2519) - Continued

	FY 1993 Enacted	FY 1994 Estimate	House	Senate	Conference	Conference compared with enacted
Endowment for Children's Educational Television	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	.....
Information Infrastructure grants	.....	51,000,000	21,746,000	31,000,000	26,000,000	+26,000,000
Total	40,220,000	94,563,000	61,927,000	80,927,000	70,927,000	+30,707,000
Economic Development Administration						
Economic dev. assistance programs (Inc. H.R. 2667 Supp)	417,000,000	223,150,000	.....	242,642,000	322,642,000	-94,358,000
Defense Economic Adjustment Community Assistance	.....	.....	.....	80,000,000	.....	.....
Salaries and expenses	26,243,000	30,151,000	26,284,000	30,151,000	28,000,000	+1,757,000
Administrative expenses	875,000	.....	.....	.....	.....	-875,000
Total	444,118,000	253,301,000	26,284,000	352,793,000	350,642,000	-93,476,000
Total, Department of Commerce	3,287,187,000	3,575,936,000	2,787,006,000	3,672,626,000	3,635,714,000	+348,527,000
(By transfer)	(55,000,000)	(61,400,000)	(55,544,000)	(54,000,000)	(54,800,000)	(-200,000)
TITLE III - THE JUDICIARY						
Supreme Court of the United States						
Salaries and expenses:						
Salaries of justices	1,601,000	1,641,000	1,616,000	1,616,000	1,616,000	+15,000
Other salaries and expenses	20,685,000	22,934,000	20,710,000	21,601,000	21,384,000	+699,000
Total	22,286,000	24,575,000	22,326,000	23,217,000	23,000,000	+714,000
Care of the building and grounds	3,320,000	3,120,000	2,699,000	2,983,000	2,850,000	-470,000
Total, Supreme Court of the United States	25,606,000	27,695,000	25,025,000	26,200,000	25,850,000	+244,000
United States Court of Appeals for the Federal Circuit						
Salaries and expenses:						
Salaries of judges	1,714,000	1,755,000	1,727,000	1,727,000	1,727,000	+13,000
Other salaries and expenses	9,840,000	13,357,000	11,400,000	10,468,000	11,173,000	+1,333,000
Total	11,554,000	15,112,000	13,127,000	12,195,000	12,900,000	+1,346,000
United States Court of International Trade						
Salaries and expenses:						
Salaries of judges	1,307,000	1,358,000	1,331,000	1,331,000	1,331,000	+24,000
Other salaries and expenses	9,038,000	10,904,000	9,769,000	9,387,000	9,669,000	+631,000
Total	10,345,000	12,262,000	11,100,000	10,718,000	11,000,000	+655,000
Courts of Appeals, District Courts, and Other Judicial Services						
Salaries and expenses:						
Salaries of judges	165,777,000	174,921,000	172,131,000	172,131,000	172,131,000	+6,354,000
Other salaries and expenses	1,813,223,000	2,252,519,000	2,017,000,000	1,898,269,000	1,983,869,000	+170,646,000
Offsetting fee collections	.....	.....	.....	.....	(12,800,000)	(+12,800,000)
Total budget authority available	(1,979,000,000)	(2,427,440,000)	(2,189,131,000)	(2,070,400,000)	(2,168,800,000)	(+189,800,000)
Vaccine Injury Compensation Trust Fund	2,075,000	2,172,000	2,063,000	2,075,000	2,160,000	+85,000
Defender services (Incl. H.R. 2118 Supp.)	270,121,000	387,268,000	297,252,000	286,170,000	280,000,000	+9,879,000
Fees of jurors and commissioners (Inc. HR 2118 Supp)	74,320,000	79,095,000	77,095,000	77,095,000	77,095,000	+2,775,000
Court security	81,253,000	105,965,000	84,500,000	80,952,000	86,000,000	+4,747,000
Total, Courts of Appeals, District Courts, and Other Judicial Services	2,406,769,000	3,001,940,000	2,650,041,000	2,516,692,000	2,601,255,000	+194,486,000
Administrative Office of the United States Courts						
Salaries and expenses	45,100,000	57,553,000	44,612,000	43,358,000	44,900,000	-200,000
Federal Judicial Center						
Salaries and expenses	17,500,000	20,453,000	18,467,000	18,296,000	18,450,000	+950,000
Judicial Retirement Funds						
Payment to Judiciary Trust Funds	8,520,000	20,545,000	20,545,000	20,545,000	20,545,000	+12,025,000
National Commission on Judicial Discipline and Removal						
Salaries and expenses	443,000	.....	.....	.....	.....	-443,000
United States Sentencing Commission						
Salaries and expenses	9,000,000	9,000,000	8,468,000	8,474,000	8,468,000	-532,000
Total, title III, the Judiciary	2,534,837,000	3,164,560,000	2,791,385,000	2,656,478,000	2,743,368,000	+208,531,000

Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies, FY 1994 Appropriations Bill (H.R. 2519) - Continued

	FY 1993 Enacted	FY 1994 Estimate	House	Senate	Conference	Conference compared with enacted
TITLE IV - RELATED AGENCIES						
Department of Transportation						
Maritime Administration						
Operating-differential subsidies (liquidation of contract authority)	(225,000,000)	(240,870,000)	(240,870,000)	(240,870,000)	(240,870,000)	(+15,870,000)
Operations and training	71,736,000	80,081,000	76,423,000	76,423,000	76,423,000	+4,687,000
Ready reserve force: Maintenance, Operations, and facilities	240,500,000	140,000,000	140,000,000	138,000,000	138,000,000	-102,500,000
Fleet addition	200,000,000	160,000,000	160,000,000	160,000,000	160,000,000	-40,000,000
Total, Ready reserve force	440,500,000	300,000,000	300,000,000	298,000,000	298,000,000	-142,500,000
Military useful vessel obligation guarantees:						
Guaranteed loans subsidy	48,000,000					-48,000,000
Administrative expenses	4,000,000					-4,000,000
Total, Military useful vessel obligation guarantees	52,000,000					-52,000,000
Total, Maritime Administration	564,236,000	380,081,000	376,423,000	374,423,000	374,423,000	-189,813,000
Christopher Columbus Quincentenary Jubilee Commission						
Salaries and expenses	200,000					-200,000
Commission on Agricultural Workers						
Salaries and expenses	578,000					-578,000
Commission on Immigration Reform						
Salaries and expenses	300,000	1,452,000	900,000	500,000	618,000	+318,000
(By transfer)					(500,000)	(+500,000)
Commission on Security and Cooperation in Europe						
Salaries and expenses	1,102,000	1,099,000	1,047,000	1,099,000	1,099,000	-3,000
Competitiveness Policy Council						
Salaries and expenses	1,223,000	1,200,000	1,140,000	1,140,000	1,140,000	-83,000
Marine Mammal Commission						
Salaries and expenses	1,260,000	1,290,000	1,226,000	1,290,000	1,290,000	+30,000
Martin Luther King, Jr. Federal Holiday Commission						
Salaries and expenses	300,000	302,000	300,000	500,000	500,000	+200,000
Office of the United States Trade Representative						
Salaries and expenses (Incl. H.R. 2118 Supp.)	20,492,000	20,143,000	21,318,000	20,143,000	20,600,000	+108,000
Small Business Administration						
Salaries and expenses	246,800,000	227,494,000	243,326,000	215,000,000	258,900,000	+12,100,000
Office of Inspector General	8,300,000	9,454,000	7,962,000	7,962,000	7,962,000	-338,000
Business Loans Program Account:						
Direct loans subsidy	20,479,000	21,032,000	22,994,000	21,032,000	16,946,000	-3,533,000
Guaranteed loans subsidy (Incl. H.R. 2118 Supp.)	388,920,000	191,955,000	219,459,000	191,955,000	196,041,000	-192,879,000
Administrative expenses (Incl. H.R. 2667 Supp.)	107,101,000	99,723,000	94,737,000	94,737,000	94,737,000	-12,364,000
Total	516,500,000	312,710,000	337,190,000	307,724,000	307,724,000	-208,776,000
Disaster Loans Program Account:						
Direct loans subsidy (Incl. H.R. 2118 & 2667 Supps)	60,000,000	49,925,000	75,000,000	65,000,000		-60,000,000
Administrative expenses	78,000,000	80,106,000	76,101,000	76,101,000	76,101,000	-1,899,000
Subtotal	138,000,000	130,031,000	151,101,000	141,101,000	76,101,000	-61,899,000
Contingency fund (Incl. H.R. 2667 Supp.)	(95,000,000)			(75,000,000)	(140,000,000)	(+45,000,000)
Surety bond guarantees revolving fund	13,020,000	13,372,000	12,369,000	12,369,000	7,000,000	-6,020,000
Total, Small Business Administration	922,620,000	693,061,000	751,948,000	684,156,000	657,687,000	-264,933,000
Thomas Jefferson Commemoration Commission						
Salaries and expenses (Incl. H.R. 2118 Supp.)	100,000	200,000	62,000		62,000	-38,000
Legal Services Corporation						
Payment to the Legal Services Corporation 2/	357,300,000	525,515,000		349,000,000	400,000,000	+42,700,000
Total, Related agencies	1,869,711,000	1,624,343,000	1,154,364,000	1,432,251,000	1,457,419,000	-412,292,000
(Limitation on direct loans)						
(Limitation on guaranteed loans)						
(Liquidation of contract authority)	(225,000,000)	(240,870,000)	(240,870,000)	(240,870,000)	(240,870,000)	(+15,870,000)

Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies, FY 1994 Appropriations Bill (H.R. 2519) - Continued

	FY 1993 Enacted	FY 1994 Estimate	House	Senate	Conference	Conference compared with enacted
TITLE V - DEPARTMENT OF STATE AND RELATED AGENCIES						
DEPARTMENT OF STATE						
Administration of Foreign Affairs						
Diplomatic and Consular Programs 3/	.....	1,667,584,000	1,612,206,000	1,653,184,000	1,704,589,000	+1,704,589,000
Salaries and expenses 3/	2,134,000,000	506,416,000	481,416,000	455,816,000	396,722,000	-1,737,278,000
Registration fees	700,000	700,000	665,000	665,000	665,000	-35,000
Total	2,134,700,000	2,174,700,000	2,094,287,000	2,109,665,000	2,101,976,000	-32,724,000
Buying power maintenance	14,000,000	4,000,000	3,800,000	3,000,000	.....	-14,000,000
Office of Inspector General	24,055,000	24,055,000	23,469,000	23,469,000	23,469,000	-586,000
Representation allowances	4,900,000	4,881,000	4,780,000	4,780,000	4,780,000	-120,000
Protection of foreign missions and officials	10,814,000	10,814,000	10,551,000	10,551,000	10,551,000	-263,000
Acquisition and maintenance of buildings abroad	570,500,000	420,500,000	381,481,000	410,000,000	410,000,000	-160,500,000
New Diplomatic posts	25,000,000	.....	.....	.....	.....	-25,000,000
Emergencies in the diplomatic and consular service	8,000,000	8,000,000	7,805,000	7,805,000	7,805,000	-195,000
Repatriation loans program account:						
Direct loans subsidy	624,000	624,000	186,000	593,000	593,000	-31,000
(Limitation on direct loans)	(780,000)	(780,000)	.....	.....	.....	(-780,000)
Administrative expenses	193,000	193,000	.....	183,000	183,000	-10,000
Total	817,000	817,000	186,000	776,000	776,000	-41,000
Payment to the American Institute in Taiwan	15,543,000	15,484,000	15,165,000	15,165,000	15,165,000	-378,000
Payment to the Foreign Service Retirement and Disability Fund	119,082,000	125,084,000	125,084,000	125,084,000	125,084,000	+6,002,000
Total, Administration of Foreign Affairs	2,927,411,000	2,788,335,000	2,666,608,000	2,710,295,000	2,699,606,000	-227,805,000
International Organizations and Conferences						
Contributions to international organizations	820,495,000	860,885,000	.....	860,885,000	860,885,000	+40,390,000
Arrearage payments	92,719,000	97,719,000	.....	44,041,000	.....	-92,719,000
Arrearage payments, advance appropriation, FY 1995	.....	163,016,000	.....	.....	.....	.....
Total	913,214,000	1,121,620,000	.....	904,926,000	860,885,000	-52,329,000
Contributions for international peacekeeping activities	438,323,000	597,744,000	401,607,000	422,744,000	401,607,000	-36,716,000
Arrearage payments	21,992,000	21,992,000	20,892,000	21,992,000	.....	-21,992,000
Arrearage payments, advance appropriation, FY 1995	.....	21,992,000	.....	.....	.....	.....
Total	460,315,000	641,728,000	422,499,000	444,736,000	401,607,000	-58,708,000
International conferences and contingencies	5,600,000	6,600,000	5,463,000	6,600,000	6,000,000	+400,000
Total, International Organizations and Conferences	1,379,129,000	1,769,948,000	427,962,000	1,356,262,000	1,268,492,000	-110,637,000
International Commissions						
International Boundary and Water Commission, United States and Mexico:						
Salaries and expenses	11,330,000	11,330,000	11,054,000	11,330,000	11,200,000	-130,000
Construction	14,790,000	14,790,000	14,051,000	14,790,000	14,400,000	-390,000
American sections, international commissions	4,403,000	4,403,000	4,290,000	4,290,000	4,290,000	-113,000
International fisheries commissions	14,200,000	14,200,000	14,200,000	18,200,000	16,200,000	+2,000,000
Total	44,723,000	44,723,000	43,595,000	48,610,000	46,090,000	+1,367,000
Other						
United States Bilateral Science and Technology Agreements	4,500,000	4,500,000	4,275,000	4,275,000	4,275,000	-225,000
Payment to the Asia Foundation	16,693,000	16,693,000	16,287,000	15,000,000	16,000,000	-693,000
Russian, Eurasian, and East European research and training program	4,961,000	.....	.....	.....	.....	-4,961,000
Total	26,154,000	21,193,000	20,562,000	19,275,000	20,275,000	-5,879,000
Total, Department of State	4,377,417,000	4,624,199,000	3,158,727,000	4,134,442,000	4,034,463,000	-342,954,000
RELATED AGENCIES						
Arms Control and Disarmament Agency						
Arms control and disarmament activities	46,500,000	62,500,000	47,279,000	58,000,000	53,500,000	+7,000,000
Board for International Broadcasting						
Grants and expenses	220,000,000	220,000,000	.....	206,000,000	210,000,000	-10,000,000
Israel Relay Station (rescission) & (H.R. 2118 Resc.)	-180,000,000	.....	-180,000,000	.....	.....	+180,000,000
Commission for the Preservation of America's Heritage Abroad						
Salaries and expenses	200,000	200,000	200,000	200,000	200,000	.....

Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies, FY 1994 Appropriations Bill (H.R. 2519) - Continued

	FY 1993 Enacted	FY 1994 Estimate	House	Senate	Conference	Conference compared with enacted
International Trade Commission						
Salaries and expenses	44,852,000	45,416,000	44,391,000	42,000,000	43,500,000	-1,352,000
Japan - United States Friendship Commission						
Japan - United States Friendship Trust Fund	1,250,000	1,250,000	1,250,000	1,250,000	1,250,000	.....
(Foreign currency appropriation)	(1,420,000)	(1,420,000)	(1,420,000)	(1,420,000)	(1,420,000)	.....
United States Information Agency						
Salaries and expenses	736,693,000	773,024,000	730,000,000	741,693,000	730,000,000	-6,693,000
Office of Inspector General	4,390,000	4,390,000	4,247,000	4,247,000	4,247,000	-143,000
Educational and cultural exchange programs	223,447,000	242,922,000	217,650,000	250,702,000	242,000,000	+18,553,000
Eisenhower Exchange Fellowship Program, trust fund	300,000	300,000	300,000	300,000	300,000	.....
Israeli Arab scholarship program	397,000	159,000	159,000	159,000	159,000	-238,000
Radio construction	103,647,000	103,620,000	75,164,000	57,620,000	75,164,000	-28,483,000
Broadcasting to Cuba	28,531,000	28,351,000	.....	28,351,000	21,000,000	-7,531,000
East-West Center	26,000,000	26,000,000	23,000,000	26,000,000	26,000,000	.....
Russian Far East technical assistance center	2,000,000	.....	.....	.....	.....	-2,000,000
North/South Center	8,700,000	.....	8,000,000	.....	8,700,000	.....
National Endowment for Democracy	30,000,000	50,000,000	.....	35,000,000	35,000,000	+5,000,000
Total	1,164,105,000	1,228,766,000	1,058,520,000	1,144,072,000	1,142,570,000	-21,535,000
Total, related agencies	1,296,907,000	1,558,132,000	971,640,000	1,451,522,000	1,451,020,000	+154,113,000
Total, title V, Department of State and related agencies	5,674,324,000	6,182,331,000	4,130,367,000	5,585,964,000	5,485,483,000	-188,841,000
Grand total	23,616,242,000	24,928,085,000	20,839,956,000	23,540,484,000	23,396,781,000	-219,461,000
Fiscal year 1994	(23,616,242,000)	(24,743,077,000)	(20,839,956,000)	(23,540,484,000)	(23,396,781,000)	(-219,461,000)
Fiscal year 1995	.....	(185,008,000)	.....	.....	.....	.....
(By transfer)	(55,000,000)	(61,400,000)	(55,544,000)	(54,000,000)	(55,300,000)	(+300,000)
(Limitation on administrative expenses)	(3,181,000)	(3,395,000)	(3,100,000)	(3,395,000)	(3,395,000)	(+214,000)
(Limitation on direct loans)	(780,000)	(780,000)	.....	.....	.....	(-780,000)
(Liquidation of contract authority)	(225,000,000)	(240,870,000)	(240,870,000)	(240,870,000)	(240,870,000)	(+15,870,000)
(Foreign currency appropriation)	(1,420,000)	(1,420,000)	(1,420,000)	(1,420,000)	(1,420,000)	.....

1/ The State Justice Institute is authorized to submit its budget directly to Congress. The President's budget proposes elimination of the Institute.

2/ The Legal Services Corporation is authorized to submit its budget request directly to Congress. The President's budget includes $432,000,000 for the Corporation. Includes H.R. 2667 Supp.H.R. 2667 Supp.

3/ The President's budget included this request in a combined Salaries and expenses account which totaled $2,174,000,000.

Mr. SMITH of Iowa. Mr. Speaker, a number of questions have been raised on the intent of the conferees regarding the appropriations for the U.S. Information Agency educational and cultural exchange programs account.

The House proposed an appropriation of $217,650,000 for this USIA appropriation account and provided 95 percent of adjusted current services for programs. The House allowance also assumed that Freedom Support Act exchange programs that had been previously funded by the Foreign Operations, Export Financing, and Related Programs Appropriations Act should continue to be funded by that act. The House report did not provide a table detailing recommended funding levels for each program.

The Senate version of H.R. 2519 provided $250,702,000 for the educational and cultural exchange programs account and Senate Report 103–105 on pages 115 and 116 provided a table that provides recommended funding levels by exchange program. The Senate also concurred with the House and deleted funding requested by the administration for Freedom Support Act exchanges. Finally, and most importantly, the Senate recommended that $19,255,000 in exchange support costs be supported from within funds provided for the educational and cultural exchange program account.

The conferees agreed to provide $242,000,000 for the educational and cultural exchange programs account, but did not provide a table detailing recommendations by exchange program. The conferees did, however, note that increases should be provided for the following programs; the International Visitor Program, the Fulbright and other academic programs—to include Vietnamese student exchanges and CAMPUS—the Claude and Mildred Pepper Scholarship Program, various new exchange programs—to include the Mike Mansfield Fellowship Program and exchanges for Pacific Island nations in the Western and South Pacific, if authorized—the American Studies Program—if authorized, and the Humphrey Fellowship. This approach was taken because the House felt that we should provide flexibility to the Director of USIA in the funding levels for various exchanges, and that the USIA should submit a reprogramming proposal to the House and Senate Appropriations Committees.

Mr. Speaker, unfortunately the Statement of Managers inadvertently omitted to mention that the conferees had also agreed to include exchange support costs within the educational and cultural exchange programs appropriation account. It is my belief that the reprogramming that USIA sends to us should include at least $13 million for exchange support costs.

I hope that this statement clears up any confusion regarding the conferees intent.

Mr. KANJORSKI. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, I think the gentleman made the point. I think we have to assist countries like Albania, but can the Members tell me anything that disallows the State Department of the United States to enter into a contract with an agency such as the Endowment for Democracy that could not provide funds for countries like Albania? Why does this have to be a direct earmarked amount of money that has been unaccountable to the Congress or to the President or to the State Department?

Mr. SMITH of Iowa. Will the gentleman yield?

Mr. KANJORSKI. I yield to the gentleman from Iowa.

Mr. SMITH of Iowa. It is not unaccountable, I would say to the gentleman.

Mr. KANJORSKI. If it is accountable, does the chairman of the subcommittee know all the consultants? Does the chairman know all the people that have used money to travel including Members of the House and Senate?

Mr. SMITH of Iowa. If the gentleman will continue to yield, in the first 2 years when the NED set up there were some abuses. I do not think they have had those abuses since. In the first 2 years they could not make the grants because there were not institutions that could take the funds and use them wisely. The NED made the grants too fast, but that is not going on now.

Mr. KANJORSKI. I would ask the gentleman, is there any reason why the same activities carried on in Albania could not be carried on through contract arrangements with the State Department, and without a direct earmark to the Endowment for Democracy?

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

Mr. BERMAN. Mr. Speaker, I yield such time as she may consume to the gentlewoman from New York [Mrs. LOWEY].

Mrs. LOWEY. Mr. Speaker, I rise in strong support of the committee position on the National Endowment for Democracy.

Mr. Speaker, I rise in opposition to the Kanjorski amendment, which would insist on the House position eliminating funding for the National Endowment for Democracy.

I oppose the Kanjorski amendment because the Endowment and its four core grantees—the National Democratic Institute, the International Republican Institute, the Center for International Private Enterprise and the Free Trade Union Institute—provide the best kind of aid the United States can provide. They export democracy.

I know. I have seen the Endowment's work.

In April, as a member of the Appropriation Committee's Subcommittee on Foreign Operations, I participated in the leadership's study mission to Russia and Ukraine. When our delegation arrived in Kiev, in Ukraine, we were met by Sarah Farnsworth, who heads a two-person National Democratic Institute team in Kiev.

Sarah, a young political organizer from the United States, told us that her job in Ukraine is to teach Ukranians how to run a modern democracy. She advises political parties and local officials. She works with city councils and with the Ukranian parliament.

And every Ukranian we talked to told us how important her work is. After all, Ukraine is a new democracy and after decades under the Soviet boot, Ukranians need American know-how to help them make democracy work.

Sarah's work is typical of programs the National Endowment for Democracy Funds throughout the world.

In Cambodia, the National Democrat and Republican Institutes worked to organize the first democratic elections ever held in that country. Young Americans spent a year living in Cambodia, risking their lives to give the people of that country a chance for peace and democracy after decades of war and genocide.

In Russia, the National Democratic Institute is working with Russian television, civic organizations, and political parties to promote voter education and participation in the election scheduled for December. Recent events in Russia demonstrate just how essential such United States-Russian cooperation is if real democracy is to take hold.

In South Africa, the National Democratic and Republican Institutes are there helping to organize next April's election which will lead to the establishment of a democratic South Africa and the dismantling of apartheid.

In short, the Endowment and its core grantees, are all over the world helping to create that new world order we talk about so much.

It is inconceivable that we would cut funding for a program that has done so much to build democracy in places that have never known democracy

The National Endowment for Democracy deserves our support. It is one Government agency that would make Thomas Jefferson proud.

Defeat this amendment.

Mr. BERMAN. Mr. Speaker, I yield 1 minute to the gentlewoman from California [Ms. HARMAN].

Ms. HARMAN. Mr. Speaker, I rise to join Presidents Clinton, Bush, Reagan, Carter, Ford, and Nixon, and many colleagues in support for $35 million for the National Endowment for Democracy.

I can personally attest to the importance and effectiveness of NED-funded activities, having participated in a number of programs of the National democratic Institute [NDI]. NDI is a core grantee of the NED, as is the National Republican Institute [NRI].

In 1988, I served as a member of the bipartisan international observer delegation to the historic presidential plebiscite which led to the defeat of General Pinochet. That delegation was led by Bruce Babbitt and former President Adolfo Suarez of Spain. NDI's program and other NED-funded activities provided timely support to Chile's free elections movement which spearheaded the country's return to democracy after 16 years of brutal dictatorship.

In 1990, I participated in bipartisan political development programs in Hungary and Czechoslovakia in preparation for their first multiparty elections in nearly 50 years. As Vaclav Havel has noted, NDI was one of the first supporting actors in the democratic resolution in the Czech and Slovak Republics and contributed significantly to the country's first free elections.

From my experience, the success of NED-funded programs in these three countries alone would have justified the Endowment's entire worldwide budget. Today, requests for assistance from democratic leaders overseas far outstrip the Endowment's modest resources.

I have witnessed the importance of these highly innovative democratic development programs and believe that they represent a convergence of the moral and strategic interests of the United States. The promotion of democracy and human rights not only reflects the best values of our country, but serves our strategic interests by promoting a more peaceful world.

I urge my colleagues to adopt the motion and support this valuable program.

□ 1410

Mr. ROGERS. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois [Mr. PORTER], a very valued member of our committee.

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

Mr. Speaker, the debate today over NED funding is, part of a larger debate that has gained momentum as the cold war recedes into the past, a debate over the direction that America will play in the coming years in promoting its interests overseas.

Will we turn inward or look outward? History tells us that retreating inward is a shortsighted and ultimately destructive path for our Nation. In an increasingly linked and interdependent world, it is in our national interest that we take every opportunity to project our values outward—to peoples beyond our shores.

We must use tools other than diplomacy or the force of arms to ensure that communism does not reemerge in nations that have only recently shaken its yoke and is buried in the nations where it remains—including China, Cuba, Vietnam, and North Korea. Those tools include VOA and the surrogate radio RFE, RL, RFA, and yes NED. NED is in fact one of the best tools we have to project our Nation's values—human rights, rule of law, democratic institutions and a market oriented economy and it deserves our support.

NED has been criticized for providing grants to labor and business, Republicans and Democrats. From a political standpoint this approach gives everyone something to dislike about the activities of NED. It seems to me, however, that the activities funded by NED accurately reflect the very diversity of our Nation that we are trying to promote in countries whose institutions have been monolithic and centrally controlled for generations. Our goal as a nation—and de Tocqueville would not be surprised to see America promoting this concept—is to foster a wealth of institutions, both public and private, in emerging democracies. We have done it here at home and these institutions are the backbone of our pluralistic system. It is in our best interests to help other nations develop alternatives to central planning. NED is serving a vital national need that we should be supporting now more than ever. I hope that Members will recognize that cementing the gains we have made during the cold war is essential to our own future prosperity and support the conference report funding for NED.

Mr. BERMAN. Mr. Speaker, I yield 1 minute to the gentleman from Indiana [Mr. ROEMER].

Mr. ROEMER. Mr. Speaker, I oftentimes come to the floor to encourage my colleagues to vote against the space station, to vote against the advanced solid rocket motor, and to try to lead efforts to reform Congress. In the spirit of all three of those things, I encourage my colleagues today to support the reforms that we are making in the National Endowment for Democracy, and we are making those reforms.

There are three reasons why we should support the gentleman from California [Mr. BERMAN] in his efforts. First of all, the world is changing and we must respond to those changes. Who would have imagined 5 years ago that Mr. Mandela and Mr. de Klerk would be awarded the Nobel Peace Prize? Who would have imagined many of us would have viewed or had an opportunity to see Mr. Arafat and Mr. Rabin shake hands on the White House lawn? We must respond to those efforts of peace in the world.

Second, we need to be proactive. We have spent hours of debate over the few weeks on Haiti and Somalia. Let us be proactive so as not to get into those situations, and the National Endowment for Democracy can help us not become engulfed in those situations.

Finally, we have reformed this program. We have gone down from your vote a few months ago, from $48 to $35 million. And we have come up with better auditing and accounting principles to account for money spent in this program.

I encourage my colleagues, with a tough vote, to support the National Endowment for Democracy.

Mr. ROGERS. Mr. Speaker, I yield 3 minutes to the very distinguished gentleman from New York [Mr. GILMAN], the ranking Republican on the Committee on Foreign Affairs.

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

Mr. Speaker, I am pleased to rise in strong support for the funding contained in this appropriations conference report for the National Endowment for Democracy. I commend the leadership of the House conferees, specifically the chairman of the Subcommittee on Commerce, Justice, State and Judiciary Subcommittee, the gentleman from Iowa [Mr. SMITH] and the gentleman from Kentucky [Mr. ROGERS], the ranking Republican member, and the gentleman from California [Mr. BERMAN] who serves on our Foreign Affairs Committee for their efforts to continue funding for this important tool of our Nation's foreign policy.

As recent events have dramatized, no single foreign policy challenge facing the United States today in the postcold war era is of greater importance than helping the former States of the Soviet Union and other countries as they make the transition to democracy. This is a long and difficult process. Many of these countries remain in turmoil and will for years to come. A return to authoritarian order would impose a threat to our national interests and to the prospects for a peaceful world.

That is why it is so important to assist those who are trying to build democracy in the successor States of the Soviet Union, and the other courageous countries who share our values. If they succeed, it will serve American interests. It will mean lower defense costs, more stable trading partners, fewer refugees who must flee tyranny, and a more stable world.

Cementing this stability is one of the best arguments for continuation of the National Endowment for Democracy. It is a cost effective program that seeks to help people organize to meet the challenges of managing and running democratic governments. Establishing democratic institutions is often a matter of breaking new ground and, therefore, requires the kind of reliable support provided by NED. Withdrawing from these commitments, and the programs the organizations and its grantees already have underway would undermine the goals which we all seek.

We are reorienting our priorities in the post-cold-war era. Our Nation's emphasis is one of supporting the transition to democratic governments and to securing our national interests by creating the environment for a politically, and economically stable world. NED is our frontline force to carry out these policies. Accordingly, I urge my colleagues to reject any effort to cut funding for the National Endowment for Democracy and agree to recede and concur in the Senate amendment.

As the Wall Street Journal editorialized yesterday, October 20, 1993:

> It's abundantly obvious that many emerging nations need help in constructing democratic institutions (the U.S. hardly got it right overnight) and a vote to support the Endowment would show that the House recognizes that fact.

Mr. ROGERS. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Kansas [Mrs. MEYERS].

Mrs. MEYERS of Kansas. Mr. Speaker, I rise in strong support of the National Endowment for Democracy.

Mr. Speaker, I would like to express my support for the appropriation for the National Endowment for Democracy and ask my colleagues to reverse the House's decision and join me in support of this vital program. This vote will be one that our children and grandchildren will look back upon as one that decided whether the United States would offer support to countries trying to develop democratic systems.

Mr. Speaker, we all rejoiced when Boris Yeltsin was victorious in his confrontation with the Communist-era Supreme Soviet. Yet for that victory to mean anything, the Russian parliamentary elections scheduled for December must be free and fair and elect a parliament committed to reform and democracy. Shouldn't the United States provide some assistance to the pro-democracy candidates and parties? The National Endowment for Democracy is the best—and in many cases the only—way to provide this assistance. Or are we willing to see an election where the neo-Communists, Fascists, and ultra-nationalists have the organizational advantage? It would be a bitter irony indeed, if the forces loyal to Rutskoi and Khasbulatov could win this election because they had a better political machine than the democratic reformers.

The National Endowment for Democracy was developed during the cold war, and played an important role in ending communism. Yet it is still vitally important in consolidating that victory. It is still an open question whether these formerly Communist countries will become democracies or disintegrate into ethnic civil wars. If you would prefer to send trade missions overseas rather than peacekeeping troops, support the NED. It is important.

Mr. BERMAN. Mr. Speaker, I yield 2 minutes to the gentleman from Maryland [Mr. HOYER].

□ 1420

Mr. HOYER. I thank the gentleman for yielding this time to me. I thank the gentleman from California, [Mr. BERMAN], chairman, of the subcommittee, as well as the chairman of the committee, the gentleman from Iowa, [Mr. SMITH].

I rise in very, very strong support of the committee's action. The $35 million to further democracy is certainly one of the best investments we will make this year. As you have heard the gentlewoman from California say, every living President, Republican and Democratic, supports NED. Why? Because they have confronted firsthand the challenge of enshrining and furthering democracy around the world, which is in the best interest of every American and it is in the best interest of international stability and security.

This is one, as I said before, of the best investments we will make this year. We ought not to shrink from the world, we ought to engage it.

I would respond to my friend from Pennsylvania [Mr. KANJORSKI] when he implies that the Democratic Party and the Republican Party are somehow special interests—they are indeed in the general interest. The parties have philosophical differences, but something that they have in common with one another is a belief in democracy, in freedom, and in justice. And it is together, because that is our common interest and our common cause.

We go abroad and we encourage those who reach for freedom, who reach for democracy, who reach for the dream that they call American democracy, as Vaclev Havel said on this floor to a joint session. We reach out to them not in a partisan sense but in an American sense. That is why this program engages both parties.

Then, yes, we have differences. Labor and business have differences, they have different perspectives; but a perspective that they share in common is that democracy leads to the welfare of all of us and leads to the welfare of both labor and of business. That is why I suggest to my friend from Pennsylvania that we have adopted a program that brings together the partisans in this country, business and labor, to say that while we have differences, it is not on the importance of furthering democracy in this globe. I believe that we ought to support this program as strongly as possible.

Mr. Speaker, I would be glad to yield to the gentleman from Pennsylvania [Mr. KANJORSKI] on his time, as I do not have any time remaining.

Mr. KANJORSKI. Mr. Speaker, I rise today in strong support of the National Endowment for Democracy.

This is a program that works and that we need to have continue with its work. It is a program strongly supported by our President and by two former Presidents. It is a program vigorously supported by Presidents of foreign countries who have come to power through democratic means and who are now in need of America's help in building democratic institutions.

Mr. Speaker, it is true that we are witness to an unprecedented era of democratization across the globe and that more people are living more freely than ever before. But the sad truth is that the clear majority of the member States in the United Nations lack even the superficial trappings of the rule of law based on justice. Even in places where progress has apparently been achieved, events in Moscow are a stark reminder of just how very fragile progress may be. Mr. Speaker, to vote against NED would destroy an organization that has actively and constructively furthered democracy worldwide and seriously cripple a major U.S. foreign policy objective to shore up democracies worldwide. The fact is we have spent hundreds of billions of dollars on defense and on arming other countries in the name of making the world safe for democracy—how can we now—with the wave of the future surely being one of democracy, not invest $35 million to solidify our gains and ultimately ensure their success. Why now, at the very moment when we are perched on the threshold of realizing the sacrifices we have made as a Nation and a people in the name of democracy, human rights, and freedom, would we stop a program specifically mandated to help groups construct and build upon the democratic gains already made. Frankly, Mr. Speaker, NED is needed more now than ever before.

As cochairman of the Commission on Security and Cooperation in Europe, I am particularly familiar with NED's work in East-Central Europe and in Russia. Nobody needs to be reminded of the sweeping changes we have seen in those regions—changes that continue to impress and inspire. But while communism seemed to collapse overnight, democracy will take years to secure, and while NED's assistance has directly contributed to the democratic changes that have already taken place in East-Central Europe and in Russia, I want to stress that NED's continuing assistance will be vital to ensure that democracy survives.

Mr. Speaker, how can we seriously speak of denying tools by which to construct their democratic future to those very people and groups who look to the United States and its arsenal of democracy as a beacon of hope—and of what can be. Are we prepared to say to these people that having won the cold-war we are no longer interested in ensuring democratic systems and maintaining peace and stability. This is not only short-sighted, it will in the long run undermine all our successes.

Across the former Soviet Union, all but one of the newly independent states has an ex-Communist as its president. Gradually we have seen the restoration of the old elite. This is not good news for the long-term prospects for democracy. Azerbaijan and Armenia remain locked in battle in one of the bloodiest and longest running conflicts in the former Soviet Union. In the past year, thousands in Georgia have been killed and many more have become refugees in the war with Abkhazia. Georgia's defeat several weeks ago and the fall of the Abkhaz capital, to Abkhaz forces aided by Russians and northern Caucasians, have inaugurated a new stage in the multiple crises that have bedeviled this beautiful country. The fact is, Mr. Speaker, we have yet to read the final chapter on democratization. If we refuse to assist fledgling democracies we will have dictated a better ending to a peace that could have yielded institutions to protect and promote human rights.

Mr. Speaker, if there is a cost-saving mechanism this is it. It is an investment in our future and in America's security. For a small amount today, we can in the long-term save literally billions of dollars. The reason is simple: democracies do not go to war with other democracies, democracies attempt to resolve conflicts in peaceful ways, democracies make valuable trading partners, and democracies honor the rights of its citizens. Today, we are asked to make a small investment in people and programs that can yield extraordinary dividends in years to come if we keep the vision within sight. The real fact is that we cannot afford the failure of those groups, individuals and programs that NED supports. It is in our national interests that democracy be actively promoted abroad.

Just in the past year NED has provided assistance in almost 80 countries—in Africa,

Asia, Europe, Latin America and the Middle East. It has supported women's leadership conferences, election monitoring activities, political party training programs, grassroots participation and technical assistance to local governments, political parties, parliaments, businesses and civic groups. Our support for NED has been a small investment that has already delivered a tremendous return and promises much more.

Mr. Speaker, I understand my colleagues' concern that NED's funds be carefully and comprehensively accounted for and spent wisely. Certainly, we all have a responsibility to ensure that taxpayer dollars are responsibly spent. The fact is that NED has already increased internal auditing to ensure that its resources are used as cost-effectively as possible. Frankly, killing the endowment will send a terrible signal to the numerous democratic organizations that depend on NED for assistance. It will send a terrible signal to the brave individuals around the world who rely on NED's commitment to democracy. It will send a terrible signal to the fledgling democracies at a time when they need our determined support. In short, it will be a terrible mistake.

Mr. KANJORSKI. Mr. Speaker, I yield 30 seconds to the gentleman from Maryland in order that I may ask him a question.

Mr. HOYER. I am glad to yield to the gentleman.

Mr. KANJORSKI. I thank the gentleman.

Mr. Speaker, if it is so good for democracy that the Republican Party and the Democratic Party and the Chamber of Commerce and the AFL-CIO are getting together and spending this money, particularly here in the House, would the gentleman not agree that part of democracy is disclosure? And does the gentleman not think then that it is responsible that the NED and its grantees disclose how many congressional staff and how many Members of the House and Senate travel of these funds but do not make public disclosure to their constituents and to the taxpayers?

Mr. HOYER. I would say to my friend from Pennsylvania that there is no doubt in my mind that the institutes and that the National Endowment for Democracy will in fact disclose such information as the committees believe appropriate to carry out their oversight responsibilities.

Mr. KANJORSKI. The committee has never asked for it.

Mr. BERMAN. Mr. Speaker, I yield myself 30 seconds in order to respond to the gentleman.

No. 1, I take umbrage, as chairman of the subcommittee with oversight jurisdiction over the National Endowment for Democracy, I take umbrage at the implication that there is no oversight, that this committee does not do its job, that this committee does not have access to any piece of information that it wants from either the National Endowment for Democracy or any of its core grantees. The fact is there is oversight, there is a description of every single program, there is a description of exactly how these core grantees do business. If the gentleman from Pennsylvania wants a specific piece of information, then the gentleman can inquire.

Mr. ROGERS. Mr. Speaker, I yield 3 minutes to the very distinguished gentleman from California [Mr. DREIER], a member of the Committee on Rules.

Mr. DREIER. I thank the gentleman for yielding this time to me.

Mr. Speaker, I rise in strong support of the National Endowment for Democracy. Some around here have talked about the need to bring about this $35 million cut in the name of deficit reduction. Well, quite frankly, the idea of believing that you can cut NED in the name of deficit reduction is about as smart as a weight-loss program that advocates losing 10 pounds by cutting off your arm. Killing NED is something best proposed during "Be Kind to Dictators Week." If NED dies, there will be applause the world over. Unfortunately, it will resonate from the headquarters of every military strong-man, antidemocratic warlord, Communist apparatchik and local meeting of Future Dictators Anonymous.

On the other hand, if NED goes forward, there will also be cheers. Mr. Speaker, in this case, they will be led by the captains of groups and parties who are on the front lines of democracy-building in places as far away as China, Russia, Southern Africa, Southeast Asia, and central Europe.

Mr. Speaker, it is easy to claim victory, to claim to support to democracy when you sit behind a very comfortable desk here in Washington, DC. On the other hand, it is tough to fight for those principles in the face of police states, fascist thugs and Communist dictators. When you fight for democracy in places like China, Cambodia, and Tibet, you put your life on the line.

Fang Lizhi, known as China's Sakharov, has done just that, and he strongly supports National Endowment for Democracy funding. It is very much the same thing throughout Central and Eastern Europe. Communism has large collapsed, but democracy has not yet won. Just as the cold war was a 45-year, twilight struggle between good and evil, the ultimate victory of democracy, human rights, and human dignity will not be achieved in a year or two. That is why Vytautus Landsbergis and Elena Bonner strongly support the NED. There is no longer one major battle between democracy and dictatorship personified by the United States and the Soviet Union. Instead, democracy and dictatorship are engaged in 100 guerrilla wars around the world. We cannot fight those wars. As we learned in Somalia and Bosnia, United States troops cannot maintain peace and freedom everywhere. But we can provide some meager assistance to those who are on the front lines in those fights. We do not help them because it is nice, we do not send tax dollars overseas because of feel-good humanitarian reasons; we do it because it is in our rock-solid national interest that democracy prevail in those struggles.

I urge support for the National Endowment for Democracy. We have to move ahead and give these people an opportunity to enjoy the same political pluralism which we enjoy in the United States.

Faced by this crisis, how many of us asked ourselves what we could do to help ensure a peaceful transition to democracy in Russia? We know how important it is, but what can we do? Many of us don't think billions more economic aid is the answer. We all know that the United States could never intervene militarily in Russia. What can we do other than watch CNN?

Mr. Speaker, I contend that supporting NED, supporting the motion of the Chairman, is the single concrete thing that we can do. If you want to help bring about the eventual victory of democracy in Russia, it's that simple. By the way, it's also the best thing we can do to help bring democracy to places like China, Cuba, and Vietnam, and to lock in gains in Eastern Europe and Central America. NED, created with bipartisan support by Ronald Reagan, still promotes our national interests and national security, and it still deserves our strong support.

Mr. Speaker, I enclose a letter from former President Ronald Reagan:

JULY 4, 1993.

FRANK J. FAHRENKOPF, Jr., Esq.,
Hogan & Hartson, Columbia Square, Washington, DC.

DEAR FRANK: On this 217th anniversary of our nation's independence, I am reminded that America's greatness lies not only in our success at home, but in the example of leadership that we provide the entire world. It is a testament to our nation's ideals that America's democratic political system continues to be a source of inspiration and admiration throughout the globe. And it is a credit to our work together that our democratic ideals actually have begun to prevail.

Our work, however, is not complete. As I look abroad, I see that the struggle between freedom and tyranny continues to be waged. Disappointingly, in some places, it is autocracy, not freedom, that is winning the day.

This is why I strongly support continued Congressional funding for the National Endowment for Democracy (NED). Ten years ago, at Westminster, you will recall that I outlined a new, bold initiative for our country to publicly lead the struggle for freedom abroad. As part of this effort, at my request, the National Endowment for Democracy was created.

In its short life, NED has been on the cutting edge of America's work to strengthen new democracies and to open closed societies to democratic ideas. During my time in Washington, and even since returning to California, I have seen firsthand that, from Moscow to Managua, NED's work has opened the dream of freedom to millions. This, in

turn, has advanced the American interest in peace and freedom, making the world safer for our children.

Yet, these new democracies are still fragile, and over half of the world still remains in the hands of tyrants. From Havana to Hanoi, much work remains to be done. Clearly, now is not the time for us to abandon the courageous men and women who continue our fight for freedom and look to us for inspiration and support. Without the strong and energetic support of NED, however, it is unlikely that these struggling democracies can prevail. And should they fail, we run the risk of reversing the great global strides that we made together. This could potentially jeopardize our own very freedom.

I urge now, as I did ten years ago, for continued support of NED to ensure that America remains that shining city on the hill.

Sincerely,

RONALD REAGAN.

Mr. KANJORSKI. Mr. Speaker, I yield myself 30 seconds.

Mr. Speaker, I heard the gentleman from California Mr. BERMAN, indicate that he has held hearings. To my knowledge, NED's funding has increased from $17 million in 1990 to now a proposed $35 million. It was only in 1991 that hearings were held. No hearings have been held since that time.

So the two largest increases were held without hearings.

What I would like to say to the gentleman from California [Mr. BERMAN], is if he has held all these hearings and if he has information that we do not have, could we get an agreement from him on the record today that he will request a complete list from the Republican Institute, the Democratic Institute, the AFL–CIO, and the Chamber of Commerce of all individuals who received any finances for any trips anywhere in the world that used any of these funds? Can we have those for publication in the CONGRESSIONAL RECORD?

Mr. BERMAN. Mr. Speaker, will the gentleman yield on his time?

Mr. KANJORSKI. I yield to the gentleman.

Mr. BERMAN. I thank the gentleman for yielding.

The gentleman commits to disclosing any aspect of information the gentleman wants except insofar as the safety of individuals in totalitarian countries working on democracy programs might be jeopardized.

Mr. KANJORSKI. My understanding, Mr. Speaker, is that the gentleman will provide a list of every Member of the House and the Senate and any member of the staff of these bodies that has ever traveled on any of the funds since the inception in 1985.

Mr. BERMAN. The chairman commits to providing that list. The gentleman could get it right now from every disclosure form, from every Member of Congress and from every staff person that is part of the required disclosure.

□ 1430

Mr. ROGERS. Mr. Speaker, I yield 2 minutes to the very distinguished member of the Committee on the Judiciary, the gentleman from Illinois [Mr. HYDE].

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

Mr. Speaker, the cold war is over. We have heard that 20 times a day ad nauseum, but the struggle for democracy is not over. The struggle for democracy and justice and peace around the world goes on all over the globe from Managua to Manila, from the Baltics to South Africa.

Now, the U.S. Government cannot do it all. We cannot get into every place; we cannot obtain the confidence of all the people that we would like to have, but private enterprise, organized labor, they can do that.

Is it not marvelous, there is no gridlock between Democrats, Republicans, management and labor, on the topic of building democracy? This is a task that is never won. It goes on and on, and this institute, which is independent of the Government but funded by the Government, is uniquely constituted to answer requests from organizations and labor unions, like Solidarity, to help them with printing presses, with publications, with communications. It is invaluable.

If there are mistakes, if they have not got the accounting that the gentleman from Pennsylvania [Mr. KANJORSKI] would like, it can be gotten for them. These are honest people, doing indispensable work in the struggle for democracy.

The National Endowment for Democracy [NED] grew from an idea by Ronald Reagan in 1983 as a creative effort to foster democracy throughout the world.

The Reagan-Bush years saw dozens of authoritarian and Communist regimes crumble under the weight of their discredited political and economic systems, culminating in the collapse of the Soviet Union. Millions of people across the globe are suddenly at a crossroads. Will they construct governments that protect basic human rights and respond to the will of the people? Will they establish free market economies that will thrive and provide huge markets for international trade? Or will their societies be swept backward into the abyss of totalitarian tyranny that will threaten our national interests?

The Soviet bear is comatose, but with 30,000 nuclear weapons aimed at us, it's hard to say that bear is dead. But the forest is full of snakes—the poisonous snakes of ethnic and religious hatreds, and their bite is deadly for peace, justice, and freedom.

NED is active in almost 100 countries working through some 75 grant recipients to help emerging democracies develop the building blocks to firmly establish stable democratic systems from the Baltic to South Africa, from Manila to Managua. Through its grant recipients, including the International Republican Institute, the National Democratic Institute, the AFL–CIO, and Chamber of commerce, NED helps to formulate election laws, train poll workers, and teach activists to build political parties—the nitty gritty of building democracy.

NED is an affirmation of the vision of President Reagan and a wise investment in the future of freedom. It is a prudent—and relatively modest—expenditure to protect our national security.

Please note that we spare no expense in funding the National Endowment for the Humanities and the National Endowment for the Arts. They receive an appropriation that is at least 10 times what NED will receive in this bill. Which do you think is the more important investment?

I plead with my colleagues to support funding for the National Endowment for Democracy. It is bipartisan, cost-effective, and immensely important in the difficult task of democracy building in a world that, with the cold war over, is not less dangerous—only differently dangerous.

Mr. KANJORSKI. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. MILLER].

Mr. MILLER of California. Mr. Speaker, I would hope that we would reject the funding for the National Endowment for Democracy. I do not think there are many of us who disagree, or any of us who disagree with the goals, the promotion, and the establishment of democracy to help other countries.

I just do not know why these organizations need Federal moneys to do this. These organizations all have large memberships, have rich treasuries, they use money for every purpose under the Sun. If they want to engage in this with their counter organizations in other countries, or fledgling organizations in other countries within the trade movement and the business communities or others, they ought to be able to do that.

I just do not think when we are looking at the budget priorities of this country that this is where we ought to be putting Federal dollars.

I think it is very clear that these organizations are capable of engaging in this. There is private money available for sending people on these trips that have the wherewithal, if this is their gift to the country, they have the wherewithal to provide for their own travel, to provide for their stays, and they can engage in this as private citizens of the United States.

This idea grew in the cold war. It has had many uses. It has been manipulated a number of different ways.

The fact is, it was not a good idea then, and it is not a good idea now. It is simply a bad use of the very limited Federal dollars that our taxpayers send us to be used in the priorities of this country. This ought not to be one of them.

We ought to encourage these organizations, the AFL–CIO, the Chamber of Commerce, to continue this effort. I do not think we need Federal involvement in that issue.

Mr. BERMAN. Mr. Speaker, I yield 1 minute to the gentlewoman from North Carolina [Mrs. CLAYTON], the chairman of the freshmen Democratic class.

Mrs. CLAYTON. Mr. Speaker, earlier, when this program was brought to the House floor, I voted against it. I was not persuaded that it was needed, and that it was limited in its scope of service. Some critics said because the program supported grassroot organization it was ineffective. In the wake of the cold war, we are learning that the world remains a troubled and turbulent place. At the same time, the United States plays a significant role in spreading the benefits of democracy and market reform throughout the world.

Recently, we have seen the problems associated with involving our military in localized political conflicts. We have heard the public outcry that our Armed Forces should not be used for the purposes of state building. We have visually witnessed the difficulty of deploying our troops on foreign soil.

Mr. Speaker, today I rise in support for the National Endowment for Democracy because it represents the kind of preventative medicine needed to reduce the likelihood of future political crises in developing democracies. The National Endowment for Democracy is involved in funding grassroots level projects assisting countries in developing democratic political parties, monitoring elections, enhancing international private-sector initiatives, and strengthening indigenous labor unions in order to improve working standards. The National Endowment for Democracy is involved throughout the African continent—from Zaire to Kenya to South Africa—in fostering democratic foundations.

Mr. Speaker, let us put our money where our mouth is. Let us fund the National Endowment for Democracy, because it works in building democracy in developing countries. I urge my colleagues to defeat the motion to restrict funding for the National Endowment for Democracy.

Mr. ROGERS. Mr. Speaker, I yield 2 minutes to the very distinguished gentleman from North Carolina [Mr. BALLENGER].

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

Mr. Speaker, I rise in support of the National Endowment for Democracy.

As a person who has been, and is still, pursuing democracy in Central America, I would like to take this opportunity to express my public support for the National Endowment for Democracy [NED]. Through NED I have helped assure honest elections in Nicaragua, El Salvador, and Guatemala and I hope, developed democracy there, often with my own money.

In my opinion, the NED has played an important role in supporting the democratic cause all around the world. The pro-democracy movements of many countries are directly encouraged by NED's efforts. It is true that the cold war is over, but is does not mean that democracy has been achieved. In fact, many countries today are still ruled by dictators, still lack freedom of speech, still have no meaningful elections, and still hold political prisoners. Therefore, NED's functions are still absolutely necessary for the leadership of the United States in the international arena.

Recently, I signed a "Dear Colleague" offered by Congressmen HAMILTON and GILMAN urging Member's to support the conferee's position regarding funding for the NED in the Commerce, State, Justice conference report. As the "Dear Colleague" stated, NED is a critical element in America's political strategy. While NED is only part of a larger strategy to support democracy, it plays a pivotal role as a private entity in mobilizing the dynamics of America's private sector, our two political parties, and numerous other private groups.

Mr. Speaker, I urge support for NED.

Mr. BERMAN. Mr. Speaker, I yield 1½ minutes to the gentleman from Virginia [Mr. MORAN], a member of the subcommittee.

Mr. MORAN. Mr. Speaker, I would suggest to my good friend, the gentleman from Pennsylvania, that the National Endowment for Democracy is reviewed by four congressional committees. It is reviewed by a CPA firm every year. Every single one of its grants is in its annual report. It is subject to the Freedom of Information Act, every OMB regulation; but most importantly, this is the kind of program that my friend, the gentleman from Pennsylvania, ought to be behind, because it is result-oriented rather than process-oriented, which is the case with too many Federal grants.

But the State Department cannot go funding the National Republican Committee, or the Democratic Committee, or the AFL-CIO, or the Chamber of Commerce, and yet they are the essence of how our democracy works.

The State Department is not going to be funding leaflets that they distributed in the August 1991, coup to the Soviet troops, but yet, that was important.

We do not have the kind of flexibility to accomplish that. We cannot get involved in the kind of solidarity movement efforts that the National Endowment for Democracy did.

Look at the testimonials from the Solidarity people in Poland and what a difference they made.

Go through the list of all the people that we respect so much, the Dalai Lama, Fang Lizhi of China, and Mrs. Bonner.

□ 1440

Every single one of them, Mr. Speaker, say the National Endowment for Democracy is creating an enormous difference all over the world. That is what the United States is all about. That is what our Federal programs ought to be all about. We have got to keep this program. There is a substantial reduction from what the House wanted. There is a substantial reduction, even more substantial, from what the administration wanted.

Mr. Speaker, this is money well spent, a lot better spent than most of the money funded by the Federal programs that we consistently approve day after day in this House.

Mr. ROGERS. Mr. Speaker, I yield such time as he may consume to the gentleman from Arizona [Mr. KOLBE].

Mr. KOLBE. Mr. Speaker, as one who had opposed the funding for NED before rising today in strong support of this, I say, "You cannot have seen the shooting in Moscow and the rioting in the streets without realizing that the National Endowment for Democracy is our best national security tool."

Mr. ROGERS. Mr. Speaker, I yield 2 minutes to the gentleman from Oklahoma [Mr. INHOFE].

Mr. INHOFE. Mr. Speaker, I thank the gentleman from Kentucky [Mr. ROGERS] for yielding this time to me.

Mr. Speaker, as we have heard over and over today, the recent events in Haiti and Somalia have created a great deal of concern in the Congress and among our constituents. I am constantly asked why the United States is sending American troops to areas of the world where there is no vital national security interest at stake. I answer this question, "We should not send our troops under these conditions and should bring our troops home." Our current operation in Somalia has cost over a billion dollars and more importantly taken the lives of 30 of this Nation's finest soldiers. This is a difficult issue, but there are certain basic lessons that appear self-evident, and all point in the direction of using other avenues to the promotion of democracy abroad. More specifically, we must support efforts such as the National Endowment for Democracy. It is far more cost effective and humanitarian to our own citizens to reserve our troops for national security purposes and look to the National Endowment for Democracy to support democracy.

I think there are four lessons here, Mr. Speaker:

The first lesson is one cannot impose democracy. It has to grow from within a society. The most that can be done from the outside is to provide some help, like watering a plant. And that is what the National Endowment for Democracy does. It provides modest financial assistance to grassroots democratic groups, as well as training and education in the tools of democracy. It believes that you cannot do for others what they cannot do for themselves, but that you should provide a helping hand. That is not a bad principle.

The second lesson—democracy is much more than elections. It only

works if there is a strong civil society and market economy that is working every day of the year, not just when people go to vote. One of the most attractive features of the National Endowment for Democracy is the fact that it recognizes that democracy is a whole system of institutions that protects individual rights and that makes freedom work for the people.

The third lesson—democracy doesn't come quickly. It didn't come quickly in our own country, and it certainly won't come quickly in poor countries that lack a democratic tradition. Therefore we have to be ready to help over the long term—to stay with democratic movements in good times and bad. The United States is not a fair weather friend of democracy. That is why we need an organization like the National Endowment for Democracy which has the commitment, the staying power and the experience to work democracy over time so that we will not wait until a crisis occurs and then use that crisis to justify sending in our troops.

The fourth and final lesson—the United States will not stay with an undertaking of this kind if the cost is too high. We have our own problems. The budget deficit being one of the most important. We, therefore, need to find cost-effective ways to assist democracy. That, too, points in the direction of the National Endowment for Democracy because it works at the grassroots level, with highly efficient, nonbureaucratic private organizations. I would have preferred to continue funding at last years National Endowment for Democracy budget level of $30 million. At this time, we just do not have the latitude to change the funding level. But, we should keep in mind the global nature of the endowment's mission, which includes programs in Asia, Africa, Latin America, the former Soviet Union, Eastern Europe, and the Middle East. It would seem that this is a relatively inexpensive way to carry out a far-reaching public function and far cheaper than dropping a billion dollars in troop support in areas where our national security is not impaired.

As a conservative, Mr. Speaker, I say to those who are offended, as I am, that the President is still sending our troops to remote areas with no defined mission, There is an alternative, and I urge my colleagues to support the most cost-effective alternative, the National Endowment for Democracy.

Mr. KANJORSKI. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan [Mr. UPTON].

Mr. UPTON. Mr. Speaker, I thank the gentleman from Pennsylvania [Mr. KANJORSKI] for yielding this time to me.

Mr. Speaker, I know that we all here are concerned about the deficit, and it is also clear that we have to begin to tighten our belts whether it is the Congress or any other Federal agency.

Mr. Speaker, this week I would have liked to have voted to support the super collider, but I could not. I could not with a $250 billion deficit. I would have liked to have supported the space station as well, but I could not, not with a $250 billion deficit. And I would have preferred not to close down military bases across the country, but we had to especially with a $250 billion deficit. NED is the same way.

I will remind all of my colleagues that we voted to kill this agency by a lopsided margin earlier this summer, and somehow it comes back to the floor with a 17½-percent increase from last year. No wonder the rest of the country outside the Beltway thinks that we are a bunch of loonies. We have got a deficit, and we have got to begin to make some tough choices, and frankly sending private citizens on a red carpet travel service, often first class, so that they can see the rest of the world is something that I cannot justify. I cannot justify this with so many other unfunded Federal mandates.

Let us not stick the taxpayers with these junkets, with another $35 million. Let us make NED stand for "not enough dough" because we simply do not have it, not with a $250 billion deficit. This is real money, funded from private resources, not the public trough.

Mr. KANJORSKI. Mr. Speaker, I yield 4 minutes to the gentleman from Connecticut [Mr. SHAYS].

Mr. SHAYS. Mr. Speaker, I have been listening to this debate and feeling a little guilty. On June 22 this great House by a vote of 247 to 171 chose not to fund NED. I was directly involved in this effort with the Kanjorski-Shays amendment. When I started reading all the criticism of his amendment, I was grateful I wasn't getting much credit for it.

Note I said his amendment. I was truly grateful my name was not associated with it. Great Americans editorial boards and others have spoken in favor of NED and have criticized the gentleman from Pennsylvania [Mr. KANJORSKI] for his efforts, I was happy not to be criticized. But I just have to say to my colleagues, "Mr. Kanjorski is a very brave man. He is so right on this issue. And, while everyone speaks differently, he has focused on the main issue that everyone seems to ignore."

It is clear the cold war has ended, and it is also clear the world is not a safer place. We acknowledge that. We need to help fledgling democracies, and we acknowledge that. What we do not acknowledge is that the U.S. Chamber of Commerce, that the AFL–CIO, that the Republican Party or the Democrat Party should be given $35 million to spend taxpayer's money as they see fit.

Now I know they have institutes that are somewhat separate from their organizations, but, when we hear from the U.S. Chamber of Commerce, for instance, it sends us information about the Center for International Private Enterprise under its own masthead. The literature says the U.S. Chamber of Commerce, and then it tells about the institute, as if it were an integral part of the chamber. The chamber gives us a lot of promotional material and no documentation on how it spends our money.

I do not know how many Members of this Congress have gone on trips, and I would not be able to find out. I do not know how many fundraisers for the Democrat or Republican Parties go on trips, and I would not be able to find out.

Mr. Speaker, I hear comments that we can find answers to our questions but, when we seek to find them, they are not available.

I am troubled the committee has not had hearings on NED in recent years. I am also troubled by the fact that, GAO reports of 1986 and 1991, strongly criticize how NED does what it does. And I'm further troubled when I read a 1992 GAO report that says it's too soon to find out if NED has made the necessary reforms. Too soon?

A few years ago NED was a $15 million program, now it is a $35 million program. It has gone up 17 percent at the same time we are cutting so many other programs.

But what troubles me the most is what we cannot even talk about, the stories we hear that we cannot document. I remember something that happened when I was in the general assembly in Connecticut. A young legislator took a political position on an important issue that the Republican Party leadership in Connecticut did not like. Eventually he changed his position so his party, which is also my party, would like it, and 2 years later he took a $10,000 trip on NED as his reward. Now I know that was 1988, but I do not know if this practice has changed or not and neither does anyone else.

We hear accusations that certain groups, are funded in contradiction. We hear, for instance, that the unions sometimes fund one group and the Chamber funds the opposite group. They are competing forces working at cross purposes.

It is obscene in my judgment, for the Republican Party, or Democrat Party, to be given Federal money. Why not some other political parties? Are we with Federal dollars institutionalizing these two parties? And what about labor and business? It's the same problem. We fund labor and we fund the U.S. Chamber of Commerce both. Neither are not going to oppose NED because they are both dipping their hands right in there. And when we fund both the Democratic Party and the Republican Party, there is no countervailing force. Everyone is getting something so no one objects.

□ 1450

In closing I would say to the gentleman from Pennsylvania [Mr. KANJORSKI], "You are a brave man. You are right on target." We may need an organization like NED to help fledgling democracies but we do not need these four institutes. We do not need lobbyists on these institutes. We do not need political fundraisers on these institutes. We do not need legislators on these institutes. We need to separate the Republican and Democratic Parties and the AFL-CIO and U.S. Chamber of Commerce from NED. If we don't we are simply giving taxpayer's money to organizations that are not accountable to the President, Congress or the American people.

Mr. BERMAN. Mr. Speaker, I yield myself 15 seconds.

Mr. Speaker, the National Endowment for Democracy's financial control and grant monitoring procedures are employed at every stage of the grant process for each of the 200 or so grants awarded annually, from a CETA proposal through grant award monitoring.

There is more oversight over NED and core grantee programs than there is over the State Department and AID programs set up in this whole process.

Mr. Speaker, I yield 1½ minutes to the gentleman from North Carolina [Mr. PRICE], a member of the subcommittee.

Mr. PRICE of North Carolina. Mr. Speaker, I rise in strong support of the National Endowment for Democracy. In July I was privileged to travel with the gentleman from Texas [Mr. FROST], the gentleman from Nebraska [Mr. BEREUTER], the gentleman from New York [Mr. SOLOMON], and others, with the Speaker's task force on interparliamentary cooperation, to Eastern and Central Europe. And I can only wish that all of our colleagues had been with us on that journey as we heard the testimony about NED's effectiveness from numerous Eastern European leaders, effectiveness made possible by the flexibility of NED's organizational and funding mechanisms.

We were all particularly struck in Albania by the credit repeatedly given to NED-financed programs as playing perhaps the critical role in bringing democracy to that country through free and fair parliamentary elections.

The same is true throughout Eastern Europe. Working with "Solidarity" in Poland to develop machinery to resolve labor disputes. Helping prepare a new citizenship education curriculum in Poland. Supporting the main organization in Bulgaria developing privatization policy, and supporting grass roots political education programs in Romania.

And then throughout the former Soviet Union: NED-sponsored local party training seminars for hundreds of political activists in Russia. 127 activists from across Central Asia coming together for 3 days of democratic education in Kazakhstan, developing an informational resource bank to assist entrepreneurs in Ukraine. And on and on.

The testimony is just overwhelming that NED continues to play a key role, not only in Eastern Europe, but in many emerging democracies around the world.

So let us not step back from this leadership. Let us step forward, to give these countries and these peoples the tools they sorely need at a critical time in their struggles to build democratic institutions that can weather the storms ahead.

This is a $35 million appropriation. It represents modest support, but it is strategically targeted to make a real difference, to give democracy a chance in an often hostile world.

The SPEAKER pro tempore (Mr. MFUME). The Chair will advise Members designated to control time that the gentleman from Kentucky [Mr. ROGERS] has 3 minutes remaining, the gentleman from Pennsylvania [Mr. KANJORSKI] has 5½ minutes remaining, the gentleman from Iowa [Mr. SMITH] has 1½ minutes remaining, and the gentleman from California [Mr. BERMAN] has 8¼ minutes remaining. The gentleman from Iowa [Mr. SMITH], under the rule, reserves the right to close debate.

Mr. ROGERS. Mr. Speaker, I yield 1 minute to the gentleman from Illinois [Mr. HYDE].

Mr. HYDE. Mr. Speaker, I guess like so many things in life, it is a question of priorities. When I hear people wave the fiscal flag, I applaud, because we are in trouble in terms of deficits and national debt. But, again, it is a question of priorities.

The last two gentlemen, who oppose the National Endowment for Democracy, and who are excellent Republicans and who are fiscally sound thinkers, it was their priority to support the final passage for the National Endowment for the Arts and the National Endowment for the Humanities, worthy causes, to the tune of $174.6 million. That is wonderful.

Now here we have the National Endowment for Democracy asking for a measly $35 million, in comparison to the other endowments that subsidize street theater and some poetry and wonderful things. And, if we had that money, we should subsidize those things.

But democracy in 100 different countries is under siege. Again, it is a matter of priorities.

Mr. KANJORSKI. Mr. Speaker, I yield 1½ minutes to the gentleman from Ohio [Mr. FINGERHUT].

Mr. FINGERHUT. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I voted for the amendment of the gentleman from Pennsylvania [Mr. KANJORSKI] when it came up the first time. I have, legitimately, as have many others, struggled with this decision, particularly so because so many people whose opinions I respect are on the other side of this question, particularly my friend, the gentleman from California [Mr. BERMAN], with whom I serve on the Committee on Foreign Affairs.

I have no doubt, after listening to the arguments these last few weeks and today on the floor, that this program has great merit. Indeed, one of the points that has been made to me over and over again is that this is precisely the kind of foreign aid program that we ought to pursue. This is new foreign aid. In fact, it is more accountable, as the gentleman from California [Mr. BERMAN] said, than some of the old programs. It more directly goes to subsidize democracy than some of the old programs.

But what we have failed to do, if we want to support this new foreign aid, is what we have failed to do time and time again on this floor, and that is get rid of the old before we keep funding the new.

If we should fund this new foreign aid, if it is a better program, then let us cut that which is inefficient, cut that which does not have oversight.

Mr. Speaker, I was watching this debate up in the gallery with the Phillips Osborne School from my district. We took a picture on the steps of the Capitol and then we came upstairs.

I was watching this debate. I said, "Ladies and gentlemen of the school, this is really democracy at work, because this is a difficult question that your Representatives are struggling with." But what I have decided, as I stood up there, is that the future that I care about is them, and what we have got to do in terms of our priorities, I would say to the gentleman from Illinois [Mr. HYDE] and others, is get this deficit under control when we are willing to cut away that which we should not do anymore.

Mr. Speaker, I am willing and ready to support the new. I appreciate the support of the gentleman from Pennsylvania [Mr. KANJORSKI].

Mr. BERMAN. Mr. Speaker, I yield myself 45 seconds.

Mr. Speaker, I would like to just take up where the gentleman from Ohio [Mr. FINGERHUT] concluded. In the budget that our chairman, the gentleman from Iowa [Mr. SMITH] has passed in this conference report, which increases the National Endowment for Democracy by $5 million, $15 million less than the President, the conference report cuts $72 million from State Department operating accounts; $160 million, 28 percent, from foreign buildings; $58 million, 12.8 percent, from peacekeeping; 5.7 percent, $52 million, from international organizations; 13.1 percent, $46 million below in international broadcasting.

Mr. Speaker, these are all cuts below last year's level. The total, when you add the cuts in foreign aid, comes to over $600 million in cuts. And, Mr. Speaker, we have done exactly what the gentleman from Ohio [Mr. FINGERHUT] said. We have prioritized, the gentleman from Iowa [Mr. SMITH] has prioritized, a small addition for an effort to promote democracy. Massive cuts in international relations, perhaps.

Mr. Speaker, I yield 1 minute to the gentleman from New Jersey [Mr. MENENDEZ].

Mr. MENENDEZ. Mr. Speaker, America is faced with a great post-cold-war challenge. American democratic values are being put to the test throughout the world. Americans have never run from a challenge, and they shouldn't start now.

I ask my colleagues to make up their minds. Do you want to support democracy so we may meet these challenges? Or would you want more headaches—headaches that will multiply if we reject this program?

The National Endowment for Democracy educates leaders and grassroots organizers so that they can consolidate the democratic process in their countries.

Does NED work? Ask former dissident, playwright and hero of the Velvet Revolution in Czechoslovakia, Vaclav Havel, now President of the free Czech Republic. President Havel officially cited NED for "building new democratic societies in Central and Eastern Europe."

Ask Polish dissident and labor leader, Lech Walesa, also now President of his country. Ask the Dalai Lama, who fights for a free Tibet. Ask President Aylwin of Chile, who helped end the Pinochet dictatorship. Ask the Organization of African Unity, or South Africans working for a nonracial democracy. Ask Boris Yeltsin.

Mr. Speaker, we won the cold war because we had principles. In the great American tradition, we stuck to those principles. Let us not turn our backs on democracy at this critical time. Support the National Endowment for Democracy.

□ 1500

Mr. ROGERS. Mr. Speaker, I yield such time as he may consume to the gentleman from Arizona [Mr. KYL].

Mr. KYL. Mr. Speaker, I rise in strong support of the Smith motion and in support of $35 million for the National Endowment for Democracy.

Mr. Chairman, I rise in support of the National Endowment of Democracy [NED] and in opposition to the motion to instruct conferees.

The promotion of democratic values serves U.S. national interests. A world where democracy flourishes is a safer and more prosperous one. Democratic governments rarely go to war with each other. Democracy also offers countries the best chance to solve their own problems, preventing them from becoming American problems.

The National Endowment for Democracy:

Plays a critical role in America's democracy promotion strategy.

Mobilizes America's private sector—labor, business, our two political parties, and numerous other private groups—to help people in dozens of nations working against great odds to build societies based on democratic principles, the rule of law, and respect for human rights.

Supports democratic forces when the U.S. Government cannot. Acting as private organizations, NED and its affiliates are able to work with groups unwilling or unable to take funding directly from the U.S. Government.

Is responsive to congressional concerns. NED initiated a series of management reforms in response to a 1991 GAO report. GAO praised NED's reforms in a follow-up review. NED has also increased internal auditing.

In my opinion, given the importance of its work, NED is a bargain. The $35 million in funding proposed in the conference report is 30 percent less than the President requested.

Congress has already cut international affairs spending dramatically this year. Funding for NED will be drawn from cuts in less essential international programs. Shifting funds from the cold war programs to democracy-promotion is a sensible and responsible use of scarce U.S. resources.

NED has been praised by many of the world's most respected advocates of human rights and democracy, people who have worked for many years to promote democratic change in repressive societies. NED supporters include Elena Bonner of Russia, Oscar Arias of Costa Rica, the Dalia Lama of Tibet, Fred Chiluba of Zambia, Vytautus Landsbergis of Lithuania, and Fang Lizhi of China.

Mr. ROGERS. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. ROHRABACHER].

Mr. ROHRABACHER. Mr. Speaker, does democracy have a chance in the Third World? That is what we are deciding here today. That is what it is all about. Does democracy have a chance in the Third World?

Vote against NED and Members are voting against democracy in the Third World, because it does not have a chance because no one else is going to be in there with the resources they need to create the democratic institutions.

Does democracy have a chance in some of these countries that are trying to evolve out of Soviet tyranny? A vote against NED is a vote to thwart the actual transition out of communism in some of these societies, societies that if they are democratic are no threat to us but as authoritarian with their hands on nuclear weapons pose a great threat to us.

The cold war is over. The new challenge is not thwarting communism. The new challenge we have in our generation is advancing democracy. Our security depends on democracy and the progress democracy will make in the Third World and those countries that have lived under tyranny.

We will have a more peaceful world if we have a freer world. NED will work for a freer world. It is a wise investment.

Mr. BERMAN. Mr. Speaker, I yield 30 seconds to the gentleman from Florida [Mr. HASTINGS].

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

The National Endowment for Democracy has served to enhance America's image. In Africa, the Western Hemisphere, and the world, many institutions and organizations have fostered democratic efforts and principles because of the National Endowment for Democracy.

Isolationism and xenophobia will not assist us as a country in promoting better understanding between the peoples of the world. I strongly support the National Endowment for Democracy.

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

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

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

Mr. BERMAN. Mr. Speaker, I yield 1 minute to the gentleman from Michigan [Mr. LEVIN].

Mr. LEVIN. Mr. Speaker, I rise in support of the Smith motion.

There have been problems with the Endowment, but the Endowment has endeavored to address these problems, and it is not relevant to talk about GAO reports of several years ago.

The Endowment is a partnership between the public and the private sector. We do this in a number of areas. It is a creative partnership. We ought to be proud of the efforts.

I received a letter from the American chairman of the Hungarian United States Business Council. He describes how the programs of NED are essential, and I quote:

> * * * to ensuring that democratic institutions are strengthened and economic reforms are sustained throughout Central Eastern Europe and the states of the former Soviet Union.

There has been talk here about fiscal responsibility, and it is very important. But let that flag not be used to be irresponsible when it comes to democratic institutions in other countries. We have a stake. It is important that the Endowment continue its work.

Mr. KANJORSKI. Mr. Speaker, I yield 1 minute to the gentleman from Wisconsin [Mr. ROTH].

Mr. ROTH. Mr. Speaker, I thank the gentleman from Pennsylvania for yielding time to me.

What this debate demonstrates here this afternoon is not the power of democracy but the power of a label. If we put a label on something, it will pass.

National Endowment for Democracy, everyone wants to vote for democracy. Hey, wait a minute, do we have faith in democracy? Then why do we have to go

around the world and propagandize it? Why do we have to go around the world and sell it?

If it is a great idea, it will sell itself. This is not an issue of democracy, my colleagues. This is an issue of whether we are going to give $35 million of taxpayers' money to special interests in the United States.

Stop and analyze it. Who gets this money? The average people? No. It goes to special-interest groups to fly around the country.

I say to my friends, "If you want to do something for democracy, do it on your own time. Don't come to the Congress and ask for $35 million. We have got all kinds of problems here in our country. We can use this money here. We don't have to spend it overseas."

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. MFUME). The Chair will advise those in the gallery that they are here as guests of the House of Representatives, and that any manifestation of approval or disapproval of the proceedings on the floor is in violation of the spirit of that invitation.

Mr. BERMAN. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana [Mr. HAMILTON], chairman of the Committee on Foreign Affairs.

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

I rise in support of the conference committee's provision of funding for the National Endowment for Democracy. I want to express a word of appreciation to the gentleman from Iowa [Mr. SMITH], who has been exceedingly helpful to the Committee on Foreign Affairs, when asked, and a word of appreciation to the gentleman from California [Mr. BERMAN], who has been a remarkable leader in getting support for this bill.

The National Endowment for Democracy is a very small but very important program. In comparison to our overall efforts to protect and to promote our national interests, this is among the most important programs, even though the amount of money is very small.

All of us know that small investments can pay large dividends, and the National Endowment for Democracy is that kind of an investment.

It plays a critical role that the Government of the United States cannot play in furthering this country's political values around the globe, in promoting democracy and the rule of law, and in trying to safeguard basic human rights.

NED promotes democratic values, free and periodic elections, majority rule with protection for minority rights, the rule of law, and the respect for the dignity of each person.

We are a long way from that ideal, as all of us know, in the world, for all kinds of reasons. But we are moving in the right direction with our support of NED.

The distinguished National Security Adviser to the President, Tony Lake, gave a speech the other day in which he tried to set out a rationale to succeed the rationale of containment that had been the basis of American foreign policy for many years. He said that what we should do is to have a strategy of enlargement, enlargement of the world's free community of market democracies.

All of us, I think, subscribe to that kind of a doctrine. The question is, what are the tactics? That is a big question, but one of the most important elements of the tactics will be the National Endowment for Democracy.

I strongly urge the approval of it.

The SPEAKER pro tempore. As we are nearing the end of debate, the Chair would advise those Members designated to control time that the gentleman from Kentucky [Mr. ROGERS] has 1 minute remaining; the gentleman from Pennsylvania [Mr. KANJORSKI] has 3 minutes remaining; the gentleman from California [Mr. BERMAN] has 2½ minutes remaining; and the gentleman from Iowa [Mr. SMITH] has 1½ minutes remaining and reserves, under the rule, the right to close debate.

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

Mr. BERMAN. Mr. Speaker, I yield myself the balance of my time.

The SPEAKER pro tempore (Mr. MFUME). The gentleman from California [Mr. BERMAN] is recognized for 2½ minutes.

Mr. BERMAN. Mr. Speaker, if we parse this debate, if we cut right through, what essentially the gentleman from Pennsylvania [Mr. KANJORSKI] and his co-author, the gentleman from Connecticut, are saying is this: The NED has done some great work in the Philippines and in Chile and in Namibia and in Eastern Europe and in Albania, and yes, we want to promote democracy in republics of the former Soviet Union, and this is a critical issue, and we need to persevere.

However, what they are saying is, notwithstanding the great work that the National Endowment, through its grantees, has done, notwithstanding the incredible, formidable tasks that remain ahead, because my friend, the gentleman from Wisconsin [Mr. ROTH] said, "But it is not so. If democracy is a good idea, it will take care of itself."

Ask the people who lived under Stalin and Bolshevism for 70 years, or the people occupied by Nazi Germany, or the people who have been living under Papa Doc and Baby Doc and all the dictators and tyrants in Haiti, whether democracy, if it is a good idea, will take care of itself and will not need assistance and work and help in fertilization and promotion.

What these gentleman are saying is, This is organized the wrong way. This is organized the wrong way. Then they throw out, at a time long after I thought McCarthyism was dead, without naming any names, that there are Members and there are staffers whose motivation for supporting NED is so corrupt that it is based on the fact that they may have taken a trip or gotten in one of these programs, without naming the Members, without naming the staffers. Maybe it was the two who almost died in Namibia working on the elections, the first free elections ever in the history of that successful transition to democracy.

Where are these specifics? They have never talked to me. They have never come to my staff. They have never come to the chairman of the subcommittee of the Committee on Appropriations to get the list of Members that have taken trips or the staffers that have been granted them. They have no specific charges.

This is not the way to fight a program, but they missed the point in an even broader sense. It is because the NED succeeds, NED succeeds because of its organizational structure, not in spite of it, because of its funding arrangement. It exemplifies the benefits of reinventing Government.

In a dynamic and shifting environment, NED can respond to requests swiftly and appropriately. Sustainable democracy is built from the ground up, person-by-person, institution-by-institution. It is because of this structure that it is working.

If this was simply an agency of the Federal Government, believe me, it would not have this success rate and flexibility. I urge an aye vote on the motion of the gentleman from Iowa [Mr. SMITH].

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

Mr. Speaker, we have heard a lot of comment tonight, or this afternoon, but I have to agree with my friend, the gentleman from Wisconsin [Mr. ROTH], that the real question is who is benefiting from these funds.

This whole argument is not about democracy. This country spends billions and billions and billions of dollars around the world for democracy, and in the last 10 years, trillions of dollars for democracy. This is an argument about special interest groups that have their hands in the Federal Treasury for their purposes, and it is an unholy bedfellow alliance.

It is disgraceful that the Republican Party, the Democratic Party, the Chamber of Commerce, the AFL–CIO, who are supposed to be watching each other, are supposed to be protecting the institutions of democracy in America, have formed together in an unholy alliance to pay for their travel around the world.

The gentleman from California [Mr. BERMAN] tells us we can hear these names. Why do we have an exemption, that they do not even have to disclose

trips paid by these institutes on official forms in the Government? If we can disclose these, why have we not seen these forms? Why do they not put their trips in the CONGRESSIONAL RECORD?

Mr. BERMAN. Will the gentleman yield on that point?

Mr. KANJORSKI. I do not have the time. We spent an hour on this, I would say to the gentleman from California [Mr. BERMAN], and we have spent years.

This argument boils down to whether or not there is any project or program in America that we can cut to save money, and whether or not we can say no to special interest groups. It is not the National Endowment for Democracy, it is the National Endowment for the Republican Party, the Democratic Party, the AFL-CIO, and the U.S. Chamber of Commerce. It is not the National Endowment for Democracy, it is the Welfare Act for the Support of Political Consultants of 1993, as it has been for the last 8 years.

Mr. Speaker, I have never seen more lobbying, more pressure brought upon the membership of this House over any issue this year than has been on this. We have had former Presidents of the United States as late as last night calling Members to change their vote from their June 22 vote. Why is it so vitally important? Even my friend, the chairman of the Committee on Foreign Affairs, who I have the highest regard for, has voted against NED. I think he was right then, but he is entitled to his position now.

All I urge of the 110 new freshmen that came to this Congress, I would say to them, they were sent here by the American people to set priorities and not collapse in the face of pressure from special interest groups. It is sinful for the American democracy, and it puts our American democracy in jeopardy, when there is an unholy alliance between the two political parties to take the public taxpayers' money. It is a bad omen for our economic free system when labor and organized business get together and form an unholy alliance, spending taxpayers' money.

I think the gentleman from Wisconsin [Mr. ROTH] put it very well. If they want to travel around the world to further democracy, let them use their own dime, and then we will be happy. If this is such a great program, why have they not raised private funds as a charity to fund their program?

I urge my colleagues in Congress to stand up, make a vote of courage and confidence today, hold with the vote of June 22 and vote no on the motion to recede.

Mr. ROGERS. Mr. Speaker, I urge an aye vote, and I yield the balance of my time to the gentleman from California [Mr. HORN].

Mr. HORN. Mr. Speaker, I have listened with great interest to the dialog this afternoon on the National Endowment for Democracy. I have never taken a dime from that endowment.

As I listened, I thought how easy it is to talk about democracy in the comfort of this Chamber, the comfort of this Nation. We had 150 years of colonial experience and evolving democracy prior to the Articles of Confederation and the Constitution of the United States. Since then we have had two centuries more of experience with democracy. It is not that easy for the rest of the world. They need Americans from all walks of life—labor, management, both sides of politics, and many sides of politics—to go abroad and share their experience. We need each one of us to teach many of them. That is the effort that will count if we are going to invest this small amount of money, $35 million, and spread democracy around the world.

How much better it is to support the grassroots efforts of the National Endowment for Democracy than to run up another $1 trillion or $2 trillion in national expenditures because we will have to revitalize the defense forces of this country if some of these countries fall back into authoritarian practices. That $35 million is the cheapest investment this Congress could make to promote democracy in the world.

The SPEAKER pro tempore (Mr. MFUME). The Chair recognizes the gentleman from Iowa [Mr. SMITH] to close debate.

Mr. SMITH of Iowa. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, one of the most difficult things for people to understand that have never lived in a democracy is how private institutions can make their own decisions. No one could help them better understand that than someone from a private institution, from a labor union, from a business, or from a political party. It is essential that we use those people. They do not need to have people with annual salaries. It is better that they have volunteers working with these countries and institutions.

The House was requested $50 million by the administration. It voted down the $50 million, but this amendment is for $35 million. I repeat what the new President of Albania said. He said that the greatest help that his country could have—a lot greater than foreign aid or any grant, was the help that they got from the National Endowment for Democracy, because individuals from political parties, individuals from business, individuals from labor came over there and helped his people to understand how institutions, private institutions, make their own decisions and relate to the government.

□ 1520

The need has never been greater. We have more countries now that need this kind of help than ever before. They are emerging and ready to go into democratic institutions.

We have many democratic institutions in the Western countries, but now we have to do the same thing in the other parts of the world.

So I ask Members to support the $35 million for NED.

Mr. RICHARDSON. Mr. Speaker, I rise in support today of the National Endowment for Democracy.

The National Endowment for Democracy is a nonprofit organization which promotes democratic values, making U.S. national interests safer worldwide. It provides grants to projects for strengthening democratic institutions and processes. The NED funds projects in Russia, Ukraine, Peru, Argentina, Brazil, Paraguay, Uruguay, Poland, the Philippines, and South Africa.

Mr. Speaker, major events are shaping our world; Russia will hold elections and vote on a constitution on December 12, 1993; democracy's roots are growing strong in Latin America; democratic institutions are rising out of the ashes of communism in Eastern Europe; Asia continues to advance democratically and economically. The need for NED is clear. NED's record and global events demand our attention.

NED promotes respect for human rights. Bonner of Russia, Arias of Costa Rica, the Dalai Lama, Chiluba of Zambia, Landsbergis of Lithuania, and Lizhi of China have worked with and support the National Endowment for Democracy. Additionally, the NED supports U.S. interests when the U.S. Government is unable to influence a situation. Lastly, the NED provides timely and useful information to Congress on a variety of subjects. Let us not forget that the NED has remained responsive to congressional concerns through instituting managerial and accounting reforms.

Mr. Speaker, today we should vote to reduce NED's funding, not delete it. Today's vote will reduce NED's funding to $35 million, fund a successful and efficient method of promoting democracy abroad, support the administration's request that NED be saved, and maintain our focus on building democratic institutions and processes aboard.

Mr. Speaker, the NED is not an organization inspired by the cold war. It is not ideologically motivated nor is it controlled by any private interests.

Mr. Speaker, I urge my colleagues to vote to fund the National Endowment for Democracy.

The SPEAKER pro tempore (Mr. MFUME). All time has expired. Without objection the previous question is ordered.

There was no objection.

Mr. KANJORSKI. Mr. Speaker, I demand that the question be divided.

The SPEAKER pro tempore. The question will be divided.

The question is, will the House recede from its disagreement to the amendment of the Senate numbered 171.

The question was taken; and the Speaker pro tempore being in doubt, the House divided and there were—ayes 23, noes 17.

Mr. KANJORSKI. 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 259, nays 172, not voting 2, as follows:

[Roll No. 521]

YEAS—259

Abercrombie
Ackerman
Andrews (TX)
Armey
Bacchus (FL)
Bachus (AL)
Baker (CA)
Ballenger
Barlow
Bartlett
Barton
Bateman
Becerra
Beilenson
Bereuter
Berman
Bilbray
Bilirakis
Bishop
Blackwell
Bliley
Boehlert
Bonilla
Bonior
Borski
Boucher
Brooks
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Bunning
Burton
Buyer
Calvert
Canady
Cardin
Castle
Clayton
Clement
Clinger
Clyburn
Coleman
Collins (IL)
Collins (MI)
Cooper
Coppersmith
Cox
Crapo
Cunningham
Darden
de la Garza
Deal
DeLauro
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Dooley
Doolittle
Dornan
Dreier
Dunn
Durbin
Edwards (CA)
Edwards (TX)
English (AZ)
Eshoo
Everett
Farr
Fazio
Fields (LA)
Filner
Fish
Flake
Franks (NJ)
Frost
Furse
Gallo
Gejdenson
Gephardt
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Gingrich
Glickman
Goodlatte
Goss
Green
Gunderson
Gutierrez
Hall (TX)
Hamilton
Hansen
Harman
Hastert
Hastings
Hinchey
Hoagland
Hobson
Hochbrueckner
Hoke
Horn
Houghton
Hoyer
Huffington
Hughes
Hunter
Hutchinson
Hyde
Inhofe
Inslee
Istook
Jefferson
Johnson (CT)
Johnson (GA)
Johnson (SD)
Johnson, E.B.
Johnson, Sam
Johnston
Kasich
Kennedy
Kennelly
Kildee
Kim
King
Kingston
Klein
Klink
Kolbe
Kopetski
Kreidler
Kyl
LaFalce
Lambert
Lancaster
Lantos
Laughlin
Leach
Lehman
Levin
Levy
Lewis (CA)
Lewis (GA)
Linder
Livingston
Lowey
Maloney
Manton
Markey
Martinez
Matsui
McCloskey
McCollum
McCrery
McCurdy
McDade
McDermott
McKeon
McMillan
McNulty
Meek
Menendez
Meyers
Michel
Miller (FL)
Mineta
Minge
Moakley
Molinari
Mollohan
Moorhead
Moran
Morella
Murtha
Nadler
Natcher
Neal (MA)
Neal (NC)
Oberstar
Obey
Olver
Ortiz
Oxley
Packard
Pallone
Pastor
Paxon
Payne (NJ)
Payne (VA)
Pelosi
Penny
Peterson (FL)
Pickle
Pombo
Pomeroy
Porter
Portman
Price (NC)
Rahall
Reed
Regula
Reynolds
Richardson
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Rowland
Roybal-Allard
Royce
Rush
Sabo
Sawyer
Saxton
Schiff
Schumer
Scott
Sharp
Shaw
Skaggs
Skeen
Slaughter
Smith (IA)
Smith (NJ)
Smith (OR)
Smith (TX)
Spence
Spratt
Swift
Synar
Tejeda
Thomas (CA)
Thompson
Thornton
Torres
Torricelli
Tucker
Unsoeld
Vento
Vucanovich
Walker
Waters
Watt
Waxman
Wheat
Williams
Wilson
Wise
Wolf
Young (FL)
Zeliff

NAYS—172

Allard
Andrews (ME)
Andrews (NJ)
Applegate
Archer
Baesler
Baker (LA)
Barca
Barcia
Barrett (NE)
Barrett (WI)
Bentley
Bevill
Blute
Boehner
Brewster
Browder
Byrne
Callahan
Camp
Cantwell
Carr
Clay
Coble
Collins (GA)
Combest
Condit
Conyers
Costello
Coyne
Cramer
Crane
Danner
DeFazio
Dellums
Derrick
Duncan
Emerson
English (OK)
Evans
Ewing
Fawell
Fields (TX)
Fingerhut
Foglietta
Ford (MI)
Ford (TN)
Fowler
Frank (MA)
Franks (CT)
Gallegly
Gekas
Gonzalez
Goodling
Gordon
Grams
Grandy
Greenwood
Hall (OH)
Hamburg
Hancock
Hayes
Hefley
Hefner
Herger
Hilliard
Hoekstra
Holden
Hutto
Inglis
Jacobs
Kanjorski
Kaptur
Kleczka
Klug
Knollenberg
LaRocco
Lazio
Lewis (FL)
Lightfoot
Lipinski
Lloyd
Long
Machtley
Mann
Manzullo
Margolies-Mezvinsky
Mazzoli
McCandless
McHale
McHugh
McInnis
McKinney
Meehan
Mfume
Mica
Miller (CA)
Mink
Montgomery
Murphy
Myers
Nussle
Orton
Owens
Parker
Peterson (MN)
Petri
Pickett
Poshard
Pryce (OH)
Quillen
Quinn
Ramstad
Rangel
Ravenel
Ridge
Rostenkowski
Roth
Roukema
Sanders
Sangmeister
Santorum
Sarpalius
Schaefer
Schenk
Schroeder
Sensenbrenner
Serrano
Shays
Shepherd
Shuster
Sisisky
Skelton
Slattery
Smith (MI)
Snowe
Solomon
Stark
Stearns
Stenholm
Stokes
Strickland
Studds
Stump
Stupak
Sundquist
Swett
Talent
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Thomas (WY)
Thurman
Torkildsen
Towns
Traficant
Upton
Valentine
Velazquez
Visclosky
Volkmer
Walsh
Washington
Weldon
Whitten
Woolsey
Wyden
Wynn
Yates
Young (AK)
Zimmer

NOT VOTING—2

Chapman
Engel

□ 1542

Messrs. BARRETT of Nebraska, GRAMS, HERGER, and HILLIARD changed their vote from "yea" to "nay."

Mr. DINGELL, Mrs. COLLINS of Illinois, and Messrs. LAFALCE, PETERSON of Florida, and CLINGER changed their vote from "nay" to "yea."

So the House receded from its disagreement to the amendment of the Senate numbered 171.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is: Will the House concur in the amendment of the Senate numbered 171?

The House concurred in the amendment of the Senate numbered 171.

PERSONAL EXPLANATION

Mr. COYNE. Mr. Speaker, on the previous vote, on rollcall 521, I inadvertently voted "no" when I intended to vote "aye."

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 174: Page 71, strike out lines 3 to 16.

MOTION OFFERED BY MR. SMITH OF IOWA

Mr. SMITH of Iowa. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The test of the motion is as follows:

Mr. SMITH of Iowa moves that the House recede from its disagreement to the amendment of the Senate numbered 174, and concur therein with an amendment, as follows: Restore the matter stricken by said amendment, amended to read as follows:

SENSE OF CONGRESS; REQUIREMENT REGARDING NOTICE

SEC. 606 (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, to the extent feasible, purchase only American-made equipment and products.

(b) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance under this Act, the Head of the agency shall provide to each recipient of the assistance a notice describing the statement made in subsection (a) by the Congress.

SEC. 607. (a) None of the funds made available in this Act may be used for the construction, repair (other than emergency repair), overhaul, conversion, or modernization of vessels for the National Oceanic and Atmospheric Administration in shipyards located outside of the United States.

(b) None of the funds made available in this Act may be used for the construction, repair (other than emergency repair), conversion, or modernization of aircraft for the National Oceanic and Atmospheric Administration in facilities located outside the United States and Canada.

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the last amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 175: Page 71, after line 16, insert:

SEC. 607. (a) Funds appropriated under this Act to the Legal Services Corporation and

distributed to each grantee funded in fiscal year 1994 pursuant to the number of poor people determined by the Bureau of Census to be within its geographical area shall be distributed in the following order: grants from the Legal Services Corporation and contracts entered into with the Legal Services Corporation for basic field programs shall be maintained in fiscal year 1994 and not less than 97.903 per centum of the annual level at which each grantee and contractor was funded in fiscal year 1993 pursuant to Public Law 102-395;

(b) None of the funds appropriated under this Act to the Legal Services Corporation shall be expended for any purpose prohibited or limited by or contrary to any of the provisions of—

(1) section 607 of Public Law 101-515, and that, except for the funding formula, all funds appropriated for the Legal Services Corporation shall be subject to the same terms and conditions set forth in section 607 of Public Law 101-515 and all references to "1991" in section 607 of Public Law 101-515 shall be deemed to be "1994" unless paragraph (2) or (3) applies;

(2) paragraph 1, except that, if a Board of eleven Directors is nominated by the President and confirmed by the Senate, provisos 20 and 22 shall not apply;

(3) authorizing legislation for fiscal year 1994 for the Legal Services Corporation is enacted into law.

MOTION OFFERED BY MR. SMITH OF IOWA

Mr. SMITH of Iowa. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. SMITH of Iowa moves that the House recede from its disagreement to the amendment of the Senate numbered 175, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment, insert:

SEC. 608. (a) Funds appropriated under this Act to the Legal Services Corporation and distributed to each grantee funded in fiscal year 1994, pursuant to the number of poor people determined by the Bureau of the Census to be within its geographical area, shall be distributed in the following order:

(1) grants from the Legal Services Corporation and contracts entered into with the Legal Services Corporation under section 1006(a)(1) of the Legal Services Corporation Act, as amended, shall be maintained in fiscal year 1994 at not less than the annual level at which each grantee and contractor was funded in fiscal year 1993 pursuant to Public Law 102-395; and

(2) each grantee or contractor for basic field funds under section 1006(a)(1) shall receive an increase of not less than 2.5% over its fiscal year 1993 grant level. Any additional increase in funding for grants and contracts to basic field programs under section 1006(a)(1) shall be awarded to grantees and contractors funded at the lowest levels per-poor-person (calculated for each grantee or contractor by dividing each such grantee's or contractor's fiscal year 1993 grant level by the number of poor persons within its geographical area under the 1990 census) so as to fund the largest number of programs possible at an equal per-poor-person amount; and

(3) any increase above the fiscal year 1993 level for grants and contracts to migrant programs under section 1006(a)(1) shall be awarded on a per migrant and dependent basis calculated by dividing each such grantee's or contractor's fiscal year 1993 grant level by the state migrant and dependent population, which shall be derived by applying the state migrant and dependent population percentage as determined by the 1992 Larson-Plascencia study of the Tomas Rivera Center migrant enumeration project. This percentage shall be applied to a population figure of 1,661,875 migrants and dependents. These funds shall be distributed in the following order:

(A) forty percent to migrant grantees and contractors funded at the lowest levels per migrant (including dependents) so as to fund the largest number of programs possible at an equal per migrant and dependent amount; and

(B) forty percent to migrant grantees and contractors such that each grantee or contractor funded at a level of less than $19.74 per migrant and dependent shall be increased by an equal percentage of the amount by which such grantee's or contractor's funding, including the increases under subparagraph (A) above, falls below $19.74 per migrant and dependent, within its State; and

(C) twenty percent on an equal migrant and dependent basis to all migrant grantees and contractors funded below $19.74 per migrant and dependent within its State.

(b) None of the funds appropriated under this Act to the Legal Services Corporation shall be expended for any purpose prohibited or limited by or contrary to any of the provisions of—

(1) section 607 of Public Law 101-515, and that, except for the funding formula, all funds appropriated for the legal Services Corporation shall be subject to the same terms and conditions as set forth in section 607 of Public Law 101-515 and all references to "1991" in section 607 of Public Law 101-515 shall be deemed to be "1994" unless subparagraph (2) or (3) applies;

(2) subparagraph 1, except that, if a Board of eleven Directors is nominated by the President and confirmed by the Senate, provisos 20 and 22 shall not apply to such a confirmed Board;

(3) authorizing legislation for fiscal year 1994 for the Legal Services Corporation that is enacted into law.

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

The motion was agreed to.

Mr. POMEROY. Mr. Speaker, I rise today in strong support for the funding included in the conference report for the Legal Services Corporation. This program provides much-needed legal assistance to the indigent of this country. The funding level approved by the Conference Committee is by no means too much money. On the contrary, the poor across this country are being denied equal access to our Nation's system of justice simply because there are not enough resources. If you look at the statistics, they show that the Federal Government now provides less than 40 percent of the support necessary to achieve even minimum access to justice.

The appropriation agreed to by the conferees is necessary simply to bring the program back up to 1981 funding levels. The poor in 1991 were served by a third fewer legal services attorneys than were available to them in 1981. To meet the goal of providing minimum access—which is a mere two attorneys for every 10,000 poor people in the country—we would need to fund this program at $823 million—more than twice the proposed appropriation. I find it truly remarkable that this Chamber can continue to fund ballistic missile defense—formerly known as SDI—to the tune of $3 billion a year and at the same time attempt to slash funds for this program when studies show that over 60 percent of indigent people in need of help are turned away on a regular basis because there are no resources available. What kind of justice is that? This is not the justice guaranteed by our Constitution.

This appropriation should receive the support of each and every member here who represent poor people. The last census indicates that nearly one-fourth of the entire population is living at 125 percent of the poverty level or below. While poverty may not be a prevalent problem in some of your districts, I am not so fortunate. In my home State of North Dakota, 14.5 percent of the population live in poverty while the national average is only 13.5 percent. And yet, the percentage of people receiving public assistance in North Dakota is one of the lowest in the Nation. Legal assistance of North Dakota, or LAND—which provides legal expertise and know-how to low-income people in my State—faces not only widespread poverty but also problems of geography. LAND must serve the entire State with only four law offices.

Americans have a fundamental right to seek justice. This should be guaranteed regardless of where they live, how much they make, or the color of their skin. Again, the statistics show that the indigent are underserved: The general population can claim one attorney for every 320 people, while the poor in this country have only one legal services attorney per nearly 7,000 people.

I urge my colleagues to support the appropriation approved by the Conference Committee. We presume equal access is guaranteed by our Constitution. This appropriation puts us one step closer toward making equal access a reality for the poor of our Nation.

Mr. FAZIO. Mr. Speaker, I rise in strong support of the conference report on H.R. 2519, the bill that funds the Commerce, Justice and State Departments, the Federal judiciary, and related agencies for fiscal year 1994.

First, I would like to commend Chairman NEIL SMITH and the conferees for meeting the challenge that was before them. The conferees were able to set priorities in determining the funding levels for the various agencies and programs that this conference report supports, given the fiscal restraints they faced. But, the funding level in the resulting conference report is not only below the subcommittee's target, as set by the Appropriations Committee based on this year's budget resolution. It is also less than the amount requested by the President, and below last year's funding level.

The Commerce-Justice-State conference report supports a diverse number of agencies and programs. They include community policing efforts, law enforcement against organized crime, the Federal Bureau of Investigation [FBI], and our Federal prisons; the operation of our national fisheries and our marine, weather, environmental and satellite programs; the Immigration and Naturalization Service; the National Weather Service, and the Small Business Administration.

The conference report's support of the President's new immigration initiative is of tremendous importance to California, given the

serious problems that we are having with illegal immigration. It targets funds for additional land border inspectors, additional border patrol agents, increased pre-inspection at airports, and more asylum officers. The conference report also increases immigration inspection fees on foreigners entering the country by plane or boat from $5 to $6—an increase that is expected to raise $50 million.

The conference report provides grants to State and local law enforcement agencies to assist them in safeguarding our neighborhoods and communities. It also supports juvenile justice programs, FBI start-up costs for creating a national background check system, and a new community policing effort so that State and local governments can put more officers on the street and employ innovative techniques to prevent crime.

The Small Business Administration—known for its direct and guaranteed loan assistance to small businesses—is funded by this conference report, as is the Economic Development Administration [EDA]. The EDA, in turn, supports the efforts of my district's Tri-County Economic Development Corporation [TCEDC], which was formed in 1985 to serve as the economic development planning and coordinating agency for Butte, Glenn, and Tehama Counties. Over the past 8 years, TCEDC has financed a revolving loan fund that has worked in partnership with private lenders to provide loans to small businesses, creating over 250 jobs. Without the financial support provided in this conference report, economic development programs in these three counties would be seriously jeopardized.

Also important to my constituents is the conference report's support of SEARCH, the National Consortium for Justice Information and Statistics. SEARCH is comprised of Governors' appointees for all States. These appointees are dedicated to assisting State and local criminal justice agencies in building, operating and improving their computer systems to combat crime, all at no cost. In the past, SEARCH has assisted the Sacramento County Sheriff's Department Crime Analysis Unit in mapping a series of car-jackings that took place at gunpoint in the Sacramento area; this mapped information was then distributed to patrol forces. SEARCH also helped the Sutter County Sheriff's Department examine two computer disks that were suspected of containing evidence in a homicide case.

The programs funded in this conference report safeguard our children, neighborhoods and communities, and preserve our resources. They protect our industries, both locally and globally, and help us maintain our position as an international leader—economically, socially and politically. Mr. Speaker, I urge my colleagues on both sides of the aisle to vote for maintaining our quality of life to and support final passage of this conference report.

A motion to reconsider the votes by which action was taken on the conference report and the several motions was laid on the table.

MESSAGE FROM THE SENATE

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

H. Con. Res. 146. Concurrent resolution authorizing the use of the Capitol Building and grounds for events to commemorate the 200th anniversary of the laying of the cornerstone of the Capitol.

The message also announced that the Senate further insists upon its amendments to the bill (H.R. 2492), an act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1994, and for other purposes, disagreed to by the House and agrees to a further conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. KOHL, Mrs. MURRAY, Mrs. FEINSTEIN, Mr. BYRD, Mr. BURNS, Mr. MACK, and Mr. HATFIELD to be the conferees on the part of the Senate.

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATION ACT, 1994

Mr. GORDON. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 279 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 279

Resolved, That during the consideration of amendments reported from conference in disagreement on 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, motions printed in the joint explanatory statement of the committee of conference to dispose of amendments in disagreement, and the motion printed in section 2 of this resolution, shall be considered as read. Points of order under clause 7 of rule XVI against the motions printed in the joint explanatory statement of the committee of conference to dispose of the amendments of the Senate numbered 10, 24, 81, 102, 123, and 125, and the motion printed in section 2 of this resolution to dispose of the amendment of the Senate numbered 18, are waived.

SEC. 2. The motion to dispose of the amendment of the Senate numbered 18 is as follows:

"Mr. Yates moves that the House recede from its disagreement to the amendment of the Senate numbered 18, and concur therein with an amendment, as follows:

"In lieu of the matter proposed by said amendment, insert ': *Provided*, That none of the funds under this head shall be used to conduct new surveys on private property unless specifically authorized in writing by the property owner'.".

The SPEAKER pro tempore. The gentleman from Tennessee [Mr. GORDON] is recognized for 1 hour.

Mr. GORDON. Mr. Speaker, during consideration of this resolution, all time yielded is for the purpose of debate only. At this time I yield the customary 30 minutes, for the purpose of debate only, to the gentleman from Tennessee [Mr. QUILLEN], and pending that I yield myself such time as I may consume.

Mr. Speaker, House Resolution 279 provides for the consideration of the conference report on H.R. 2520, the Department of the Interior and related agencies appropriations bill for fiscal year 1994.

The rule provides that the motions printed in the joint explanatory statement accompanying the conference report and the motion printed in section 2 of the rule shall be considered as read.

House Resolution 279 waives clause 7 of rule XVI—which prohibits nongermane amendments—against the motions printed in the joint explanatory statement to dispose of the Senate amendments numbered 10, 24, 81, 102, 123 and 125, and the motion printed in section 2 to dispose of the Senate amendment numbered 18.

Mr. Speaker, I urge swift passage of this rule so that we can consider this important conference report.

I would like to commend Chairman YATES and ranking Republican RALPH REGULA and their staff for crafting this conference agreement. I think every Member knows this conference committee worked long hours and dealt with complicated and contentious issues. I would like to thank them for their dedication and diligence.

Mr. QUILLEN. Mr. Speaker, I yield myself such time as I may use.

Mr. Speaker, my colleague, the gentleman from Tennessee [Mr. GORDON], has thoroughly explained the provisions of this rule. I want to reiterate that this rule waives no points of order against the conference agreement—it only provides germaneness waivers against motions to dispose of seven amendments reported in disagreement. Although I do not generally support waiving germaneness rules, these waivers seem necessary in order to properly dispose of these amendments in disagreement. Therefore, I will support this rule.

This Interior appropriations bill has been the subject of much controversy, particularly on the grazing fee issue and funding for the National Biological Survey. I commend Chairman SID YATES and RALPH REGULA, the ranking Republican, and all the conferees for their hard work.

I do want to express my concern over funding for the National Biological Survey contained in this bill. The NBS is a major new proposal, and the authorization bill is still pending further consideration by the House. I hope we can move that measure soon so that the $165.5 million appropriated is justified by an authorization bill.

Again, Mr. Speaker, I rise in support of this rule and urge its adoption.

□ 1550

Mr. Speaker, I reserve the balance of my time and would like to advise the

gentleman from Tennessee [Mr. GORDON] that I have all the time, the 30 minutes, allocated.

Mr. GORDON. The gentleman does have all his time allocated?

Mr. QUILLEN. I am going to use all of my time, Mr. Speaker, and, if the gentleman from Tennessee [Mr. GORDON] would like me to yield time now, I will be glad to do so.

Mr. GORDON. We have no requests for time right now, Mr. Speaker, so I reserve the balance of my time.

Mr. QUILLEN. Mr. Speaker, I yield 2 minutes to the gentleman from Utah [Mr. HANSEN].

Mr. HANSEN. Mr. Speaker, I rise in opposition to the rule and urge my colleagues to defeat this rule. Secretary Babbitt's National Biological Survey has struck fear in the hearts of many Americans, especially those living in the West. Every single Member of this House should also be concerned about creating a brand new Federal agency through the appropriations process. The National Biological Survey is not authorized and in fact was pulled from this floor because of the heavy opposition and the numerous amendments that were made by this body.

On October 6 this House debated the National Biological Survey and added several amendments, including protections for private property, peer review guidelines, a prohibition against using untrained volunteers, and others. Chairman STUDDS has agreed to accept several other amendments including a wildlife amendment to preserve migratory bird research and hunting. None of these protections are included in the appropriations bill. Secretary Babbitt will simply take his money and run, ignoring the will of this House. If this new agency is unable to stand up to the scrutiny of Congress then perhaps the paranoia is confirmed. Let's not turn Secretary Babbitt loose with over $150 million without protecting our private property rights, our ability to hunt migratory birds and, most of all, our duty as Congress to establish the laws regarding our natural resources.

It is time to take a hard stand against the administration establishing new Federal agencies without the approval of Congress. Bring this legislation back to the floor for continuation of this debate. Vote "no" on the rule to H.R. 2520.

Mr. GORDON. Mr. Speaker, at this moment we still have no requests for time, so I reserve the balance of my time.

Mr. QUILLEN. Mr. Speaker, I yield 3 minutes to the gentleman from California [Mr. DREIER], a valuable member of the Committee on Rules.

Mr. DREIER. Mr. Speaker, I thank the gentleman for yielding me this time.

When the House considered the Biological Survey bill on October 6, eight amendments were adopted to protect private property rights. However, because that bill was withdrawn, language will be included in the motion to dispose of Senate amendment 18, which was reported in disagreement on the Interior appropriations conference report. That language consists of part of the amendment by the gentleman from North Carolina [Mr. TAYLOR] that passed the House by a vote of 309 to 115.

While I oppose unauthorized appropriations, I am particularly disturbed by this form of selective authorization, which seeks to subvert the will of the House both procedurally and from a policy perspective.

This conference report creates a new Government bureaucracy without congressional authorization. That bureaucracy will be able to pursue its objectives contrary to the will of the House that:

The survey obey State property rights laws,

Data collected by the Survey be disclosed to the land owner,

Safeguards be put in place to protect against untrained volunteers who gather information; and

There be peer review of scientific data and research.

Mr. Speaker, this is not reinventing Government. This is reinventing the Soviet Union. We should vote down this rule and hold off on the Biological Survey until it is authorized by Congress. In addition, Mr. Speaker, we should not be waiving points of order against a motion to increase grazing fees.

While I believe that grazing fees should be increased, the Natural Resources Committee should send a grazing fee recommendation to the full House, rather than punting that responsibility to the appropriators.

Mr. Speaker, if the authorizers are sincere about protecting the prerogatives of their committees, they would not be asking the Appropriations Committee to do their dirty work for them. But since they insist on playing this cat and mouse game, the Appropriations Committee should, in the words of a great First Lady, "just say no."

Let us give the Appropriations Committee a hand and just say no to this rule.

Mr. GORDON. Mr. Speaker, for purposes of debate only, I yield 3 minutes to the gentleman from Illinois [Mr. YATES], the chairman of the Subcommittee of Interior of the Committee on Appropriations.

Mr. YATES. Mr. Speaker, Members of the House have received letters from friends of mine, from the gentleman from Louisiana [Mr. TAUZIN] and a few others, who have complained, and from the gentleman from Alaska [Mr. YOUNG], who has complained about what the conference committee did on biodiversity. The conference committee did not increase any of the authority or any of the powers of the Secretary of the Interior with respect to biodiversity. On the contrary, Mr. Speaker, I suggest to the House that what those Members want, in asking us to kill the rule, is to go after grazing fees because, if we kill the rule, we will make grazing fees subject to a point of order. And, as my colleagues know, there are some people in the House who are opposed to the increase in grazing fees. With respect to the question of biodiversity, Mr. Speaker, I say, if you kill the rule, I can still bring the conference report to the floor. So, the question of biodiversity really is a sham as it is presented here.

Let me point out that what the Secretary of the Interior has done essentially is to undertake a reorganization of the scientific agencies within the Department of the Interior. He has given the National Biological Survey no additional powers because he does not have the legislative authority himself to give it powers of that kind.

What we have done here is, until such time as an authorization is enacted, and only when an authorization is enacted does the Secretary of the Interior obtain whatever additional powers that legislation will give. He has no additional powers in our bill beyond those that he had previously, and to say that this give the Secretary additional powers is to mislead the House.

Mr. Speaker, I urge Members of the House to vote up the rule, not for the purpose of having anything to do with biodiversity, because that is a nonexistent issue, but the real issue before the House is whether or not my colleagues want to approve the conference agreement that provides for an increase in grazing fees.

□ 1600

In the event the rules goes down, that provision is subject to a point of order, and grazing fee increases will be killed.

Mr. QUILLEN. Mr. Speaker I yield 2 minutes to the gentleman from Arizona [Mr. KOLBE].

Mr. KOLBE. Mr. Speaker, I rise in strong opposition to the rule to the conference report to H.R. 2520.

This rule protects a conference report that contains sweeping grazing management legislative provisions, which were never the subject of any congressional hearing and, it establishes an unauthorized new agency, the National Biological Survey.

The National Biological Survey [NBS] is safely secured from threat in this bill—even though it has not been authorized and may never be. The Rules Committee chose to permit the unauthorized establishment of this new agency in violation of House rules in the House-passed bill and, as a result, the NBS can now avoid the House rule barring unauthorized appropriations—rule 21, clause 2.

This is particularly egregious because it flies in the face of overwhelming House support for a more restricted

Biological Survey than is contained in this bill. The result is a bill that directly contravenes the will of the House.

Indeed, the House adopted a total of eight amendments—most dealing with property rights. None of these amendments are incorporated into this protected appropriations bill.

The Taylor amendment was adopted by an overwhelming vote of 309 to 115. An even greater margin than the vote on the superconducting super collider.

Don't be fooled. Only a small part of the Taylor amendment is included in this bill. Gone from the language the House supported so convincingly are provisions which require the NBS to obey State property and privacy laws; require NBS employees to notify property owners of access so that the owner can accompany them; disclose the data gathered from the owner's land to the owner; survey Federal lands before private lands; require peer review of data and research to ensure reliability and validity—to name just some of the amendments adopted by the House.

Besides the amendments already agreed to by the House, at least 10 additional amendments may be offered to the authorizing legislation for the NBS. The only responsible course of action is to let the authorizing committees in both the House and Senate complete their work on the NBS—first—before we establish this new agency in an appropriations bill.

It is bad enough to circumvent the rules of this body—worse still when it is done in direct contravention of the will of this body. But it is unacceptable when the subject is the cornerstone of our constitutional democracy: private property. Make no mistake: Support for this rule is opposition to private property rights.

If you believe that new Federal agencies ought to be authorized by Congress, especially when the subject pertains to something so fundamental as private property, defeat this rule. Private property rights are too important to do otherwise.

Mr. GORDON. Mr. Speaker, for purposes of debate only, I yield 1 minute to the gentleman from Colorado [Mr. SKAGGS].

Mr. SKAGGS. Mr. Speaker, I appreciate the gentleman yielding.

Mr. Speaker, I would just like the Members to please make reference to page 17 of the conference report, which makes it absolutely clear that the comments just made about, for instance, private property rights, are not at all accurate. In fact, the conferees state explicitly that:

> None of the funds under this legislation shall be used to conduct new surveys on private property unless specifically authorized in writing by the property owner.

To go further, on the same page, the report makes it absolutely clear, as the chairman indicated, that this does not create a new agency. It merely funds programs already authorized in law and provides no additional authorities that the Secretary does not already have.

Mr. GORDON. Mr. Speaker, for the purpose of debate only, I yield 3 minutes to the gentleman from Louisiana [Mr. TAUZIN].

Mr. TAUZIN. Mr. Speaker, let me first of all thank the gentleman for yielding.

Mr. Speaker, let me point out that there have been some improvements in the conference committee with reference to property rights. The improvement is that the conference committee did adopt language saying that before this biological survey can go forward, which is a function of the Interior Department anyhow, that written consent of the property owner must be obtained. We appreciate that. That is an improvement.

But what is not contained in the conference report in authorizing the funds for this program are the other protections that this House voted for, protections that said the volunteers would not be used in this scientific survey. Apparently the money appropriated will be spent by the Interior Secretary with his current authority to use volunteers.

The second point we want to make is that there were other amendments adopted on the floor on the authorizing bill which would have made sure that State privacy laws were protected, but data gathered would have been shared with the landowner, that the survey of Federal lands were to go first before private property would be surveyed, and that peer review of the data would be permitted.

Those provisions, which are contained in the authorizing legislation, are not here in the conference report, and that is a shame, because they should be if this biological survey is going to go forward.

Mr. Speaker, let me tell Members, we have some assurances from the authors of the biological survey bill, and I believe they are going to make them on the floor today, that that bill is yet to come before the House. It will be brought up, I understand, with that assurance. I think we will have a chance when the bill is brought up to maybe hopefully get those protections built into law.

But I want to point out if something happens to that bill, if it is not brought up, if it dies somewhere in this process, if the Senate does not bring it up, if we do not get a separate authorizing bill with all the protections that are left out of this conference report, then the Interior Secretary, if this rule passes, will be able to go forward with volunteers, without all the protections that we adopted on the floor of this House.

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

Mr. TAUZIN. I yield to the gentleman from Washington.

Mr. DICKS. Mr. Speaker, I would say to my good friend the gentleman from Louisiana [Mr. TAUZIN], we on the Committee on Appropriations are trying at the direction of the authorizing committees to limit the amount of legislation that we put in these appropriations bills. I regret that we could not take care of all of the problems. We certainly made an effort in that direction. But I certainly would hope we would not defeat the rule on this bill because the authorizers have not passed the National Biological Survey legislation.

Mr. TAUZIN. Mr. Speaker, reclaiming my time, the gentleman from Washington [Mr. DICKS] makes a valid point. I would point out, however, that until this Congress, this House and this Senate, acts on all of these private property protections, there are many of us in this body who feel that the Secretary of Interior, getting a bunch of volunteers to run all over private property in America to do this survey creates some real problems for us.

Mr. DICKS. Mr. Speaker, we took care of the private property issue.

Mr. TAUZIN. We would like the opportunity, and I hope we get it, to vote on the authorizing legislation sometime this year, and hopefully get the bill out, so the protections are built in.

Mr. DICKS. We urge the gentleman to do that.

Mr. TAUZIN. I do, too. Our problem is this bill does not have it. It has real problems.

Mr. QUILLEN. Mr. Speaker, I yield 2¼ minutes to the distinguished gentleman from California [Mr. PACKARD].

Mr. PACKARD. Mr. Speaker, I appreciate the gentleman yielding.

Mr. Speaker, nearly every appropriations bill, especially the conference reports this year, have been considered under a rule that has waived the rules of the House. Why do we have rules if we do not intend to follow them? Why is that important to this particular issue?

In this particular conference report we create a new agency, the National Biological Survey, and it has not been authorized.

Mr. Speaker, I am aware that it is claimed that it does not require authorization. There are those of us in the House that feel it does extend far beyond the existing organizations, and, thus, does need to be authorized.

When the House originally considered the Interior bill, the rule granted waived points of order against the NBS. Some Members were concerned, but we did not attempt to defeat the rule, because we were assured that the authorizing committee would bring an authorization bill to the floor.

Well, a funny thing happened along the way. It was brought to the floor, and the intent was that during the authorization process, it would expand

the Interior Secretary's power. Yet the House worked its will and passed several amendments that actually constrained the power of the Secretary. As a result, the bill was quickly pulled from consideration and it was not authorized.

I am aware also there have been commitments that it will be brought for authorization. But that is after the fact, and after we pass on this rule.

Mr. Speaker, the House has an obligation to protect the Members that pass amendments during the NBS authorization. As a result, it has an obligation to protect certain rights and will of the House as passed, in the process of addressing it.

Mr. GORDON. Mr. Speaker, I yield 45 seconds to the gentleman from Illinois [Mr. YATES].

Mr. YATES. Mr. Speaker, my friend, the gentleman from California [Mr. PACKARD], of course, is a very valuable member of our subcommittee and was one of the managers in conference. Let me read to my friend what the managers say about the biological survey.

The managers agree that funding for the National Biological Survey is provided only to the extent authorized by law and shall be used to carry out ongoing research activities of the department previously carried out by a variety of separate agencies within the department.

□ 1610

All we have got now in the conference agreement is the authority the Secretary now possesses. We gave him no additional powers in this bill.

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

Mr. YATES. I yield to the gentleman from California.

Mr. PACKARD. Then I have to ask, why, as I did in the process of conferencing, why then do we ask for the authorization to even bring before the House an authorization bill?

Mr. YATES. Mr. Speaker, the Secretary wants additional duties and he can only get those additional duties in an authorizing bill. That is the reason that we are going to have an authorizing bill. But in this bill he does not have additional duties.

Mr. PACKARD. But in this bill we fund the full amount that would encompass those additional duties.

Mr. YATES. Mr. Speaker, no, we do not. We only fund the amount for responsibilities in the existing agencies.

Mr. GORDON. Mr. Speaker, for the purpose of debate only, I yield 1 minute to the gentleman from Massachusetts [Mr. STUDDS], chairman of the Committee on Merchant Marine and Fisheries, to answer some questions that were raised earlier.

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

I notice the chairman of the Committee on Natural Resources presumably is about to say a similar thing. As managers of this authorizing bill, I just want the House to know that it is our intention, as it has always been, to return, as soon as the schedule permits, to conclude our consideration of that bill.

Members should also know that a companion bill has been introduced by the chairman of the committee of jurisdiction in the other body, indicating that there is at least a possibility of its being seriously considered over there as well.

It is our hope and our intention that that will be the case.

In any event, the House will work its will and the authorizing bill will be brought back, we hope and expect perhaps as early as next week, for final consideration by this House. Members should know that.

Mr. QUILLEN. Mr. Speaker, I yield 2 minutes to the gentleman from Wyoming [Mr. THOMAS].

Mr. THOMAS of Wyoming. Mr. Speaker, I thank the gentleman for yielding time to me.

I rise in opposition to the rule. I suspect most of my colleagues know why.

I rise because it seems to me there are extensive statutory changes made in this appropriations bill, particularly as they regard grazing.

I first should say that I do appreciate the work of the committee. I appreciate the work of the chairman, who is always a gentleman working with these things.

I have been around legislation for a while, in the State legislature, been here a few years. We have some rules. And it seems to me that if we do not go by those rules, there is not much point in having them.

The rule is that we are supposed to legislate in the authorizing committees. We are supposed to appropriate in the appropriating committees.

Here are 19 pages of new rules and regulations put into statute here on grazing. I am not talking about fees. I am not talking about fees. I am talking about reform, the reform, the statutory reform that is put forth by the Secretary is right here, and eight pages in this one.

These are significant kinds of changes, not just little changes.

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

Mr. THOMAS of Wyoming. I yield to the gentleman from Illinois.

Mr. YATES. Mr. Speaker, when the Interior bill passed the House originally, we had no provision for grazing fees because it was stricken as being legislative. The first time that this came up again was when instructed by the House, in going to conference, to do something about increasing grazing fees. That was the reason for the provision being included.

Mr. THOMAS of Wyoming. Mr. Speaker, I understand that. But the gentleman was not instructed to put in 18 pages of new rules on grazing reform. He was talking about fees. These are not fees. These go far beyond fees.

Mr. YATES. Mr. Speaker, if the gentleman will continue to yield, this was started by the Senators, I will say, rather than by Members of the House.

Mr. THOMAS of Wyoming. Mr. Speaker, that does not mean we have to like everything the Senate goes for. I do not believe we ought to do that. I think we ought to reject this rule. I find Members embracing everything the Senate is for. I see my dear chairman down here from the authorizing committee who has written letters on this. I support that, but we are not in keeping with the letters that my chairman has written.

Mr. Speaker, I oppose the rule.

Mr. GORDON. Mr. Speaker, for the purposes of debate only, I yield 2 minutes to the gentleman from California [Mr. MILLER], chairman of the Committee on Natural Resources.

Mr. MILLER of California. Mr. Speaker, I would hope that we would support this rule.

Let me see if I can put some of this in perspective.

One is that clearly it is the intent of the gentleman from Massachusetts [Mr. STUDDS] and myself and the others involved in the Biological Survey to bring that legislation back to the floor and to push for final passage and, as the gentleman pointed out, we expect to do that. We have two ships passing in the night here, the appropriations and the authorization bill.

Had we stuck with the original schedule, the House would have voted the Biological Survey off of the floor and been done with it. I appreciate the concerns of Members who won those amendments, because they are concerned, as everyone is, that somehow this will all be lost as the bill goes to conference or somewhere else. And they bought an insurance policy in the Appropriations Committee with respect to private property rights, which I think they were quite proper to ask for. And they got a limitation so that they could protect that and to say that they were serious and they did not want to give it away. Message sent and received.

Now we have grazing fees. The House, by a vote of over 313, told the Committee on Appropriations not to accept the moratorium by the Senate on what the Secretary has done, which dealt with rules and regulations and fees on grazing lands, to respond to the fact that the House has passed overwhelmingly time and again both fee increases and regulation, never having dealt with the Senate.

Those instructions were picked up. They were managed by the House and the Senate conferees and in consultation with a lot of other Members involved. They came up with this.

What Members are saying here is they would like a little more authorization on the Biological Survey and a

little less on the grazing fees. The fact is, they cannot get it perfect. But there is a mandate from the House to deal with this, and they have done so. And they are reporting that back.

On the Biological Survey, we are right in the middle of the authorization. We will continue those amendments. Those amendments will be honored and, as the gentleman from Massachusetts pointed out, a companion bill has been introduced by the chairman of the appropriate committee in the other body. And the Secretary says he wants this legislation because that is the only way he can expand his authority that he does not have under current law.

I think this rule and the bill is fairly fair to all parties involved. I think this is a good, fair operation. Not everybody is happy, but it has sort of worked out reasonable.

Mr. QUILLEN. Mr. Speaker, I yield 3 minutes to the gentleman from Texas [Mr. FIELDS].

Mr. FIELDS of Texas. Mr. Speaker, I rise in opposition to this rule. The conference report on the fiscal year 1994 appropriations for the Department of the Interior, while funding many valuable projects and programs, includes a provision that causes me great concern.

This provision would allow for the creation of the National Biological Survey, a new agency that has not even been authorized by Congress. The conference report provides for the establishment of the National Biological Survey in the Department of the Interior through the transfer and consolidation of research elements from various bureaus.

I oppose this rule because I am deeply concerned that its adoption will send a wrong signal. It will send the message that the authorizing process is unnecessary. It will say that it's okay to leave the details of establishing new agencies with the bureaucracy. And, it will mean that we in Congress have abrogated and abandoned our constitutional responsibilities.

Mr. Speaker, H.R. 1845 authorizes the establishment of the National Biological Survey in the Department of the Interior—an agency that would be tasked with gathering, analyzing, and disseminating information on plant and animal species in this country. This bill was referred to the Committee on Merchant Marine and Fisheries, the Committee on Natural Resources, and the Committee on Science, Space, and Technology.

On October 6, H.R. 1845 was considered under an open rule. After considerable debate, the House adopted eight amendments—changes that significantly improved the bill. Perhaps the most important of these was the Taylor amendment, critical because it protects private property rights. The Taylor amendment requires written consent from, and notice to, private landowners before any Government agent enters their property, and further requires the Government to share any data collected on the property with the landowner.

Taylor is important, but there were seven other significant amendments that considerably improved the legislation. Those amendments would prohibit the use of volunteers in collecting data; require more rigorous independent review of survey data; require the surveying of all Federal lands before private lands; prohibit the acceptance of donated property; and clarify the survey's international responsibilities.

Despite assurances that this authorizing legislation would be put on a fast track and enacted before the appropriations bills were finalized, that has not happened. H.R. 1845 has not even been rescheduled for floor action. How, we are being asked to fund a program that we have not authorized and without most of the refinements approved on this floor a few short weeks ago.

Amendment No. 18 in the conference report includes only one small part of the Taylor amendment and ignores the other seven amendments adopted by the House on October 6. While I see that this is an attempt by the conferees to address one concern raised by the House, it in no way should replace the full text of the Taylor private property rights amendment.

This program should not be funded until it is authorized. Therefore, Mr. Speaker, I oppose this rule, and I urge my colleagues who care anything about constitutional rights and constitutional responsibilities to join me in voting against it.

□ 1620

The SPEAKER pro tempore (Mr. MFUME). The Chair wishes to advise Members designated to control time that the gentleman from Tennessee [Mr. GORDON] has 17 minutes remaining, and the gentleman from Tennessee [Mr. QUILLEN] has 14 minutes remaining.

Mr. GORDON. Mr. Speaker, for purposes of debate only, I yield 1 minute to the gentleman from Illinois [Mr. YATES].

Mr. YATES. Mr. Speaker, I apologize to the House for so many interventions.

I rise, Mr. Speaker, to correct the gentleman from Texas [Mr. FIELDS] in his assertion that the biodiversity survey was created by our bill. It was not created by our bill. It was created by a reorganization plan by the Department of the Interior of existing powers that resided in the national parks and in the fish and wildlife refuges. That reorganization plan gave no additional powers to the Secretary that he did not have before. It just limited those powers.

Mr. Speaker, I have an opinion by the Solicitor of the Department of the Interior, in which he says:

So long as the function is not a new one and is within the contemplated purposes of the current appropriation . . . the essential function, biological research, is not new or different. Rather, only its organizational address will change. Accordingly, we believe this kind of a transfer during the current budget year is authorized by section 5 of [the reorganization plan].

It is a reorganization.

Mr. QUILLEN. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Nevada [Mrs. VUCANOVICH].

Mrs. VUCANOVICH. Mr. Speaker, I rise in strong opposition to the resolution.

Mr. Speaker, I rise in strong opposition to this resolution for consideration of the conference report on H.R. 2520. Once again, the Rules committee has ignored a majority of the Members of this body. Once more we have a protective rule for an appropriations bill that would thwart the will of the full House for the gain of a few.

On October 6 this body spoke loudly and clearly—private property rights must be protected in carrying out the mission of the National Biological. Survey. It's not often I'm on the side of a 200 vote victory margin, but on the Taylor-Condit-Pombo amendment many Members joined the fight for a basic privacy right.

Mr. Speaker, the conferees half-hearted attempted to assuage Members with "Taylor-like" language doesn't pass the acid test. Just ask Mr. TAYLOR, Mr. CONDIT, or Mr. POMBO, or those organizations, such as the National Federation of Independent Businessmen, American Farm Bureau, and many others which strongly supported the amendment to H.R. 1845. Are any of them satisfied the conferees have captured the essence of property rights protection embodied in our vote of October 6? Of course not.

Mr. Speaker, we have been disenfranchised by the parliamentary process one more time. Not only is the Taylor amendment a shadow of its former self, but the amendments of Mr. TAUZIN, Mr. HAYES, and others which we adopted on October 6 are nowhere to be found.

Therefore, I urge my colleagues to rise up and defeat this rule. Send a message to the leadership of this body—No more business as usual—the 103d Congress will be heard and its collective voice says "private property rights must be respected by government." Vote "nay" on the rule.

Mr. QUILLEN. Mr. Speaker, I yield 3 minutes and 30 seconds to the distinguished gentleman from North Carolina [Mr. TAYLOR].

Mr. TAYLOR of North Carolina. Mr. Speaker, when the First Congress in this Nation met for the first time, it set to work on the Bill of Rights. It said in the preamble of its work that it did that because it was a promise to the people. It wanted to maintain the confidence of the people in a very shaky new government that was starting, and democracy was starting.

The whole debate we are here having about private property rights, and we expressed this in the Committee on

Merchant Marine and Fisheries, was to try to return some confidence about this body's providing security for private-property rights that have been abused and trampled, many of us think, for years.

First of all, in that hearing we heard the Secretary of the Interior say that he was asking for an exemption to the Freedom of Information Act on the biological survey, and he said to me personally, "It is because if we let them know what we are doing, people may destroy the habitat." My response was, "Is this bill so bad, is this action so bad, we cannot tell people about it?"

Later we passed in the Committee on Merchant Marine and Fisheries almost unanimously amendments that were brought later to this floor. Those amendments went over to Interior and there they were killed. We came back in a joint committee, and I asked the Secretary of the Interior if he was planning to move ahead with this biological survey, even without authorization. He said he was, he intended to do it. He said his counsel told him he could do it, and he was moving ahead. We took the matter to the floor, and won.

That is a brief history of what has happened. First of all, we had a Secretary of the Interior saying that he did not want people to know about this, because it might cause some damage. The Government could not really trust the people.

Second, the amendments of the Committee on Merchant Marine and Fisheries were ambushed in Interior and killed.

Third, we had the Secretary saying he was going ahead without authorization.

Fourth, we won this on the floor, by a large margin. Then the authorization was held up, and Interior, has brought us an appropriation bill authorizing the creation of the National Biological Survey with a small amount of private property protection. This is not my amendment for private property rights protection. It was done without my consent and without discussion. The sum of this action does not retain the public confidence.

What I am saying is that as we look back over the history, we have in fact destroyed that public confidence, that confidence that people thought they had in this body for protecting private property rights. I do not think we can get it back unless we defeat this rule and come up with something that will enable us to restore public confidence.

Mr. FIELDS of Texas. Mr. Speaker, will the gentleman yield?

Mr. TAYLOR of North Carolina. I yield to the gentleman from Texas.

Mr. FIELDS of Texas. Mr. Speaker, on page 21 of the committee report from the Committee on Appropriations it says "The National Biological Survey is proposed new organization." That causes us concern, a number of us. Going back to the gentleman's particular amendment that passed on the floor, as I understand the distinction with what is in the conference report, there is no notice to the landowner. There is a requirement of written consent, but then there is no requirement that any information that is gathered or found be shared with the landowner.

Mr. TAYLOR of North Carolina. The gentleman is correct. I think that undermines the private property protection people thought they would have in this bill when we passed the authorization.

Mr. GORDON. Mr. Speaker, for purposes of debate only, I yield 2 minutes to the gentleman from Michigan [Mr. DINGELL].

Mr. DINGELL. Mr. Speaker, I want to thank, my friend, the gentleman from Tennessee [Mr. GORDON], for making this time available to me. My remarks will be brief.

Mr. Speaker, I want to tell the House about a problem that is in this bill. The Biological Survey is put in here, in theory, that it is going to make things better. In point of fact, what we are doing is stripping the line agencies like Fish and Wildlife and other agencies of their ability to gather the facts, and quite honestly, their ability to inform the Congress properly of what is going on with regard to the administration law.

Mr. Babbitt, the Secretary, wants this. That is nice. I have seen other Secretaries want this kind of centralization of authority, and the result of it is always bad, because if we get a bad Secretary that wants to plunder the public lands, that wants to dissipate the authorities and the protections of Fish and Wildlife and habitat, this is the perfect tool under which that can be done.

It is said that this does not constitute any change, we are just moving money around. Do not believe it. What is happening here is not that money is being moved, but the basis is being laid for a change in the entire structure of Fish and Wildlife, and a number of other legislation. We are talking about moving the authorities out of endangered species, over the Fish and Wildlife Coordination Act. Information that might flow up to this body from Fish and Wildlife or from those other agencies will no longer be coming this way, because Mr. Babbitt will have his hands right around the neck and windpipe of those agencies.

My warning to this House is that the adoption of amendment No. 16, inclusion of the biological survey, is extremely bad. It is not in the interest of the environment, it is not in the interest of conservation, and it is a bad proposal. It is not going to save money, it is not going to make for better science, it is simply going to move it all beyond the control of the Secretary.

Perhaps Mr. Babbitt might want to move those authorities in a direction that the Members of this body might want, but I want to remind the gentleman that some years ago there was a fellow by the name of Doug McKay who was diligently dissipating the public lands, plundering the refuge system, destroying the administration of BLM, and causing significant other troubles in the handling of the public lands of the United States and the protection of the resources there, including fish and wildlife.

A similar situation can much more easily occur now, because of the provision here with regard to the biological survey. The biological survey is not progress. Remember, in the old days there was a biological survey. That was the Fish and Wildlife Service. I do not think we want to go back to that kind of stratified approach to our protection of the public lands.

□ 1630

Mr. QUILLEN. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. CALVERT].

Mr. CALVERT. Mr. Speaker, 2 weeks ago, I spoke in support of the Taylor amendment which passed this body by an overwhelming bipartisan vote of 309 to 115.

Clearly, the vast majority of this House believed that it was important to protect the privacy rights of people whose land will be subject to the scrutiny of the national biological survey [NBS].

What happened to our amendment?

Does the clear will of the House mean so little to the Appropriations Committee that its members are willing to establish the NBS without most of the privacy protections that we approved?

If so, what happened to the will of the majority?

Mr. Speaker, my constituents want the protections provided by the Taylor amendment, all of them.

They want the NBS to obey State property and privacy laws.

They want the NBS to disclose to a property owner the data gathered from his or her land.

And, they want peer review of data and research to ensure reliability.

Mr. Speaker, on behalf of the private property owners of my district, and throughout the United States, I urge my colleagues to defeat the rule on the Interior appropriations bill.

The conference should reconvene and report back a bill that withholds funding for the national biological survey until it is authorized by the Congress.

Mr. GORDON. Mr. Speaker, for the purposes of debate only, I yield 2 minutes to the gentleman from Minnesota [Mr. VENTO].

Mr. VENTO. Mr. Speaker, I rise in support of the rule on the conference report.

In the past I have been actively involved in consideration of bills and

rules on Interior appropriation bills and have made my concerns well known when I felt the appropriations measures have overstepped their authority. That is not the case today.

The rule provides for fair consideration of the matters considered in conference by the House and the Senate. As the bill left here, there were authorizing measures in it that were protected by the rule that came out of the Rules Committee. As the bill came to the floor, it was I who rose and struck the authorizing language from the biological survey at that time.

The bill that left here had the money in for the biological survey. The fact is that during the course of consideration we considered an authorization bill, and it is the intention of the manager of that bill, Chairman STUDDS, to move ahead with the consideration of that and to, in fact, act on an authorizing measure.

I think in good faith my colleague, the gentleman from Ohio [Mr. REGULA], added language which he thought represented the will of this House in terms of approval of landowners. I for one, based on the votes that occurred here, have no intention of trying to frustrate the will of the House with regards to owner consent for access to land. I think it is the clear will of this House that that be the case, and I think it is the will and understanding of the Secretary that that is going to occur. We are trying to operate in good faith.

But I think what is operating here today really is an effort to use the biological survey as a heat shield. I disagree with the policy path we have taken with regard to owner consent, but really, the issue is grazing. And we have had debate and gridlock for 10 years on grazing fee increases, and on policies around this House with regard to it. We have sent the Senate bill after bill over there to sit and to languish while we waited for them to act on a reform grazing policy. We did not ask for this grazing policy to be foisted on this particular Interior conference. It was the Senate that acted on such policy and stated that we will not do anything on grazing fees, and said the Secretary should be stopped, he could not even study the issue of grazing.

Then in conference, finally, Senator REID stood up, and I commend Senator REID from a western State for his courage, and we went to the table and we resolved this grazing issue policy and fee in the compromise embodied in this measure before us. In this House we can resolve it today by passing this rule and passing these grazing fees and dealing with these issues on a good-faith basis.

Unfortunately, there is some effort underway to attempt to defeat the rule based, I gather, on what the conference committee did or did not do regarding the National Biological Survey and grazing fees.This is an effort in subterfuge. There is nothing in this rule that will prevent the House from appropriately voting on the controversial matters addressed by the conference and being debated today.

Let's look at the question of the National Biological Survey. When H.R. 2520 was first considered by the House it included funding for the National Biological Survey as well as authorizing language regarding donations and the use of volunteers. I am the Member who raised a point of order on the authorizing language and it was stricken from the bill. When the Senate considered H.R. 2520, they included not only funding for the National Biological Survey but they reinserted the authorizing provisions on donations and volunteers. So that was what was before the conference. Chairman YATES, to his credit, upheld the House position and got the Senate conferees to agree to delete the authorizing language in the bill. But that was not enough for some. They wanted the conference to address matters not committed to it by either body. Through the efforts of Representative REGULA, an agreement was reached to include a spending limitation requiring the written consent of the landowner by the National Biological Survey when surveys are done on private property. So what's the point of the opponents of the National Biological Survey? The conference committee agreement is, in fact, consistent with the votes taken by the House regarding volunteers and written consent and if you don't like the language on written consent, furthermore there is nothing in this rule to prevent you from seeking or obtaining an up-or-down vote on this question.

Now the debate on this rule reminds me of what happens when one dog barks at the moon; other dogs join in to sing a chorus. So it is with the opponents of grazing reform. Let me make this perfectly clear. I would not be unhappy if the appropriations bill were silent on grazing. Secretary Babbitt then could proceed with his grazing reform rulemaking as he is authorized to do under current law. It is the Senate that picked this fight with their attempt to dismantle and completely block the Secretary's rulemaking grazing permit authority. By a vote of 314 to 109, the House soundly rejected this Senate action. But the Senate was insistent that something be done, this, the same body that stonewalled the House on four different occasions on the question of grazing fees and range reform. Despite that record, I sat down at the table with Members of the Senate in an attempt to forge an agreement, to end a decade of gridlock on this issue. Our jobs as legislators is to address issues, not shy away from them. Finally, yes, we reached agreement and that agreement was adopted by the conference committee. It embodies give-and-take on all sides. It is fair and reasonable and embodies the spirit and intent of past House actions on grazing fees. This rule in no way, shape, or form prevents an up-or-down vote on the grazing reform agreement. Knowing how the House has voted in the past, opponents certainly realize that the House will give its strong approval to the agreement.

If you want to end a decade of grazing gridlock and settle this perennial question of grazing reform, I urge Members to vote for this rule and the conference committee agreement.

Mr. QUILLEN. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. POMBO].

Mr. POMBO. Mr. Speaker, I thank the gentleman for the time.

I would just like to rise for a couple of minutes here and speak against the rule. There are a number of reasons why I think that this rule ought to be defeated, but one of the main reasons why is because the National Biological Survey is authorized in this conference report. Regardless of what we are hearing, it is authorized. It is $25 to $30 million of new money.

If it was not authorized in this conference report, if it was only going ahead with what the Secretary has the ability to do now, he would not need separate language in a conference report to make it work, because what he is doing is expanding the authority that he has and putting together and reorganizing his department, expending money that he is spending and going out and doing something that we have not authorized yet.

To me this argument on the rule does not have to do with grazing fees. It has to do with the National Biological Survey.

What I feel we should do is put aside the money until the authorizing language has been passed, until this House has had the ability to pass on this question.

I also believe that with the language that is included in this conference report we do not have protection of property rights in the same way that we did with our amendment when we passed our amendment overwhelmingly in this body. It had different language than what is included, as well as the other amendments that were passed that day which are not protected by this.

I hope very much that the chairmen who have gotten up previously and promised we will have the National Biological Survey back are correct, and that we do get that back, and that we are able to finish that process. But it is not at this current time possible.

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

Mr. POMBO. I yield to the gentleman from Minnesota.

Mr. VENTO. Mr. Speaker, I can assure the gentleman that we will make every effort in the House, but in suggesting what we can do to control the Senate is another matter. We will do our best to work with the gentleman on that.

Mr. POMBO. Unfortunately, I realize that we do not control the other body. But I just would like to make the final point that if you call the Interior Department now you can get the number of the National Biological Survey. So they are already moving ahead.

Mr. QUILLEN. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Alaska [Mr. YOUNG].

Mr. YOUNG of Alaska. Mr. Speaker, my friends, I come to this well to compliment the gentleman from Illinois [Mr. YATES], chairman of the subcommittee for this work, and the work

of the conference, with the understanding that I am terribly disturbed about the Biological Survey that has been put in this legislation. As the gentleman from California just mentioned, the Secretary is already doing it. The Secretary is already stripping the money from the Fish and Wildlife Service, and as my good friend from Michigan said, depleting the resources and putting in this Biological Survey.

This, as I said before, is a nationalization under one umbrella of the planning and use of our land. But it is my understanding, and I have the assurance of the gentleman from California [Mr. MILLER] and the gentleman from Massachusetts [Mr. STUDDS] that we are going to bring the authorization bill to the floor tomorrow or some time this week, and we will have an opportunity once and for all to establish, without any doubt, that the private landholder's rights are protected, that the volunteers will not be used, and that we will have a chance to make sure that the survey will be done on Federal lands prior to private lands, and that we, the Congress, will be setting the guidelines for the Biological Survey, and that should be done. No executive branch should be doing what my good Secretary is doing now. No Secretary, no Cabinet member should be setting policy. This Congress should be setting policy. This Congress should be directing, and only through authorization can we do that.

I am not happy with the conference report. I wish the Biological Survey was not in this report. But the Senate put it in. It was in the Senate side and, in fact, the House, with the help of the gentleman from Ohio [Mr. REGULA] and the gentleman from Washington [Mr. DICKS] did improve that lot which we are faced with today.

But let us come to this floor tomorrow with the gentleman from Louisiana [Mr. TAUZIN], the gentleman from Massachusetts [Mr. STUDDS], the gentleman from California [Mr. MILLER], and myself and pass an authorization bill that directs the Secretary on this survey shall be conducted. That is the way we should proceed.

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

Mr. Speaker, I urge adoption of this rule. I have heard all of the pros and cons, but we realize now here it is the latter part of October. November is coming up. The Rules Committee has scheduled an emergency bill for a CR.

We are not making any progress. Let us bring this measure to the floor and hammer it out and pass it. It is time for action and not colloquy.

Mr. Speaker, I yield the balance of my time to the distinguished gentleman from Ohio [Mr. REGULA], the ranking minority member of the committee.

The SPEAKER pro tempore (Mr. MFUME). The gentleman from Ohio [Mr. REGULA] is recognized for 5 minutes.

□ 1640

Mr. REGULA. My colleagues, as I have listened to the debate this afternoon, I am not sure we are talking about the bill or the conference report that we brought back. I have heard that we authorized the Biological Survey. We did not authorize any survey. The Secretary has done this under secretarial order by the authority granted by this Congress in 1950, which allows reorganization. I am no fan of the Biological Survey, believe me. I voted for the Taylor amendment. In order to protect the property owners, at the request of four of my colleagues from the Republican side, who wrote me a letter on October 7, requesting that we put in a requirement that there be written permission if anyone were to go in on private lands, we put it in.

Second, they said in their letter to me, signed by four of my colleagues, "Do not allow volunteers." The Senate language authorized the use of volunteers. We in the House objected and we struck it out so they cannot use volunteers.

Third, they said be sure that they do not do anything beyond what is already authorized in the law. And if you read the conference report, the statement of managers, we make it very clear that they should not do anything that is not already authorized by law.

It has been done; Secretary Watt, in 1982, reorganized and created the Minerals Management Service. He did it without any additional action by this Congress.

So let me make it clear: The Biological Survey issue here is just a Trojan horse in a cowboy hat. The real issue is grazing. They are using the Biological Survey to obfuscate the questions of grazing. That is the target.

The truth of the matter is this conference report tightens up the Secretary's authorities.

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

Mr. REGULA. I yield to the gentleman from Illinois.

Mr. YATES. I thank the gentleman for yielding.

When the gentleman refers to minerals management, he means biodiversity?

Mr. REGULA. No. I said 1982.

Mr. YATES. That is what they are doing.

Mr. REGULA. Yes, that is what they are doing.

Let me make clear, if this rule is defeated, the Biological Survey will go ahead regardless because it is already authorized. The money will be spent with no controls.

So, if you want written permission to go on private land, if you want no volunteers, and if you want a requirement that they get authorization for further activities, you should vote for the rule and for the conference report and do not get distracted by that issue because we tightened it up considerably.

The Senate bill had the money in, the House bill had the money in, we passed the rule on a voice vote. Nothing was said on the floor about the money when we had the original bill. Therefore, if the rule is defeated, we go back to conference.

There is not an issue. The money in the House and the Senate bill is already there, and you will not have the requirement for written permission, you will not have the elimination of the volunteers, and you will not have a requirement for additional authorization.

If you are for restrictions on the Biological Survey, you must vote for the rule.

Now, the grazing issue has been debated extensively in both Houses, and I think we are pretty much all aware of that. Three hundred and fourteen Members of this body voted for the motion to instruct our conferees to get a grazing compromise, to get grazing-fee language in the bill, We have followed the instructions given to us as conferees. And if you are one of the 314 that voted for that motion to instruct, you should also be voting "yes" on this rule and "yes" on the conference report because the Biological Survey—and I keep emphasizing this because it has been distorted by way of information here—we tightened it up considerably over what will happen without our language.

I hope the authorizing committee will move tomorrow and get this done.

Mr. GORDON. Mr. Speaker, I yield such time as he may consume to the gentleman from Ohio, the ranking member of the subcommittee.

Mr. REGULA. I thank the gentleman for yielding further to me.

Mr. Speaker, it is vitally important that we get an authorizing bill because without it and without this language, you are giving the Secretary a free hand.

If you want him to have a free hand, then you are against the rule. If you want him to be constrained in what he can do and if you want to avoid those volunteers, you want to vote "yes" on the rule, "yes" on the bill.

We have made every effort to protect and conform to the will of the House.

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

Mr. REGULA. I yield to the gentleman from Minnesota.

Mr. VENTO. I thank the gentleman for yielding.

Mr. Speaker, I want to commend the gentleman in the well. I think what he is telling us is the Biological Survey is now reduced to one species: It is a beef about the beef.

Mr. REGULA. What is that?

Mr. VENTO. It is a beef about the beef—grazing permits and cost changes.

Mr. THOMAS of Wyoming. Mr. Speaker, will the gentleman yield?

Mr. REGULA. I yield to the gentleman from Wyoming.

Mr. THOMAS of Wyoming. I thank the gentleman for yielding.

Mr. Speaker, the gentleman in the well has not spoken at all about the regulations. He talked about the fees. What about these 19 pages of regulations, is that what was instructed from this House?

Mr. REGULA. Yes. And the instruction from the House did not specify what should be done. The Senate, of course, put a moratorium on having anything done. I am not totally happy with the restrictions, but nevertheless that was the way it was worked out by the Senate and House conferees. It is much less onerous than the Secretary's rules.

Let me say that if we go back to conference, there is a good possibility that we end up with nothing in the way of language, and then the Secretary will, by Executive order, do something far worse in terms of grazing fees and rules and the whole 9 yards then you have here.

We have really restricted what the Secretary can do.

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

Mr. REGULA. I yield to the gentleman from Washington.

Mr. DICKS. I thank the gentleman for yielding.

Mr. Speaker, the Secretary of the Interior has made it very clear that he thinks that this is the minimal amount that the House should do. He would love us to defeat this conference report so that he could put real onerous restrictions on grazing fees much more in terms of money and much more in terms of environmental restrictions.

So I think the people who come from the West, as I do, have got to look at their hole card here, because they could bring down a much more onerous package than what has been negotiated out fairly between the administration and the Congress.

Mr. GORDON. Mr. Speaker, due to the fact that we have other speakers, I would like to limit the time of the gentleman from Ohio [Mr. REGULA] to 1 additional minute.

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

Mr. REGULA. I yield to the gentleman from Illinois.

Mr. YATES. I thank the gentleman for yielding.

Mr. Speaker, I point out that when the arguments were made on the floor against Secretary Babbitt, it was said that the Congress ought to be the ones who fix the grazing fees, and not the Secretary of the Interior, and that is exactly what has happened here. The Congress has acted and will act on the grazing fees, not the Secretary.

Mr. REGULA. If we do not pass this, he will set these and they will be far worse than these here.

Mr. THOMAS of Wyoming. Mr. Speaker, will the gentleman yield?

Mr. REGULA. I yield to the gentleman from Wyoming.

Mr. THOMAS of Wyoming. I thank the gentleman.

Mr. Speaker, we have had no hearings on this. There are not five people in this place that know what those regulations are, and the gentleman is saying that the Congress is doing this? That is a farce, that is not true. No one in here knows what those regulations are. We are doing it simply because you put them on an appropriations.

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

Mr. REGULA. I yield to the gentleman from Minnesota.

Mr. VENTO. We had a briefing on the Secretary's proposal, and I know that the gentleman was unable to be there, but several of us were there. Some of us actually had the opportunity—I would be happy to share with the gentleman a copy of the land reform policies that the Secretary provided each of us.

Mr. REGULA. Mr. Speaker, bottom line, a "yes" vote on the rule is to restrict the Secretary, a "no" vote is to give him a free hand.

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

Mr. GORDON. Mr. Speaker, for purposes of debate only, I yield 1 minute to the gentleman from Maryland [Mr. GILCHREST].

Mr. GILCHREST. I thank the gentleman for yielding this time to me.

Mr. Speaker, there has been a great deal of discussion here about the rule, and Members are going to have to decide which way they want to vote on this rule for themselves.

But what seems to be missing in some of the discussion is the substance of the topic contained in the appropriation.

I want to address that. And one of those topics, that is, the act to study the biological systems of the United States, the Biological Systems Act. There are several positive things that Members need to know out there: Property rights are protected in the bill. There is no question. The information will be invaluable for local planners to compare that to digital computerized mapping of their regions so that they can more expertly, based on knowledge and intelligence, plan and manage the growth of their communities.

□ 1650

This is how this all intersects. The last thing, if you are a farmer, you have an agricultural community, understanding where the weeds are and where the pests are is vitally important.

So Mr. Speaker, I urge you to vote on this bill based on the substance of the material.

Mr. GORDON. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois [Mr. YATES], the chairman of the Subcommittee on Interior of the Committee on Appropriations.

Mr. YATES. Mr. Speaker, I thank the distinguished gentleman for yielding this time to me.

Mr. Speaker, I want to reiterate what my friend and ranking member of the Interior Appropriations Subcommittee said. If you do not vote this rule up, the Biological Survey will lose. I mean, those who want to apply restrictions to the Secretary of the Interior will have the restrictions that are in this bill removed, and I do not think that is what they want. The rule protects those.

Second, if you are interested in increasing grazing fees and adjusting the grazing fees, as the House demonstrated, if you defeat the rule you are going to lose the grazing fees, because it will be subject to a point of order.

Mr. Speaker, I urge the House to approve the rule.

Mr. HEFLEY. Mr. Speaker, I rise to urge defeat of the rule before the House.

Last week, this body conducted an extended debate on the National Biological Survey.

I thought that, by the time we were done, we'd made pretty clear what the intent of the House was toward the Survey. We wanted the surveyors to get written permission before entering private land. We did not want unqualified volunteers conducting the Survey. We wanted the data collected to be open to all, including the owners of the land surveyed, and to be subject to peer review.

More then 300 of us said we wanted these things. Well, for all intents and purposes, that's out of there. For all intents and purposes, most of us are being ignored in this conference report. But then there is something in this conference report to outrage virtually everyone.

The unamended Biological Survey. Funding for that Survey, which has never been authorized. Treatment of the grazing issue which, as with so much else in this bill, will pretty much allow the Interior Secretary to do whatever he wants to do. You vote for this rule and you are ceding any semblance of control this House has over the Interior Department and public lands policy. Vote "no" on this rule and keep some self-respect.

Mr. STUMP. Mr. Speaker, I stand before you today to urge your vote against the restrictive rule allowing for the consideration of the fiscal year 1994 Interior appropriations bill.

It was only a few short weeks ago that an overwhelming majority of the Members of this Chamber voted to uphold private property rights by supporting Congressman CHARLES TAYLOR's amendment to the National Biological Survey [NBS] bill.

From across the country, property owners wanted to make sure we got the message loud and clear: private property must be protected against unreasonable Government searches. Further, they expressed concern about the shortfalls, and the excesses, of the Biological Survey bill.

Americans have legitimate concerns that the National Biological Survey would give the Government the unrestrained right to enter private property under the guise of conducting a

survey, without providing any reasonable guidelines to address the important issues of privacy, liability for any injury or damage incurred by NBS personnel while conducting activities on private lands, reimbursements for damages to the lands caused by surveyors, and protections against unreasonable search and seizures.

During House consideration of the Biological Survey bill, eight amendments were passed that would help to address the concerns of private property owners, and to safeguard against the Federal Government running amok on non-Federal lands and private property. Several additional amendments were anticipated, but the bill was pulled from further consideration, leaving the many issues unresolved. I believe that the high number of amendments to the bill is evidence that the National Biological Survey is flawed, and has serious shortcomings.

Today, we are being asked to consider the fiscal year 1994 Interior appropriations bill, that will provide $163.5 million in funding for the National Biological Survey. With the exception of retaining a portion of an amendment that would require the written permission of a private property owner prior to entering lands to conduct survey activities, all other amendments were scrapped from the Interior appropriations bill.

I do not believe that it is unreasonable to ask that the Rules Committee take another look at the limits placed on the debate on the rule, when fully 73 percent of the Members of the House voted in support of protecting private property rights.

The Rules Committee has ignored the strong will of the House by allowing this bill to come to the floor for consideration under such restrictive and limited language as to stifle any meaningful debate on major legislative and policy issues, and I ask that my colleagues vote against the rule.

Mr. GORDON. 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 SPEAKER pro tempore (Mr. MFUME). The question is on the resolution.

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

Mr. KOLBE. 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 253, nays 174, not voting 6, as follows:

[Roll No. 522]

YEAS—253

Abercrombie
Ackerman
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Applegate
Bacchus (FL)
Barca
Barrett (WI)
Becerra
Beilenson
Bereuter
Berman
Bevill
Bilbray
Bishop
Blackwell
Blute
Bonior
Borski
Boucher
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
Diaz-Balart
Dicks
Dingell
Dixon
Durbin
Edwards (CA)
Edwards (TX)
Eshoo
Evans
Farr
Fazio
Fields (LA)
Filner
Fingerhut
Fish
Flake
Foglietta
Ford (MI)
Ford (TN)
Frank (MA)
Frost
Furse
Gallo
Gejdenson
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Glickman
Gonzalez
Gordon
Green
Gutierrez
Hall (OH)
Hamburg
Hamilton
Harman
Hastings
Hefner
Hilliard
Hinchey
Hoagland
Hobson
Hochbrueckner
Holden
Horn
Hoyer
Hughes
Inslee
Jacobs
Jefferson
Johnson (CT)
Johnson (GA)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kennedy
Kennelly
Kildee
Kleczka
Klein
Klug
Kopetski
Kreidler
LaFalce
Lancaster
Lantos
Levin
Lewis (GA)
Livingston
Lloyd
Long
Lowey
Machtley
Maloney
Mann
Manton
Margolies-Mezvinsky
Markey
Matsui
Mazzoli
McCloskey
McCurdy
McDade
McDermott
McHale
McKinney
McNulty
Meehan
Menendez
Meyers
Mfume
Miller (CA)
Mineta
Minge
Mink
Moakley
Mollohan
Moran
Morella
Murphy
Murtha
Myers
Nadler
Natcher
Neal (MA)
Neal (NC)
Oberstar
Obey
Olver
Ortiz
Owens
Oxley
Pallone
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Penny
Peterson (FL)
Pickle
Porter
Portman
Price (NC)
Pryce (OH)
Quillen
Rahall
Ramstad
Rangel
Ravenel
Reed
Regula
Richardson
Roemer
Ros-Lehtinen
Rose
Rostenkowski
Roukema
Roybal-Allard
Rush
Sabo
Sanders
Sangmeister
Sarpalius
Sawyer
Saxton
Schenk
Schroeder
Schumer
Scott
Serrano
Sharp
Shays
Shepherd
Sisisky
Skaggs
Slattery
Slaughter
Smith (IA)
Snowe
Spratt
Stark
Stokes
Strickland
Studds
Stupak
Swett
Swift
Synar
Tejeda
Thompson
Thornton
Thurman
Torkildsen
Torres
Torricelli
Towns
Traficant
Tucker
Unsoeld
Velazquez
Vento
Visclosky
Washington
Waters
Watt
Waxman
Wheat
Whitten
Wilson
Wise
Woolsey
Wyden
Wynn
Yates
Young (FL)
Zimmer

NAYS—174

Allard
Archer
Armey
Bachus (AL)
Baesler
Baker (CA)
Baker (LA)
Ballenger
Barcia
Barlow
Barrett (NE)
Bartlett
Barton
Bateman
Bentley
Bilirakis
Bliley
Boehlert
Boehner
Bonilla
Brewster
Bunning
Burton
Buyer
Callahan
Calvert
Camp
Canady
Castle
Clinger
Coble
Collins (GA)
Combest
Condit
Cox
Crane
Crapo
Cunningham
DeLay
Dickey
Dooley
Doolittle
Dornan
Dreier
Duncan
Dunn
Emerson
English (AZ)
English (OK)
Everett
Ewing
Fawell
Fields (TX)
Fowler
Franks (CT)
Franks (NJ)
Gallegly
Geren
Gingrich
Goodlatte
Goodling
Goss
Grams
Grandy
Greenwood
Gunderson
Hall (TX)
Hancock
Hansen
Hayes
Hefley
Herger
Hoekstra
Hoke
Houghton
Huffington
Hunter
Hutchinson
Hutto
Hyde
Inglis
Inhofe
Istook
Johnson (SD)
Johnson, Sam
Kasich
Kim
King
Kingston
Klink
Knollenberg
Kolbe
Kyl
Lambert
LaRocco
Laughlin
Lazio
Leach
Lehman
Levy
Lewis (CA)
Lewis (FL)
Lightfoot
Linder
Lipinski
Manzullo
Martinez
McCandless
McCollum
McCrery
McHugh
McInnis
McKeon
McMillan
Mica
Miller (FL)
Molinari
Montgomery
Moorhead
Nussle
Orton
Packard
Parker
Paxon
Peterson (MN)
Petri
Pickett
Pombo
Pomeroy
Poshard
Quinn
Ridge
Roberts
Rogers
Rohrabacher
Roth
Rowland
Royce
Santorum
Schaefer
Schiff
Sensenbrenner
Shaw
Shuster
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Solomon
Spence
Stearns
Stenholm
Stump
Sundquist
Talent
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Thomas (CA)
Thomas (WY)
Upton
Valentine
Volkmer
Vucanovich
Walker
Walsh
Weldon
Williams
Wolf
Young (AK)
Zeliff

NOT VOTING—6

Engel
Gekas
Hastert
Meek
Michel
Reynolds

□ 1714

Messrs. SUNDQUIST, JOHNSON of South Dakota, POMEROY, ROHRABACHER, and ENGLISH of Oklahoma changed their vote from "yea" to "nay."

Ms. PRYCE of Ohio, and Messrs. GUTIERREZ, PORTMAN, GLICKMAN, and BLUTE changed their vote from "nay" to "yea."

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. YATES. Mr. Speaker, pursuant to the provisions of House Resolution 279, I call up the conference report on 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.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. MFUME). Pursuant to the rule, the conference report is considered as having been read.

(For conference report and statement, see proceedings of the House of Friday, October 15, 1993, at page 24833.)

The SPEAKER pro tempore. The gentleman from Illinois [Mr. YATES] will be recognized for 30 minutes, and the gentleman from Ohio [Mr. REGULA] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Illinois [Mr. YATES].

Mr. YATES. Mr. Speaker, today we consider the conference report on fiscal year 1994 appropriations for the Department of the Interior and related agencies. Contrary to the debate during the rule which gave the impression

that this bill may be limited to the National Biological Survey and grazing fees, this bill contains much more. It contains funds for our national parks, our wildlife refuges, our public lands, our forests, Indian programs, energy programs, and cultural programs.

Mr. Speaker, the conference agreement is well within our 602(b) allocation for both discretionary budget authority and discretionary outlays. In budget authority, we are $14,375,000 below the allocation, and $8,926,000 below the allocation for outlays. The agreement is also $229 million below the President's request.

Mr. Speaker, the conference agreement is above the amount that the House passed by $702,869,000. Before Members go into shock at that statement, the principal reason for this increase is the reinstatement of funds for the Bureau of Land Management. When the bill was before the House, funds for the Bureau of Land Management were stricken under a point of order because the Bureau of Land Management had not been reauthorized. The Senate did include money for the Bureau of Land Management, and the House on September 13 passed an authorization for BLM. That is why we have that amount of money in this bill; to take care of funding for that agency.

One of the issues facing the conference, of course, and you have already heard something about it, is the grazing program. The conferees were instructed to go to conference and work out a grazing fee increase and a grazing program with the Senate. The Senate had placed a moratorium on the effort by Secretary Babbitt to increase grazing fees, and the conferees removed that moratorium.

Mr. Speaker, the agreement that we have reached provides an increase in grazing fees to $3.45 over a 3-year period and legislates certain grazing reforms. It is a significant and positive resolution to an issue that has been contentious over many, many years.

With respect to the National Biological Survey, I would like to repeat what I said during the debate, that the appropriations for the National Biological Survey that are in this bill in no way expand the authority for the Secretary of the Interior.

□ 1720

Until such time as the authorizing bill is passed, the Secretary of the Interior is required to operate the Biological Survey only under the authority that he currently has and consistent with responsibilities being carried out at the present time by the different agencies within the Department.

As was pointed out so eloquently by my friend, the gentleman from Ohio [Mr. REGULA], amendment No. 18 in this bill carries out the intention of those who want to put restrictions on the National Biological Survey in that the Secretary is prevented from initiating new surveys on private lands without the written permission of the landowners. This is in accordance with amendments that were passed when the authorizing bill was under consideration on this floor.

Under the Forest Service, the conferees agreed to language which was included in the House version of the bill, which will require all new timber sales in fiscal year 1994 to be conducted using the tree measurement method, instead of scaling. Certain exceptions will be allowed for salvage or thinning sales, but even in these cases, the sales will be scaled by Forest Service personnel or by companies under contract to the Forest Service, rather than by third party scaling bureaus paid for by the timber companies. These provisions will be helpful in reducing fraud and theft in the national forests.

The conferees also agreed to the House proposal for organizational independence for the Forest Service criminal investigations staff, while agreeing that general law enforcement personnel would remain integrated into the Forest Service management structure. The conference agreement also includes an increase of $900,000 for criminal investigations and timber theft activities, and moves the law enforcement funding back to the National Forest System account, with bill language providing that not less than $55.6 million will be available for law enforcement. Together with funds provided elsewhere in the bill, the total available for law enforcement will be at least $66.7 million in 1994.

Also under the Forest Service, the conferees agreed to include certain provisions and programs related to the administration's Pacific Northwest forest plan. These include increases of $10 million for community assistance, $5 million for old growth diversification projects, and $20 million for watershed restoration projects on national forest lands. An additional $26 million will be available from timber salvage funds to carry out assessments related to the watershed restoration program. A reduction of $35 million to the roads budget, including $25 million for timber roads, will offset partially these increases. Also related to the forest plan, there is $7 million for an ecosystems restoration fund in the Department of the Interior.

The conferees also agreed to include language proposed by the Senate which will allow the Forest Service to offer early outs to a number of employees who will have to be let go due to the decrease in the timber program. Savings of up to $25 million could be achieved by offering these early outs rather than having to conduct a costly reduction-in-force [RIF]. This provision will expire as soon as legislation providing Government-wide early out authority is enacted into law.

The final product of the conference follows the pattern established in the House bill to increase the operating programs of the Department of the Interior. The principal land management agencies of the Department, the Bureau of Land Management, the U.S. Fish and Wildlife Service and the National Park Service, each have significant operating increases. For the Bureau of Land Management, the increase is $65 million or 12 percent over 1993. For the U.S. Fish and Wildlife Service the increase is $60 million, or 14 percent, over 1993. For the National Park Service the increase is $110 million, or 11.6 percent.

Offsetting these increases in part, the conference agreement reduced the construction program in this bill by $112 million below the 1993 level of $1.1 billion and reduced land acquisition $31 million below 1993.

There is a total of $254,277,000 for land acquisition and State assistance in the conference agreement. Appropriations for Federal acquisitions total $226,224,000. State grants from the Fund are set at $28 million, the same level as fiscal year 1993 and the President's request. Requests to the subcommittee from Members and others for land acquisition totaled well over $1 billion. The projects incorporated in the conference report include many worthy items for which members of this House have requested consideration. We could not fund all the projects requested nor fund all the projects we did include at the levels we would have liked but, on the whole, I believe the agreements reached by the conferees amount to a good compromise which fairly balances the many competing needs.

The conference agreement continues the current moratoria on offshore oil and gas leasing and development. The current administration has supported continuing these moratoria while it reviews the OCS program. The moratoria cover the entire east and west coast, the eastern Gulf of Mexico and Bristol Bay in Alaska.

Amounts for the Department of Energy include an increase of $111,472,000, or over 19 percent above fiscal year 1993 levels, for energy conservation programs reflecting substantial increases for both research and development and grant programs such as low income weatherization. The program total is $690,375,000.

In the statement of the managers accompanying the conference report, there is an incorrect number. Under amendment No. 48, the total amount included for the Northern Mariana Islands should be $27,720,000. Also, with regard to the Blackstone River Valley NHC, the statement of the managers left out the clarification that the $500,000 included is for technical assistance.

Within the total funds provided for operations, the Park Service may allocate funds for the Keweenaw National Historical Park not to exceed $150,000.

Two other corrections should be noted in the statement of the managers. The Emiquon National Wildlife Refuge, referenced on page 15, is in Illinois and the White Earth Clinic, referenced on page 57, is in Minnesota.

I want to express my appreciation to my good friend, my partner in this program, the ranking member, the gentleman from Illinois [Mr. REGULA], who has done so much in shaping this bill.

I want to pay my respects to all the members of my team. I see the gentleman from Arizona [Mr. KOLBE] on the floor. He was a very effective member of our subcommittee and contributed a great deal to the final report. We did a good job under difficult circumstances, and I would urge support for this conference report.

I want to also pay my respects to the gentleman from California [Mr. PACKARD], who was more than faithful in his attention to his duties. I do not remember a single day of hearings that he did not attend. He, too, helped fashion a good bill.

I want to pay my tribute as well to a group of young people who make up the staff of our subcommittee, the best staff, I think, of any subcommittee in the House. Under the leadership of Neal Sigmon, they have done a remarkable job. I give them my highest thanks and tribute.

At this point, I ask that a table detailing the various accounts in the bill, as agreed to by the conferees, be inserted in the RECORD:

FY 1994 INTERIOR AND RELATED AGENCIES APPROPRIATIONS BILL (H.R. 2520)

	FY 1993 Enacted	FY 1994 Estimate	House	Senate	Conference	Conference compared with enacted
TITLE I - DEPARTMENT OF THE INTERIOR						
Bureau of Land Management						
Management of lands and resources	540,246,000	600,844,000	.....	604,415,000	599,860,000	+59,614,000
Fire protection	118,296,000	117,143,000	117,143,000	117,143,000	117,143,000	-1,153,000
Emergency Department of the Interior firefighting fund	112,674,000	116,674,000	116,674,000	116,674,000	116,674,000	+4,000,000
Emergency contingency	(51,200,000)	.....	.....	.....	.....	(-51,200,000)
Construction and access	15,676,000	7,167,000	.....	10,817,000	10,467,000	-5,209,000
Payments in lieu of taxes	104,108,000	104,108,000	104,108,000	104,108,000	104,108,000	.....
Land acquisition	27,796,000	16,377,000	14,877,000	8,177,000	12,122,000	-15,674,000
Oregon and California grant lands	82,415,000	88,552,000	83,052,000	83,052,000	83,052,000	+637,000
Forest ecosystems health and recovery	991,000	.....	.....	.....	.....	-991,000
Mandatory	.....	1,500,000	1,500,000	1,500,000	1,500,000	+1,500,000
Range improvements (indefinite)	10,747,000	10,025,000	.....	10,025,000	10,025,000	-722,000
Service charges, deposits, and forfeitures (indefinite)	7,932,000	7,932,000	.....	7,932,000	7,932,000	.....
Payments to counties	.....	26,111,000	12,000,000	.....	.....	.....
Miscellaneous trust funds (indefinite)	7,380,000	7,505,000	.....	7,505,000	7,505,000	+125,000
Total, Bureau of Land Management	1,028,261,000	1,103,938,000	449,354,000	1,071,348,000	1,070,388,000	+42,127,000
United States Fish and Wildlife Service						
Resource management	530,537,000	496,312,000	492,229,000	476,831,000	484,313,000	-46,224,000
Construction	109,887,000	78,438,000	53,209,000	75,388,000	73,565,000	-36,322,000
Natural resource damage assessment and restoration fund	4,645,000	8,760,000	7,260,000	6,260,000	6,700,000	+2,055,000
Land acquisition	76,544,000	55,404,000	61,610,000	76,204,000	82,655,000	+6,111,000
Cooperative endangered species conservation fund	6,565,000	10,571,000	9,571,000	8,571,000	9,000,000	+2,435,000
National wildlife refuge fund	11,748,000	14,079,000	11,748,000	13,748,000	12,000,000	+252,000
Rewards and operations	1,191,000	1,169,000	1,169,000	1,169,000	1,169,000	-22,000
North American wetlands conservation fund	9,171,000	13,957,000	11,257,000	13,257,000	12,000,000	+2,829,000
Wildlife conservation and appreciation fund	.....	1,000,000	1,000,000	1,000,000	1,000,000	+1,000,000
Total, United States Fish and Wildlife Service	750,288,000	679,690,000	649,053,000	672,428,000	682,402,000	-67,886,000
National Biological Survey						
Research, inventories, and surveys	.....	179,445,000	163,604,000	156,837,000	163,519,000	+163,519,000
National Park Service						
Operation of the national park system	971,655,000	1,128,667,000	1,059,033,000	1,063,335,000	1,061,823,000	+90,168,000
National recreation and preservation	35,903,000	42,929,000	35,606,000	43,844,000	42,585,000	+6,682,000
Historic preservation fund	41,617,000	40,000,000	40,000,000	40,000,000	40,000,000	-1,617,000
Construction	228,031,000	185,700,000	183,949,000	191,136,000	201,724,000	-26,307,000
Urban park and recreation fund	.....	5,000,000	5,000,000	.....	5,000,000	+5,000,000
Land and water conservation fund (rescission of contract authority)	-30,000,000	-30,000,000	-30,000,000	-30,000,000	-30,000,000	.....
Land acquisition and state assistance	117,900,000	77,600,000	89,460,000	95,587,000	95,250,000	-22,650,000
John F. Kennedy Center for the Performing Arts	20,629,000	20,260,000	20,629,000	20,629,000	20,629,000	.....
Illinois and Michigan Canal National Heritage Corridor Commission	248,000	250,000	250,000	250,000	250,000	+2,000
Total, National Park Service (net)	1,385,983,000	1,470,406,000	1,403,927,000	1,424,781,000	1,437,261,000	+51,278,000
United States Geological Survey						
Surveys, investigations, and research	578,187,000	597,364,000	584,685,000	584,685,000	584,685,000	+6,498,000
Minerals Management Service						
Leasing and royalty management	195,339,000	196,686,000	193,197,000	192,897,000	193,197,000	-2,142,000
Oil spill research	5,331,000	5,331,000	5,681,000	5,331,000	5,331,000	.....
Total, Minerals Management Service	200,670,000	202,017,000	198,878,000	198,228,000	198,528,000	-2,142,000
Bureau of Mines						
Mines and minerals	174,235,000	153,656,000	169,336,000	171,584,000	169,436,000	-4,799,000
Office of Surface Mining Reclamation and Enforcement						
Regulation and technology	111,716,000	110,009,000	110,552,000	110,552,000	110,552,000	-1,164,000
Receipts from performance bond forfeitures (indefinite)	1,190,000	1,190,000	1,190,000	1,190,000	1,190,000	.....
Total	112,906,000	111,199,000	111,742,000	111,742,000	111,742,000	-1,164,000
Abandoned mine reclamation fund (definite, trust fund)	187,930,000	191,629,000	190,107,000	190,107,000	190,107,000	+2,177,000
Total, Office of Surface Mining Reclamation and Enforcement	300,836,000	302,828,000	301,849,000	301,849,000	301,849,000	+1,013,000
Bureau of Indian Affairs						
Operation of Indian programs	1,363,663,000	1,473,306,000	1,492,650,000	1,489,885,000	1,490,805,000	+127,142,000
(By transfer)	(3,900,000)	.....	.....	.....	.....	(-3,900,000)
Construction	149,613,000	114,110,000	172,799,000	150,429,000	166,979,000	+17,366,000

FY 1994 INTERIOR AND RELATED AGENCIES APPROPRIATIONS BILL (H.R. 2520), continued

	FY 1993 Enacted	FY 1994 Estimate	House	Senate	Conference	Conference compared with enacted
Indian land and water claim settlements and miscellaneous payments to Indians	38,609,000	204,260,000	103,259,000	103,259,000	103,259,000	+64,650,000
Navajo rehabilitation trust fund	3,966,000	2,466,000	2,466,000	2,466,000	2,466,000	-1,500,000
Technical assistance of Indian enterprises	1,970,000	1,970,000	1,970,000	1,970,000	1,970,000	.....
Indian direct loan program account	2,479,000	2,484,000	2,484,000	2,484,000	2,484,000	+5,000
(Limitation on direct loans)	(11,300,000)	(10,890,000)	(10,890,000)	(10,890,000)	(10,890,000)	(-410,000)
Indian guaranteed loan program account	9,687,000	9,690,000	9,690,000	9,690,000	9,690,000	+3,000
(Limitation on guaranteed loans)	(68,800,000)	(69,000,000)	(69,000,000)	(69,000,000)	(69,000,000)	(+200,000)
Miscellaneous permanent appropriations (by transfer)	(6,000,000)	.....	.....	.....	.....	(-6,000,000)
Total, Bureau of Indian Affairs	1,569,987,000	1,808,286,000	1,785,318,000	1,760,183,000	1,777,653,000	+207,666,000
Territorial and International Affairs						
Administration of territories	52,223,000	53,237,000	54,387,000	53,737,000	54,187,000	+1,964,000
Northern Mariana Islands Covenant	28,980,000	27,720,000	27,720,000	27,720,000	27,720,000	-1,260,000
Total	81,203,000	80,957,000	82,107,000	81,457,000	81,907,000	+704,000
Trust Territory of the Pacific Islands	23,051,000	20,338,000	24,038,000	23,338,000	23,838,000	+787,000
Compact of Free Association	10,368,000	10,602,000	12,102,000	12,102,000	12,102,000	+1,734,000
Mandatory payments	10,000,000	10,000,000	10,000,000	10,000,000	10,000,000	.....
Total	20,368,000	20,602,000	22,102,000	22,102,000	22,102,000	+1,734,000
Total, Territorial and International Affairs	124,622,000	121,897,000	128,247,000	126,897,000	127,847,000	+3,225,000
Departmental Offices						
Office of the Secretary	63,092,000	64,496,000	64,111,000	64,111,000	64,111,000	+1,019,000
Ecosystem restoration funds	.....	.....	.....	7,000,000	7,000,000	+7,000,000
Office of the Solicitor	31,457,000	33,709,000	33,359,000	33,359,000	33,359,000	+1,902,000
Office of Inspector General	23,539,000	24,683,000	24,283,000	24,283,000	24,283,000	+744,000
Construction Management	2,172,000	2,194,000	2,494,000	2,194,000	2,394,000	+222,000
National Indian Gaming Commission	2,040,000	1,500,000	1,000,000	1,500,000	1,000,000	-1,040,000
Total, Departmental Offices	122,300,000	126,582,000	125,247,000	132,447,000	132,147,000	+9,847,000
Total, title I, Department of the Interior (net)	6,235,369,000	6,746,109,000	5,959,498,000	6,601,267,000	6,645,715,000	+410,346,000
Appropriations	(6,265,369,000)	(6,776,109,000)	(5,989,498,000)	(6,631,267,000)	(6,675,715,000)	(+410,346,000)
Rescission	(-30,000,000)	(-30,000,000)	(-30,000,000)	(-30,000,000)	(-30,000,000)	.....
(Limitation on direct loans)	(11,300,000)	(10,890,000)	(10,890,000)	(10,890,000)	(10,890,000)	(-410,000)
(Limitation on guaranteed loans)	(68,800,000)	(69,000,000)	(69,000,000)	(69,000,000)	(69,000,000)	(+200,000)
TITLE II - RELATED AGENCIES						
DEPARTMENT OF AGRICULTURE						
Forest Service						
Forest research	182,715,000	194,383,000	193,083,000	192,983,000	193,083,000	+10,368,000
State and private forestry	156,227,000	175,657,000	148,955,000	169,107,000	168,107,000	+11,880,000
Emergency pest suppression fund	(26,000,000)	.....	(15,000,000)	(15,000,000)	(15,000,000)	(-11,000,000)
International forestry	.....	36,996,000	11,996,000	6,996,000	6,996,000	+6,996,000
National forest system	1,307,274,000	1,337,253,000	1,237,272,000	1,300,153,000	1,304,891,000	-2,383,000
Forest Service law enforcement	.....	.....	67,781,000	.....	.....	.....
Forest Service fire protection	189,163,000	190,108,000	190,108,000	190,108,000	190,108,000	+945,000
Emergency Forest Service firefighting fund	185,411,000	190,222,000	190,222,000	190,222,000	190,222,000	+4,811,000
Emergency contingency	(188,000,000)	.....	.....	.....	.....	(-188,000,000)
Construction	255,259,000	274,160,000	237,423,000	264,795,000	249,002,000	-6,257,000
Timber receipts transfer to general fund (indefinite)	(-75,366,000)	(-71,895,000)	(-71,895,000)	(-71,895,000)	(-71,895,000)	(+3,471,000)
Timber purchaser credits	(110,669,000)	(60,000,000)	(60,000,000)	(60,000,000)	(60,000,000)	(-50,669,000)
Land acquisition	62,412,000	63,955,000	56,700,000	51,050,000	64,250,000	+1,838,000
Acquisition of lands for national forests, special acts	1,180,000	1,212,000	1,212,000	1,212,000	1,212,000	+32,000
Acquisition of lands to complete land exchanges (indefinite)	198,000	203,000	203,000	203,000	203,000	+5,000
Range betterment fund (indefinite)	5,264,000	4,600,000	4,600,000	4,600,000	4,600,000	-664,000
Gifts, donations and bequests for forest and rangeland research	104,000	96,000	96,000	96,000	96,000	-8,000
Payments to counties	.....	25,000,000	.....	.....	.....	.....
Total, Forest Service	2,345,207,000	2,493,845,000	2,339,651,000	2,371,525,000	2,372,770,000	+27,563,000
DEPARTMENT OF ENERGY						
Clean coal technology	-525,000,000	-150,000,000	-150,000,000	-150,000,000	-175,000,000	+350,000,000
Fossil energy research and development	418,353,000	398,442,000	433,163,000	429,070,000	430,674,000	+12,321,000
Alternative fuels production (indefinite)	-7,500,000	.....	-5,200,000	-5,200,000	-5,200,000	+2,300,000
Naval petroleum and oil shale reserves	236,070,000	231,216,000	214,772,000	214,772,000	214,772,000	-21,298,000
Energy conservation	578,903,000	778,439,000	702,825,000	677,013,000	690,375,000	+111,472,000
Economic regulation	14,441,000	12,994,000	12,994,000	12,994,000	12,994,000	-1,447,000
Emergency preparedness	9,168,000	8,901,000	8,901,000	8,901,000	8,901,000	-267,000
Strategic Petroleum Reserve	176,167,000	173,110,000	206,810,000	206,810,000	206,810,000	+30,643,000
SPR petroleum account	-125,625,000	.....	.....	.....	.....	+125,625,000
Energy Information Administration	82,341,000	89,373,000	86,053,000	86,953,000	86,553,000	+4,212,000
Biomass Energy Development (Transfer)	-49,000,000	.....	.....	.....	.....	+49,000,000

FY 1994 INTERIOR AND RELATED AGENCIES APPROPRIATIONS BILL (H.R. 2520), continued

	FY 1993 Enacted	FY 1994 Estimate	House	Senate	Conference	Conference compared with enacted
Revisions of amounts for Department of Energy			-24,873,000			
Total, Department of Energy	808,318,000	1,542,475,000	1,485,445,000	1,481,313,000	1,470,879,000	+662,561,000
DEPARTMENT OF HEALTH AND HUMAN SERVICES						
Indian Health Service						
Indian health services	1,524,779,000	1,601,309,000	1,652,394,000	1,641,592,000	1,645,877,000	+121,098,000
Indian health facilities	333,640,000	278,811,000	296,997,000	293,682,000	296,982,000	-36,658,000
Total, Indian Health Service	1,858,419,000	1,880,120,000	1,949,391,000	1,935,274,000	1,942,859,000	+84,440,000
DEPARTMENT OF EDUCATION						
Office of Elementary and Secondary Education						
Indian education	80,583,000	84,006,000	83,500,000	83,405,000	83,500,000	+2,917,000
OTHER RELATED AGENCIES						
Office of Navajo and Hopi Indian Relocation						
Salaries and expenses	24,698,000	28,336,000	26,936,000	28,436,000	26,936,000	+2,238,000
Institute of American Indian and Alaska Native Culture and Arts Development						
Payment to the Institute	9,312,000	9,563,000	12,563,000	12,563,000	12,563,000	+3,251,000
Smithsonian Institution						
Salaries and expenses	295,560,000	299,649,000	302,083,000	302,349,000	302,349,000	+6,789,000
Construction and improvements, National Zoological Park	7,833,000	5,400,000	5,400,000	5,400,000	5,400,000	-2,433,000
Repair and restoration of buildings	24,193,000	24,000,000	24,000,000	24,000,000	24,000,000	-193,000
Construction	16,687,000	10,400,000	10,400,000	10,400,000	10,400,000	-6,287,000
Total, Smithsonian Institution	344,273,000	339,449,000	341,883,000	342,149,000	342,149,000	-2,124,000
National Gallery of Art						
Salaries and expenses	51,188,000	51,018,000	51,908,000	51,908,000	51,908,000	+720,000
Repair, restoration and renovation of buildings	3,531,000	2,831,000	2,831,000	2,831,000	2,831,000	-700,000
Total, National Gallery of Art	54,719,000	53,849,000	54,739,000	54,739,000	54,739,000	+20,000
Woodrow Wilson International Center for Scholars						
Salaries and expenses	6,252,000	6,252,000	6,352,000	6,352,000	6,352,000	+100,000
National Foundation on the Arts and the Humanities						
National Endowment for the Arts						
Grants and administration	144,318,000	144,451,000	137,228,000	140,836,000	140,836,000	-3,482,000
Matching grants	30,142,000	30,142,000	28,635,000	29,392,000	29,392,000	-750,000
Total, National Endowment for the Arts	174,460,000	174,593,000	165,863,000	170,228,000	170,228,000	-4,232,000
National Endowment for the Humanities						
Grants and administration	151,222,000	151,300,000	151,300,000	151,300,000	151,300,000	+78,000
Matching grants	26,191,000	26,191,000	26,191,000	26,191,000	26,191,000	
Total, National Endowment for the Humanities	177,413,000	177,491,000	177,491,000	177,491,000	177,491,000	+78,000
Institute of Museum Services						
Grants and administration	28,754,000	28,777,000	28,777,000	28,777,000	28,777,000	+23,000
Total, National Foundation on the Arts and the Humanities	380,627,000	380,861,000	372,131,000	376,496,000	376,496,000	-4,131,000
Commission of Fine Arts						
Salaries and expenses	791,000	809,000	805,000	805,000	805,000	+14,000
National Capital Arts and Cultural Affairs						
Grants	7,000,000	7,189,000	7,500,000	7,500,000	7,500,000	+500,000
Advisory Council on Historic Preservation						
Salaries and expenses	2,757,000	2,809,000	2,959,000	2,959,000	2,959,000	+202,000
National Capital Planning Commission						
Salaries and expenses	5,750,000	5,868,000	5,868,000	5,868,000	5,868,000	+118,000
Franklin Delano Roosevelt Memorial Commission						
Salaries and expenses	535,000	49,000	49,000	49,000	49,000	-486,000

FY 1994 INTERIOR AND RELATED AGENCIES APPROPRIATIONS BILL (H.R. 2520), continued

	FY 1993 Enacted	FY 1994 Estimate	House	Senate	Conference	Conference compared with enacted
Pennsylvania Avenue Development Corporation						
Salaries and expenses	2,686,000	2,738,000	2,738,000	2,738,000	2,738,000	+52,000
Public development	4,947,000	4,489,000	4,289,000	4,389,000	4,289,000	-658,000
Land acquisition and development fund	6,445,000	7,193,000	7,193,000	7,193,000	7,193,000	+748,000
Total, Pennsylvania Avenue Development Corporation	14,078,000	14,420,000	14,220,000	14,320,000	14,220,000	+142,000
United States Holocaust Memorial Council						
Holocaust Memorial Council	21,268,000	21,679,000	21,679,000	21,679,000	21,679,000	+411,000
Total, title II, Related Agencies	5,964,587,000	6,871,579,000	6,725,671,000	6,745,432,000	6,742,323,000	+777,736,000
(Timber receipts transfer to general fund, indefinite)	(-75,366,000)	(-71,895,000)	(-71,895,000)	(-71,895,000)	(-71,895,000)	(+3,471,000)
(Timber purchaser credits)	(110,669,000)	(60,000,000)	(60,000,000)	(60,000,000)	(60,000,000)	(-50,669,000)
Grand total:						
New budget (obligational) authority (net)	12,199,956,000	13,617,688,000	12,685,169,000	13,346,699,000	13,388,038,000	+1,188,082,000
Appropriations	(12,229,956,000)	(13,647,688,000)	(12,715,169,000)	(13,376,699,000)	(13,418,038,000)	(+1,188,082,000)
Rescissions	(-30,000,000)	(-30,000,000)	(-30,000,000)	(-30,000,000)	(-30,000,000)	.....
(Timber receipts transfer to general fund, indefinite)	(-75,366,000)	(-71,895,000)	(-71,895,000)	(-71,895,000)	(-71,895,000)	(+3,471,000)
(Timber purchaser credits)	(110,669,000)	(60,000,000)	(60,000,000)	(60,000,000)	(60,000,000)	(-50,669,000)
TITLE I -DEPARTMENT OF THE INTERIOR						
Bureau of Land Management	1,028,261,000	1,103,938,000	449,354,000	1,071,348,000	1,070,388,000	+42,127,000
United States Fish and Wildlife Service	750,288,000	679,690,000	649,053,000	672,428,000	682,402,000	-67,886,000
National Biological Survey	.....	179,445,000	163,604,000	156,837,000	163,519,000	+163,519,000
National Park Service	1,385,983,000	1,470,406,000	1,403,927,000	1,424,781,000	1,437,261,000	+51,278,000
United States Geological Survey	578,187,000	597,364,000	584,685,000	584,685,000	584,685,000	+6,498,000
Minerals Management Service	200,670,000	202,017,000	198,878,000	198,228,000	198,528,000	-2,142,000
Bureau of Mines	174,235,000	153,656,000	169,336,000	171,584,000	169,436,000	-4,799,000
Office of Surface Mining Reclamation and Enforcement	300,836,000	302,828,000	301,849,000	301,849,000	301,849,000	+1,013,000
Bureau of Indian Affairs	1,569,987,000	1,808,286,000	1,785,318,000	1,760,183,000	1,777,653,000	+207,666,000
Territorial and International Affairs	124,622,000	121,897,000	128,247,000	126,897,000	127,847,000	+3,225,000
Departmental Offices	122,300,000	126,582,000	125,247,000	132,447,000	132,147,000	+9,847,000
Total, Title I - Department of the Interior	6,235,369,000	6,746,109,000	5,959,498,000	6,601,267,000	6,645,715,000	+410,346,000
TITLE II - RELATED AGENCIES						
Forest Service	2,345,207,000	2,493,845,000	2,339,651,000	2,371,525,000	2,372,770,000	+27,563,000
Department of Energy	808,318,000	1,542,475,000	1,485,445,000	1,481,313,000	1,470,879,000	+662,561,000
Indian Health	1,858,419,000	1,880,120,000	1,949,391,000	1,935,274,000	1,942,859,000	+84,440,000
Indian Education	80,583,000	84,006,000	83,500,000	83,405,000	83,500,000	+2,917,000
Office of Navajo and Hopi Indian Relocation	24,698,000	28,336,000	26,936,000	28,436,000	26,936,000	+2,238,000
Institute of American Indian and Alaska Native Culture and Arts Development	9,312,000	9,563,000	12,563,000	12,563,000	12,563,000	+3,251,000
Smithsonian	344,273,000	339,449,000	341,883,000	342,149,000	342,149,000	-2,124,000
National Gallery of Art	54,719,000	53,849,000	54,739,000	54,739,000	54,739,000	+20,000
Woodrow Wilson International Center for Scholars	6,252,000	6,252,000	6,352,000	6,352,000	6,352,000	+100,000
National Endowment for the Arts	174,460,000	174,593,000	165,863,000	170,228,000	170,228,000	-4,232,000
National Endowment for the Humanities	177,413,000	177,491,000	177,491,000	177,491,000	177,491,000	+78,000
Institute of Museum Services	28,754,000	28,777,000	28,777,000	28,777,000	28,777,000	+23,000
Commission of Fine Arts	791,000	809,000	805,000	805,000	805,000	+14,000
National Capital Arts and Cultural Affairs	7,000,000	7,189,000	7,500,000	7,500,000	7,500,000	+500,000
Advisory Council on Historic Preservation	2,757,000	2,809,000	2,959,000	2,959,000	2,959,000	+202,000
National Capital Planning Commission	5,750,000	5,868,000	5,868,000	5,868,000	5,868,000	+118,000
Franklin Delano Roosevelt Memorial Commission	535,000	49,000	49,000	49,000	49,000	-486,000
Pennsylvania Avenue Development Corporation	14,078,000	14,420,000	14,220,000	14,320,000	14,220,000	+142,000
Holocaust Memorial Council	21,268,000	21,679,000	21,679,000	21,679,000	21,679,000	+411,000
Total, Title II - Related Agencies	5,964,587,000	6,871,579,000	6,725,671,000	6,745,432,000	6,742,323,000	+777,736,000
Grand total	12,199,956,000	13,617,688,000	12,685,169,000	13,346,699,000	13,388,038,000	+1,188,082,000

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

Mr. REGULA. Mr. Speaker, I yield 15 minutes to the gentleman from Arizona [Mr. KOLBE], and I ask unanimous consent that he be allowed to control the time during that 15-minute period.

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

There was no objection.

Mr. YATES. Mr. Speaker, I yield 5 minutes of my time to the gentleman from Arizona [Mr. KOLBE] as well so that he shares the same amount of time that we have, and I ask unanimous consent that the gentleman be allowed to control that time.

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

There was no objection.

The SPEAKER pro tempore. The gentleman from Arizona [Mr. KOLBE] will be recognized for 20 minutes.

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

My colleagues, we have debated this issue in part on the rule. I just want to make a few points.

Approximately one-third of all the land in the United States of America is Federal lands. What this bill does is provide the money to manage those lands.

Before coming over here, I had a call from a physician in my district who had just come back from a visit to Yosemite with his three small children. He just wanted to tell me what a wonderful experience it was to go to this national park and to see the beauty of it, to enjoy the ambience of this great national treasure.

It is these treasures that we take care of in this bill. The United States has approximately 367 parks and recreation areas. We have 192 million acres of forestland. All of that is managed with the funds provided in the bill, and I think that we have done a good job. We have a great subcommittee and staff, all the members work together, it is not partisan. We work as a team. We try to use the dollars available in the best possible way.

We get probably 250 to 300 Members that make requests for projects in their districts. We make every effort to accommodate those. We cannot do everything that we would like to do, but we recognize that the visitors to our parks and our forests want to have an experience without problems. They want to have an experience with quality surroundings. In funding these operations, we are very sensitive to those issues.

We do have new challenges, because the visitations to the national parks are growing by leaps and bounds. At Yosemite in the summertime they have to ration the number of cars that they can leave in, the number of people, simply because the demand is so great. Of course, that is happening in many of the national parks, and that means that the funds to restore the surroundings, the services are under pressure.

We need more and, therefore, we have to allocate it very carefully.

We also have increasing law enforcement problems. Some of the changes we experience in society have put greater pressures on the individuals that manage our parks and our forests our Bureau of Land Management, and our Fish and Wildlife facilities. Likewise, we fund the Smithsonian. Again, the growing visitor demand at places like the Air and Space Museum mean that we need to have additional funding.

Given all those requirements, we have a very limited amount of extra funds so we have worked very diligently to try to allocate these resources in the best way possible.

I think a little aside here is rather interesting. That is that we are going to be debating a health program for America. We are going to be developing a universal health care bill. One of the greatest ways to reduce health care costs is preventive medicine. And to take advantage of the recreational opportunities that exist on our public lands, so that in funding the programs in the forests and the parks and the other public lands, we are really adding health-giving opportunities for all American citizens.

I certainly urge all of our colleagues here to support this bill. It is carefully crafted, and it does a lot of excellent work in providing facilities throughout the United States for the benefit and the enjoyment of the American people.

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

□ 1730

Mr. KOLBE. Mr. Speaker, I yield 3 minutes to the gentleman from New Mexico [Mr. SKEEN], a member of the Committee on Appropriations.

Mr. SKEEN. Mr. Speaker, I think we have had about all of the debate on this issue that was cogent. I want to say to the folks that persevered through many, many years, particularly one young lady that has really been, I think, more interested in this topic than any others in her purview of operation—she knows who I am talking about. She can hold her head up.

I just want to say that what we have done in this particular piece of legislation and in the conference committee set a new form or new standard for doing legislation. Now I want to compliment the Committee on Natural Resources, because they have really been inventive. They have come up with a new system; one size fits all. If you do not get what you want through the authorizing committee or the appropriations committee, now you can do it all in conference.

What they have done is not just raise grazing fees and put some restrictions on the Secretary of the Interior. Now they have infringed on the right of private property and the mandate of preservation of private property, because what they have allowed the Secretary to do is to absolutely confiscate private property, including water rights improvements that may have been paid for by people who have grazed on these lands but that has been part of the argument, so one size fits all.

We are not through with this argument yet. I hope that the results are not as disastrous for Western States as I think they are probably going to be. I want to say, too, that the ingenuity of taking a conference of the Committee on Appropriations and doing all sorts of authorizing legislation in it, pages and pages of it, sets a new standard and I think a dangerous one.

I think that before this is all over with, that maybe we ought to come up with a bill, that what we ought to do with the Western States, the 13 Western States that have public lands, is to consider the idea of selling those lands to people who are operating grazing operations. If we want to maximize the return on those lands, then sell the public land to them. We used to do it. We ought to consider this issue and lift the moratorium on the banning of sales on these lands.

This will answer a lot of this problem. Some of these lands are totally inaccessible to anybody else but the permittees. We have tried to make that point over and over again.

Maybe the rates were not right, but on the other hand, they have private property rights because they have put their improvements on the public lands, developed the water on it, and it is time that we go back to the idea of maybe it is an opportunity to maximize the return to the Federal Government and take this money that we get from selling those lands to permittees, if they want to graze on them, and reduce the national debt. It is just an idea. I think I will probably advance that idea.

I have talked to the gentleman from Minnesota [Mr. VENTO] and I have talked to the gentleman from California [Mr. MILLER] with that idea, with mixed response. I understand that.

The Members who do not live in Western States do not understand what we live with day-by-day. I think we ought to bring it home to the American people that some States were put in a secondary position to other States, because these States were not given the right of ownership of the land when they came into this Union as sovereign States.

I thank the gentleman from Arizona [Mr. KOLBE] for yielding me this time so I can vent my spleen a little bit.

The SPEAKER pro tempore. Does the gentleman from Washington [Mr. DICKS] seek to control the time of the gentleman from Illinois [Mr. YATES]?

Mr. DICKS. Yes, Mr. Speaker. The gentleman from Illinois [Mr. YATES] has yielded me the time until he regains the time.

The SPEAKER pro tempore. Without objection, the gentleman from Washington [Mr. DICKS] is allowed to control the time for the gentleman from Illinois [Mr. YATES].

There was no objection.

Mr. DICKS. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from California [Mr. BROWN], chairman of the Committee on Science, Space, and Technology.

Mr. BROWN of California. Mr. Speaker, I thank the distinguished gentleman from Washington for yielding me this time.

Mr. Speaker, I will tell the distinguished gentleman from New Mexico [Mr. SKEEN], who was just in the well, that many of his remarks resonated very much with some of the things I have been saying for over the several years about legislating on appropriation bills.

Mr. Speaker, I commend Chairman YATES for his efforts in bringing the bill before us today. The bill contains funding for key Department of Energy programs such as fossil fuels and energy conservation, which fall within the jurisdiction of the Committee on Science, Space, and Technology. The committee increased funding for conservation research and development from last year's levels. I believe the increase is appropriate because of the clear benefits to our national security, environment, and competitiveness. Several initiatives authorized by the Energy Policy Act of 1992 have been included in the bill, such as the pulp and paper initiative, and advanced buildings work to meet national energy and environmental objectives. In addition, materials development and fuel cells for transportation received increased emphasis. All of these programs are vital for our healthy technology future.

I look forward to working with the Appropriations Committee to ensure that the Department of Energy programs put in place by the legislation will continue to be of the most benefit to our Nation.

Mr. DICKS. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Michigan [Mr. STUPAK].

Mr. STUPAK. Mr. Speaker, I rise in support of the Department of Interior appropriations conference report.

I understand that Chairman YATES has clarified the intent of the managers of this legislation regarding funding for the Keewenaw National Historical Park in Calumet, MI. Within the total funds provided for operations, the Park Service may allocate funds for the Keewenaw Historical Park, not exceeding $150,000. I appreciate Chairman YATES' work on this issue and his willingness to insure that development of this important park continues.

Mr. Speaker, the Keweenaw Park is essential to preserving an important chapter in America's industrial, labor, and cultural history. Michigan's Copper Country is the site of the first mining boom in the United States, as well as home to our country's fledgling labor movement.

I again want to thank Chairman YATES for his cooperation on this important project.

Mr. KOLBE. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from California [Mr. HERGER].

Mr. HERGER. Mr. Speaker, I rise in strong opposition to the grazing fee language that is before us today. While proponents of this so-called compromise argue that its grazing fee is less severe than President Clinton's rangeland reform proposal, rural communities who depend on the western livestock industry for their existence don't think so. At a time when jobs and economic growth are foremost on the minds of the American people, it is stunning to have a measure before us today supporting a policy that would nearly double the current grazing fee and devastate thousands of family farmers and ranchers.

As hard as it is to believe, ranchers get an even worse deal in this so-called compromise than in the President's original proposal. By codifying restrictive water, extreme environmental rules, and advisory board provisions, this compromise will put even more ranchers and family farmers out of business.

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 severe increase in the Federal grazing fee that this bill proposes will throw many of these ranchers off the land—the last thing Congress needs to do is support a policy which strangles an important pillar of our rural economy.

Mr. Speaker, let us stop this extreme effort to lock up our rangelands. I strongly urge my colleagues to vote against this so-called compromise.

Mr. REGULA. Mr. Speaker, I yield 3 minutes to the gentleman from California [Mr. PACKARD].

□ 1740

Mr. PACKARD. Mr. Speaker, I want to rise to congratulate Chairman YATES and ranking member REGULA for leading us through a very controversial and a very difficult conference. Over all, this is a very, very good piece of work.

I think it has been clear that there are some issues that I have some problems with. But we have had our day in court on that, and we will perhaps still have some additional time to discuss the Biological Survey.

But there are many, many other things in this bill that are extremely important to the progress of this country. My State is well over half made up of government lands that are under the control of Federal and State government, the BLM lands, Indian reservations, National Forest Service lands, Fish and Wildlife lands, the National Park Service lands, and this bill addresses those issues in a very comprehensive way, and we fund important programs that help to better manage these in my State.

In addition, there are many projects that I personally asked the chairman for help and for funding, and they have truly come to my rescue. And I want to thank them very much.

I want to thank the staff, both the majority and the minority staff. They have worked with us, all members of the committee, and they have been extremely helpful. I want to thank them, because I think they have done an extraordinary job in helping us do what we need to do in terms of managing these very important resources in our country.

Finally, I want to mention one particular area which is very important to me and to I think the entire country. There are many endangered and potentially endangered species listed, and they have created a great deal of concern for people around this country in terms of being able to manage and develop their private properties, and even public properties. And we have started the process of multiple specie management. I believe that this is the beginning of a process that Secretary Babbitt has signed on to and has agreed to move forward on, and we have laid the groundwork in this year's budget, and in this year's piece of legislation that will allow us to do multiple specie planning that will help to address the many serious problems that we struggle with, with specific endangered species. In my State the gnat catcher has loomed as one of the major ones.

Again, I want to thank the chairman and the ranking member and the staff and all of those who have helped to craft what I consider to be a very comprehensive and very effective bill. Obviously with a few exceptions I support the conference report, and will be there to vote for it.

Mr. KOLBE. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Wyoming [Mr. THOMAS].

Mr. THOMAS of Wyoming. Mr. Speaker, I thank the gentleman for yielding the time. I rise in opposition to several aspects of this report.

I do, however, want to say that I appreciate the work of the committee and I appreciate the cooperation of the chairman and ranking member and others. Certainly they are always very responsive to our concerns.

It does seem to me, however, that it is reasonable for us to, in a bill as

broad as this, to be able to be opposed to some of the aspects of it, and I am. And one of them is the grazing regulations.

There are 19 pages of grazing regulations put in here that will be statutory that did not go through the authorizing committees. And these are not minor changes. These are changes like ownership of facilities, like tenure. Like water rights, tenure is very important if you have a small deeded part of your land, and depend on the rest of it for grazing, it has got to do with the value of your property.

On the Biological Survey, let me read one quick quote. Thomas Lovejoy, senior government scientific adviser says, "The Survey should determine the development for the whole country and regulate it all." We need to be a little bit careful about that. And even though I agree with the idea of putting on there the private property thing, that still is legislating on an appropriations bill, and it is tough, it seems to me, when you have to rise above principal to do that. If we have a rule, we ought to have a rule.

I am further a little concerned that this bill requires that the reorganization study that was in the authorization committee is designed to report back to the Appropriations Committee. and I intend to raise that when that issue comes up.

It is a little different when you take a look, and the gentleman from Ohio [Mr. REGULA] talked in glowing words, and I agree with him, about parks, and recreation, and what good it is for our soul. That is right, but there is a lot more to it than that when you live in a Western State and half of your State belongs to the Federal Government. It has to do with the economy, and families, and lives, and looking forward to being able to make a living. It has to do with grazing fees and regulations, and timber, and moratorium on gas and oil, and increases in reclamation fees. We have a kind of an economic assault on the West, and it is going on. And it is a little more than whether your park is up to date, even as important as that may be.

So I do appreciate what has been done here. But I have to tell Members that I oppose very vigorously several of these provisions.

Mr. DICKS. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, I am pleased to rise in strong support of the conference report to H.R. 2520, the fiscal year 1994 Interior appropriations bill, and ask that my colleagues support the bill's adoption as presented by the conferees.

As a member of the Interior Subcommittee, I want to convey that I am greatly pleased with the final bill that is being presented. I especially want to express my appreciation to our very distinguished Chairman, Mr. YATES, and his staff, and to our very able ranking minority member, Mr. REGULA, for the fine work and leadership they have provided in developing this important legislation.

Mr. Speaker, given that the Interior Appropriations Subcommittee has the principle responsibility for funding natural resource programs for the Nation, it is not surprising that many aspects of this bill are controversial, as is witnessed by the debates over such programs and policies as the National Biological Survey and grazing fee increases.

Much of the controversy surrounding natural resource programs has to do with the reality that we are a Nation in transition in addressing how we manage the relationship between human beings and their environment. In regard to my region of the country, the Pacific Northwest, I am pleased to see that the fiscal year 1994 Interior Appropriations bill makes a tremendous investment in seeing that our region takes a prospective approach to managing the changes it faces in forest management. I agree with the President's view that when change is inevitable it must be managed to our advantage.

In order to help address the impacts of a greatly reduced timber supply in the Northwest due to court injunctions and endangered species listings, and in accordance with the President's request, this bill includes an additional $15 million in economic assistance targeted to Washington, Oregon, and northern California, to be distributed as $10 million for community assistance and $5 million for old growth diversification. These monies are important to helping effectively address the current transition.

Additionally, I am pleased that the conference report includes significant monies to begin a comprehensive, multi-year watershed restoration program in the Northwest that will allow for the significant rehabilitation of salmon habitat, while creating family wage jobs in the region. Specifically, the bill includes $26 million to allow for watershed assessment activities through the Forest Service, $20 million for watershed restoration through the Forest Service, and $7 million for watershed restoration in the Interior Department through the Ecosystem Restoration Fund.

It is becoming increasingly evident that protection for salmon stocks is the new area of critical focus in the Northwest, and where a great deal of work needs to be done in the region. The rivers of the Northwestern States and northern California serve as habitat for the most magnificent runs of wild salmon stocks in the world. A major benefit to initiating a comprehensive, regionwide watershed restoration program is to allow the Northwest to get ahead of the curve in species protection. The implementation of a watershed restoration program will aide in the prevention of listings because the focus will be on avoiding further degradation to existing healthy habitat, and where feasible will allow for slope stabilization and the rehabilitation of streambeds.

In addition to the clear ecological benefits of habitat restoration and ensuring the viability of salmon populations, I am pleased that the initiation of a comprehensive watershed restoration strategy will create numerous family wage jobs in the region, and in rural timber-dependent communities where they are needed most.

Watershed restoration work in the Northwest region will serve as an important building block towards comprehensive ecosystems management.

I am pleased to see the bipartisan leadership being shown by the Interior Appropriations conferees on this issue.

Again, I urge my colleagues to support passage of this conference report.

Mr. Speaker, I want to congratulate Chairman YATES and ranking member RALPH REGULA for their outstanding work on this bill, and I too want to commend the staff of the Subcommittee on the Interior. I have had the pleasure of serving on the subcommittee for 17 years, and the staff does an outstanding job, and I have great respect for their effort and contribution in this process.

I want to take a few minutes here today just to say how much I appreciate the work that has been done in this bill to help the people of the Pacific Northwest as we struggle with our endangered species problems that relate to the northern spotted owl and the marbled murrelet, and many of our endangered or threatened salmon species.

President Clinton, we all recall, earlier this spring convened a conference in Portland, OR to try and bring together all of the factions in the Northwest to deal with this problem. He came up with a solution which was not endorsed by everyone, but as part of that solution he put together a package of programs to try and help the people of Washington, Oregon, and northern California deal with the consequences of the listing of the northern spotted owl.

I can tell the Members of this House that in the Olympic Forest in the State of Washington, for example, we used to harvest about 300 million board feet of old-growth timber every single year, and we were told by the Forest Service that this could go on forever. Well, that simply was not true. Today we are harvesting 15 million board feet off the Olympic National Forest, because we are preserving all of the rest of it for primarily the northern spotted owl, and it has had a dramatic effect on the workers and the communities in that area.

But in this bill we have I think the beginning of a new effort on an issue that I have been championing, with the help of the committee members, and that is the issue of watershed restoration. The gentleman from Minnesota [Mr. VENTO] held some very good hearings on this issue earlier this year. The Committee on Merchant Marine and Fisheries has held hearings. The distinguished chairman of the Committee on Natural Resources, the gentleman from California [Mr. MILLER] has been interested in this issue.

In this bill we have $53 million to start a program for Washington, Oregon, and northern California to protect our watersheds, and to restore the habitat that has been damaged. I am pleased with this initial effort. However, I want to make sure that these

funds are spent in an interagency cooperative way so that we can actually put people back to work restoring the habitat, and hopefully restoring the salmon runs, and the steelhead runs that are so important to the culture, lifestyle, and economy of the Northwest.

We are certainly hopeful that the President's plan will lead to the lifting of the injunctions that have stopped timber harvesting on Federal lands in Washington, Oregon, and in northern California. And I will say this, though I disagreed with the President's Option 9 plan, I nevertheless think that it offers us the best chance of being able to go into court and get these injunctions lifted. I hope that will occur later this year or early next year.

But we have serious problems. There are other provisions in this bill that ensure funding for old-growth diversification initiatives so that we can take some of these mills that were tooled up to cut old growth, and have them now cut the smaller second growth trees, and to do things using other techniques in forestry.

□ 1750

But we could not have gotten this started without the cooperation of not only the authorizing committees, but also the Appropriations Committee, and with the help of the members of this subcommittee in the other body.

So I just want to report to the House that I think we are off to a good start. However, we are going to need more help.

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

Mr. DICKS. I yield to my classmate, the gentleman from Minnesota [Mr. VENTO].

Mr. VENTO. I thank the gentleman for yielding.

Mr. Speaker, I thank the gentleman and commend him. We hear a lot of confrontation about this issue, but there are a lot of areas that we agree upon, many areas, and there is collaboration and cooperation on these watershed restoration areas where the gentleman from Washington [Mr. DICKS] has led in terms of fighting for the money in the appropriations process. It is very, very important to lead to a policy path where we can begin to address and get ahead of the problems with the vertebrate species problems, the fish species problems that are going to occur in terms of the Endangered Species Act. I commend the gentleman for his work and pledge to continue to work with him.

Mr. DICKS. I appreciate the gentleman's words.

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

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

Mr. REGULA. Mr. Speaker, I yield 1 minute to the gentleman from Ohio [Mr. HOKE].

Mr. HOKE. I thank the distinguished ranking member for yielding this time to me.

Mr. Speaker, I hate to put a wet blanket on all the self-congratulations that we have heard in the past 10 minutes. But I would like to point out that with respect to the grazing fees and the problem that I have with this is that we have not heard any suggestion of the one solution that stands out on the table that waits for us to grasp but that would genuinely make a difference. That is the privatization of the public lands in the West. These lands should be sold and they should be sold fairly, they should be sold at auction, they should be sold in a way that will bring funds to the Federal treasury. It has extremely tremendous impact with respect to our Federal debt. But most importantly, it sends a very strong message that the very best stewards of these lands is not the Federal Government but in fact the private citizens.

The problems that we have in the Western States, as was pointed out very brilliantly earlier, is that those Western lands are in fact Federal lands. They ought to be sold, they should be sold in a way that makes them accessible to private citizens, to corporations in a way that will divide them fairly. But that is the real solution. That is what this body should be talking about. We ought to be thinking about it, we should deliberate about it. We should do it in an orderly and fair-minded way, but that is where this body should be thinking, not about how we can control it, regulate it, et certera, et cetera.

Mr. KOLBE. Mr. Speaker, I yield 2 minutes to the gentlewoman from Nevada, [Mr. VUCANOVICH], a distinguished member of the Committee on Appropriations.

Mrs. VUCANOVICH. I thank the gentleman for yielding this time to me.

Mr. Speaker, I rise in strong opposition to this conference report on H.R. 2520. Once more we have a protective rule for an appropriations bill that would thwart the will of the full House for the gain of a few.

On October 6 this body spoke loudly and clearly—private property rights must be protected in carrying out the mission of the National Biological Survey. It is not often I am on the side of a 200 vote victory margin, but on the Taylor-Condit-Pombo amendment many Members joined the fight for a basic privacy right.

Mr. Speaker, the conferees half-hearted attempt to assuage Members with Taylor-like language does not pass the acid test. Just ask Mr. TAYLOR, Mr. CONDIT, or Mr. POMBO, or those organizations, such as the National Federation of Independent Businessmen, American Farm Bureau, and many others which strongly supported the amendment to H.R. 1845. Are any of them satisfied the conferees have captured the essence of property rights protection embodied in our vote of October 6? Of course not.

Mr. Speaker, we have been disenfranchised by the parliamentary process one more time. Not only is the Taylor amendment a shadow of its former self, but the amendments of Mr. TAUZIN, Mr. HAYES, and others which we adopted on October 6 are nowhere to be found.

On top of this is the grazing policy issue upon which I intend to speak later. For both reasons I urge my colleagues to defeat this conference report. Send a message to the leadership of this body: "No more business as usual." The 103d Congress will be heard and its collective voice says "private property rights must be respected by Government." The conferees did not do so, so let us send them back to get it right.

Mr. YATES. Mr. Speaker, I yield 2 minutes to the gentleman from Minnesota [Mr. VENTO].

Mr. VENTO. I thank the gentleman for yielding this time to me.

Mr. Speaker, I intend to enter into a colloquy with the chairman.

Mr. Chairman, the statement of mangers regarding the funds in the conference report for land acquisition by the Bureau of Land Management includes some sentence about a proposed acquisition in Utah. It seems to say that the managers expect that before BLM expends those funds, it will have attempted to identify public lands in the same county that would be suitable for exchange, on an equal-value basis, with the county. From my reading of the language, it appears that there is nothing that would change existing law applicable to BLM land exchanges, including the requirement that public lands suitable for exchange be identified through the land-planning process. Can the chairman assure me that my reading is correct?

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

Mr. VENTO. I yield to the chairman.

Mr. YATES. I thank the gentleman for yielding.

Mr. Speaker, the gentleman is correct. Existing law governing land exchanges by BLM would not be changed.

Mr. VENTO. It is also my understanding that the language does not constitute a legal mandate for BLM to undertake exchanges with that county or any other party, and is not intended to establish any new policy with regard to increases or decreases in nationally owned lands in Utah or elsewhere. Is that correct?

Mr. YATES. The gentleman is correct. The language does not do anything like that.

Mr. VENTO. When the House originally considered H.R. 2520, the bill as reported from committee included National Park Service funding of $670,000 for a local park in Scranton, PA called

the Lackawanna Heritage Park. This funding was to be a combination of National Park Service technical assistance as well as a direct grant to the local park authority. As the chairman knows, such grants are not authorized by law and the House approved an amendment I offered to strike such grant funds from the bill. In reviewing the conference report on H.R. 2520, I note that $670,000 is provided to this Lackawanna Heritage Park and that the funds are labeled for technical assistance only. Can the chairman assure me that the funds are, in fact, for National Park Service technical assistance and that no attempted will be made to pass through any of these funds to the local park authority for their use?

Mr. YATES. As the conference report states, these funds are for technical assistance only.

Mr. VENTO. I thank the chairman. I rise, of course, in support of the bill. I urge my colleagues to support it. There is a great deal of discussion today on that, and I hope we can all get behind it.

Mr. KOLBE. Mr. Speaker, I yield 2 minutes to the gentleman from California, [Mr. DOOLITTLE].

Mr. DOOLITTLE. Mr. Speaker, I rise to oppose this measure. The arguments against the grazing fee have been made, and I endorse them and I think they should be considered. But my primary concern is the National Biological Survey. This is going to turbocharge the Endangered Species Act. Proponents admit that. We know from previous charts we had up here what the land area of the United States looks like for the one-fourth of the existing endangered species whose range has been ascertained. The purpose of the National Biological Survey is to go out and find the ranges of the other three-fourths that we do not know about yet. Yes, there are another 3,300 that are candidates to be listed. This is a disaster. The way this language has been inserted into the appropriations bill does not really provide the protection at all that we need, because it did not deal with volunteers, quote unquote, that even Senator GEORGE MITCHELL said should be discontinued because of the abuses that went on with the National Park Service.

Speaking of the National Park Service and getting to the next point, this bill, here we have a $4.3 trillion national cumulative debt and yet we are going to spend in this bill over $254 million to purchase more public lands. We already own, the United States of America, one-third of the entire land mass of the United States. In the depths of this economic problem that we face, we are going to spend more money—I should say borrow more money—to spend to buy yet more public land. It is unbelievable.

Mr. Speaker, this measure is bad, it should be defeated. We should come back and consider the authorization measure of the NBS and provide all the protections necessary before that ill-fated measure goes forward.

I urge defeat of the proposal.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. MFUME). The Chair would caution all Members to refrain from referring to the remarks of the other body and Members of the other body.

Mr. YATES. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. MILLER], the distinguished chairman of the Committee on Natural Resources.

□ 1800

Mr. MILLER of California. Mr. Speaker, I rise in support of this conference report. I rise also to commend Chairman YATES and Congressman REGULA for the efforts they have made on behalf of resource management in this country.

This committee is called upon very often to struggle with very difficult, very emotional issues. There is no issue which they deal with that is in the abstract. All these issues affect our constituents one way or another, and they are called upon to walk through that mine field and bring us a bill resolving those issues.

This year they were called upon to finally deal after a decade of delay by every other authority that could deal with it the issue of grazing fees. I think they have struck a compromise that works, that will protect the cattle industry in its ability to continue to use these lands, and at the same time assure our constituents that as taxpayers they will be protected on a fair return and the lands will be taken care of, and I just simply want to commend the committee and the staffs on both sides for the long hours and the time that they spent to work out these compromises.

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

Mr. Speaker, it is common at the outset of this kind of debate to say nice words about the chairman of the subcommittee and the ranking member, but the words that I would say are very truly meant this evening.

In the 10 years that I have served in this body, I have never served with a subcommittee chairman who has been more straightforward, candid, forthright and open in his dealings with all members of the subcommittee than the gentleman from Illinois [Mr. YATES]. It is truly a pleasure to work on this subcommittee with him.

I would say the same of my good friend, the gentleman from Ohio [Mr. REGULA], with whom we certainly have our share of differences on policy matters. But, he and his staff have also been very open with us and it has made the work of this subcommittee, I think, a pleasure. The subcommittee meets what I think is the test for this body about how we should function in a collegial fashion as we try to come to the resolution of issues which are sometimes very contentious and difficult. The most contentious issues are defused by the chairman of the subcommittee, because he is willing to listen to all sides.

As has been suggested by the previous speaker, this is a bill which opens up all kinds of major policy issues. It is also one of the most diverse bills that the Appropriations Committee considers. It is very important from the standpoint of the management of lands in the United States. It is very important from the standpoint of the arts and the culture of our country.

I am in agreement with almost all this legislation. We have heard today about two issues with which I have not been in agreement. So, the remarks I make about those issues certainly in no way reflect the fact that I am not in agreement with the chairman and the ranking member on most of what has been done in this. I commend them for their willingness to accommodate Members.

On the rule, we just had a discussion of the National Biological Survey. I do not intend to discuss that issue now. What I do want to take a few moments to discuss in this issue of grazing fees. Of course, we will have an opportunity to do so again, when we get to the amendment and it is considered.

Let me make it clear that this has been, as has been suggested by others, an issue that has been very contentious over the years. We have gone back and forth, on the issue of offshore oil and on grazing fees. These are issues that come up year after year.

I also want a resolution of this issue at long last; I want to put this behind us.

Those of us who live in the west have always said that we believe there is room for accommodation on the issue of grazing fees on public lands. We understand there is a need to have an increase, not to be locked into the formula that has been in effect for years. But, at the same time, have tried to point out that there are differences between grazing on public lands and grazing on private lands.

Nevertheless, that issue is now before us today. Aside from the fact that we would prefer to phase in the $3.45 fee over 6 years, we are willing to accept the higher fee. That was proposed by our side in the conference committee.

The issue today is the range land reforms provisions, as they are called, that Secretary Babbitt has decided to write into this bill, using the conference committee as the vehicle to do so. It is being done without ever holding a public hearing in either the House or the Senate.

Mr. Speaker, that is the issue that is here today.

Now, I know the chairmen of the subcommittees will say they have had hearing after hearing, and there has been report after report, but the fact remains, we have never had a hearing on these specific issues.

Yes, Mr. Babbitt proposed them a few months ago. Yes, there have been some hearings scattered around the entire Western United States. But no, before these authorizing committees, we have not had such a hearing. We need to have them because there are extremely complicated issues that are involved here.

Mr. Speaker, I would just like to call attention to one of those here today. This eight and one-half pages of legislation is going to be written into an appropriations bill, despite the fact that we have the chairman of the authorizing committee sending a letter to the Rules Committee saying, "Don't do this on appropriations bills with authorizing legislation, despite that, we are going to do it. Now, here is the example I would like to discuss.

On page 64 of the bill, it says under "water rights," subsection (d):

> Subject to valid water rights existing on the date of enactment, no water rights shall be obtained for grazing-related actions on public lands except in the name of the United States.

Well, Mr. Speaker, I have a few simple and important questions. Exactly what does that mean? What is the definition of water rights? What are valid water rights? Can somebody here today tell me that they know exactly what we know that we are talking about when we talk about valid water rights here?

I would suggest that we do not know the answer to these questions: Can anybody tell me who makes the determination of the validity of valid water rights? Can anybody tell me, is there a basis for the Department to challenge these water rights?

Is there a junior right that exists if there is not sufficient water to satisfy all the senior right holders? Would determinations of validity be determined in a Federal court?

These are some of the questions, extraordinarily complicated questions, as anybody from the West knows when you are talking about water questions that must be addressed carefully, thoroughly, in a committee with lawyers, economists, and others; and yet we are going to write this today without a clue as to what this legislation truly means, because there is no legislation record on that issue.

This is just one of the examples of the several issues that have been included in this legislation, in this appropriations bill by writing all this legislation in here.

Mr. Speaker, I would say with all respect to those who I know want to see this issue put to rest and want to put this issue behind us, that on this kind of legislation that affects so broadly and in such a sweeping fashion, the management of Federal lands, that we ought not to do this without understanding what it means and having a thorough airing and debate on it.

It is for that reason, Mr. Speaker, that I rise sadly in opposition to what is being done here today, and I would urge my colleagues to consider this as we go through this process.

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

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

Mr. Speaker, this is a good bill. I urge you to support it.

We have tried to be very fair in what we have done. You have heard the discussion about the rules that were put in on grazing.

Let me point out something. These rules are no different than the Forest Service uses for its grazing lands. All this does is bring the BLM lands into conformance with the Forest Service lands, so this is nothing new.

Furthermore, these were the rules that were in place prior to 1982, when Secretary Watt, through regulations, changed them.

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So, Mr. Speaker, we are just going back to what was in place. As far as the rules for the management of the land, that was the case prior to 1982 and has always been the rule on the Forest Service lands. This is not unreasonable.

Let me point out that the Secretary of the Interior proposed that the grazing fee go to $4.28 per animal unit month. Our bill puts the cap at $3.45 per animal unit month. We have scaled back from what the Secretary proposed. He proposed that it could increase up to 25 percent a year. We have scaled back to a 15-percent increase or decrease per year.

Mr. Speaker, it is a very reasonable bill, and I think that those who are grazing on public lands ought to be grateful that our committee has put restraints in because I say to my colleagues,

> If we defeat the bill, and we go back to conference, and we take out all the language, then the Secretary of the Interior can do as he pleases on the Biological Survey because the authority already exists for him to do it. Then he can do as he pleases on grazing fees and on conditions on the rules and regulations.

Actually, Mr. Speaker, those who are concerned about property rights ought to be the strongest proponents of this bill because we put in restraints on the Secretary of the Interior. We said that they have to get written permission to go on private lands. We said they cannot use volunteers. We said that they need to get to the authorizing committee, that our authorizing committee should get language in place.

So, we have restrained what the Secretary could do; likewise the rules and regulations and the grazing fees proposed by the Secretary. They are far more burdensome on the permitees than what we have done in here, so this is a very modest bill. It is a response in fairness to a policy that is our responsibility, and I would urge all of my colleagues to support his bill. It is a measured, restrained addressing of the challenges of the grazing, it is fair, and likewise in the case of the Biological Survey. I do hope the authorizing committee will address that issue forthwith, because I, too, have some concerns about it, and that is the reason we put in the restraining language.

So I think everyone should be in support of this bill, and of course, as has been mentioned many times earlier, this bill does many of the good things that are vital to the 250 million Americans that enjoy our public lands. They hunt, they fish, they birdwatch, they take their children to see the magnificent vistas of the Grand Canyon, of Yosemite, the Golden Gate, and many others, and we have tried to manage those facilities so the public feels safe, so they can enjoy these facilities, so they have decent places to camp, pitch a tent, to do whatever they find in the way of recreation that is enjoyable, and certainly all the members of the subcommittee have worked hard in participating.

It was mentioned that we buy some additional lands, and much of this is to enhance the experience of those who use our public lands. These suggestions come from the Members, some 250 to 300 that submitted requests, and I think that what we have crafted here is a bill that is fair to all involved, and I would urge all of my colleagues to support this bill in the interests of good policies for the United States and for our public lands.

Mr. YATES. Mr. Speaker, I yield 2 minutes to the gentleman from Colorado [Mr. SKAGGS].

Mr. SKAGGS. Mr. Speaker, I rise to express my support for the conference report on H.R. 2520, the Interior appropriations for fiscal year 1994.

The conference report is the result of 3 weeks of meetings and negotiations. These deliberations were greatly complicated by the controversy over grazing fees and range management. The controversy was aggravated by a provision added during its consideration in the Senate—a provision imposing a moratorium on Secretary of the Interior Babbitt's proposed rangeland reform regulations. Last month, by an overwhelming vote, the House instructed its conferees to reject the Senate's moratorium, but in conference the Senate did not recede.

Instead, a compromise agreement was developed by Senate conferees, the Chair of the House authorizing committee and subcommittee, and the Secretary of the Interior. This agreement is a decent and workable compromise

on the issue of grazing fees and range management. It will mean a gradual increase in fees, which ought to be tolerable to ranchers with BLM grazing permits. Even after the grazing fee increase is fully phased in, it will still be only about three-quarters of the fee now received by Colorado for its grazing leases on State land, and about a third of the current private land lease rates.

This compromise will also bring significant reform and improvement in the BLM's environmental practices. It will apply to the Bureau of Land Management several policies which are well established practices at the Forest Service, and reverse several regulatory changes made by former Secretary Jim Watt—changes which have resulted in a management nightmare for BLM officials.

I have spoken with many Colorado ranchers in the past few weeks about these provisions. While I recognize that some will adamantly oppose any change to the current fee and range management rules, I believe that the compromise addresses most of their legitimate concerns.

At the same time, environmental and taxpayers groups have expressed equally strong views. Some of them will undoubtedly criticize this compromise as falling far short of their ideals. However, I believe it makes several important, positive changes. For example, it redirects range funding toward critical environmental needs, such as riparian area rehabilitation. And it ensures that the BLM will receive better advice on investing lease funds—as well as making other range management decisions—by abolishing grazing advisory boards and establishing resource advisory councils, with broader representation drawn from the spectrum of citizens and groups interested in how these national resources are managed.

The grazing compromise is a reasonable solution to an extremely divisive problem, and I urge my colleagues in the House to support it. On substance, I would say that it could have been stronger, and on several issues I might have preferred a different outcome, but that is the nature of compromise. On process, I can only say that these issues have been debated for several years. Hundreds of studies and hearings have been held, and none of the provisions adopted in this compromise involve particularly new ideas, or surprise approaches.

The conferees have also approved many important land acquisitions for our parks, forests and public lands. Among the Land and Water Conservation Fund acquisitions approved in this bill are several of importance to Coloradans. These include $2.7 million to purchase 18,000 acres of prime recreational lands and critical wildlife habitat in the Cherokee Park areas of the Arapaho-Roosevelt National Forest; $500,000 for BLM to acquire 920 acres needed to protect the nationally known dinosaur site, Garden Park Fossil Area; $1.8 million for the U.S. Fish and Wildlife Service to complete land purchases for Two Ponds National Wildlife Preserve; and, $550,000 for BLM to acquire the first of two tracts needed to protect McIntire Spring's unique warm water riparian area.

In addition to these specific purchases, the conference agreement provides $1,250,000 for the Forest Service to begin purchasing some of the many inholdings remaining in Colorado's magnificent wilderness areas. At my request, the conference managers have also included a directive to the Forest Service to provide the Appropriations Committees with an inventory and status report on its wilderness inholdings, including specific information on the conflicts they pose for wilderness management.

The policies that the Forest Service adopts toward inholdings influences both the degree of conflict which will result with wilderness protection, and the price the government will pay to acquire these lands. In some recent instances, there has been a great deal of public criticism of the high purchase prices demanded by wilderness inholding owners. In another instance, involving the Maroon Bells-Snowmass Wilderness Area, the Forest Service has adopted a hands-off policy toward proposed mining which has potentially serious consequences for inholdings throughout the West.

As a strong supporter of wilderness, and sponsor of the recently passed Colorado wilderness bill, these inholdings and the Forest Service's management policies toward them are matters of particular concern to me. These are also matters of concern to the Appropriations Committee, which must provide the funds to purchase inholdings. There is a substantial backlog of wilderness inholdings, representing perhaps hundreds of millions of dollars in potential expenditures. The report mandated by the conference will help Congress better assess the extent and magnitude of the problems posed by wilderness inholdings.

The conference agreement also provides for $3 million in additional funding for the Forest Service's rural fire protection program, increasing total funding to $17.1 million in fiscal year 1994. In Colorado, these funds support local county and volunteer firefighters by providing the equipment and training essential to address an increasing fire protection obligation. According to both the Colorado Forest Service and the National Association of State Foresters, this increase is critical to provide continued fire protection for rural homeowners.

The conference also agreed to the House committee's directive that an additional $1 million be provided for law enforcement efforts of the U.S. Fish and Wildlife Service. These funds are to be used in Hawaii and the Rocky Mountain region, and are expected to result in five or six additional enforcement officers in the Rocky Mountain region. The new enforcement staff are intended to meet the agency's enforcement problems related to the rapid expansion of cyanide leach mining in the region and its potential impact upon fish and wildlife habitat, as well as human health and safety. The potential problems posed by cyanide leach operations are exemplified by Colorado's Summitville Mine, which is now a notorious Superfund site.

Finally, there are several provisions which were adopted by both the House and Senate committees worth noting. Both the House and Senate committees direct the Fish and Wildlife Service to continue providing full funding for the Colorado River Endangered Fish Recovery Program. Also, both have agreed to a sense of the Congress provision directing the Forest Service to issue rules at the earliest practicable date to implement its proposed below-cost sales phaseout initiative.

These are only a few of the positive provisions of this bill. From the standpoint of both Colorado and the Nation, the conference agreement makes important investments in our national and our natural heritage. It provides a 9-percent increase for national park operations to begin addressing the urgent maintenance and repair backlog of the Park Service. It increases funding for the Department of Energy's energy efficiency program by 19 percent, and the U.S. Fish and Wildlife Service's endangered species efforts by over 50 percent.

We should also note the funding this bill provides for the National Endowment for the Arts, the National Endowment for the Humanities, and the Smithsonian Institution. Even as we hold the line on spending, it's important to sustain with these relatively modest appropriations the cultural, historical, and intellectual heritage and life of the Nation. The good sense of any people, including the American people, depends in part on nurturing the sensibilities of the people, and we neglect these pursuits at some risk to our civilization. So, Government has a real and legitimate interest here. I am particularly supportive of the decision by the conference committee recommend the Senate's higher funding level for the National Endowment for the Arts and the Smithsonian Institution, restoring funds cut earlier by the House.

I urge my colleagues to support the conference agreement.

Mr. KANJORSKI. Mr. Speaker, I rise today in support of the conference report for the bill H.R. 2520, Interior appropriations for fiscal year 1994. I do so with mixed emotions, for there are some parts of the bill that I like more than others. Overall, however, I am confident

that this bill is leading us in the right direction fiscally and environmentally and intend to support its final passage.

One issue which was in disagreement between the two houses was whether or not to include a provision specifically mandating that the anthracite coal office of the Office of Surface Mining in Wilkes-Barre, PA be staffed with 16 full-time people. Past similar provisions have been criticized as both wasteful spending and as an example of Congress micro-managing the executive branch.

Let me be clear on one issue: I support whole-heartedly the goals of the Clinton administration to make government more responsive to the American public and to make it more cost-efficient. Along this line, I have started a reinventing government caucus to help promote the President's National Performance Review in Congress. I am also hopeful that this caucus will enable Members such as myself publicize and promote ideas that we have on how to improve the Federal Government.

Even when an action may disrupt an accepted routine in the area I represent, I am dedicated to seeing that the Federal Government is streamlined into becoming the most cost-efficient operation possible.

Because service is as important as cost in this process, I am hopeful that despite the fact that an office is closed or its staff decreased, the Federal Government will do its best to insure that the services provided by that office are not disrupted or eliminated.

Mr. Speaker, as you probably know the Office of Surface Mining provides crucial support in seeing that the effects and damages of decades of mining anthracite coal are dealt with in an effective manner that will ensure the security of the health and environment of the people living in the region.

Although there is currently very little mining of anthracite coal, a great deal of mine-scarred land remains from decades of past mining and is desperately in need of intensive land reclamation. Historically northeastern Pennsylvania has not received an adequate share of funds necessary to bring this ravaged land back to a productive and environmentally sound state.

Mr. Speaker, I trust that the Department of the Interior will use this opportunity to show the American people that it can reduce cost without reducing the quality of its services. I hope that the Department will continue to provide the unique services needed in the anthracite coal region despite the fact that an office may close or the number of staff may shrink dramatically.

In short, Mr. Speaker, I support the concept of saving the taxpayers' money and hope that the Department of the Interior will use this opportunity to prove to the American public that it does not need to be micro-managed and that it can operate in a competent manner with less money.

Mr. PENNY. I rise in opposition to this bill. I can't in good conscience support a bill that increases funding for the Department of the Interior by 10 percent while we're in the midst of an undeclared budgetary crisis. The gravity of the situation must be realized now, before our interest payments eat up money that should be spent on the education, health, and defense of our grandchildren.

I fully support the increase in grazing fees on public land, however. The Federal Government can't afford to continue to subsidize the private market to the tune of $30 million a year. Current grazing fees don't even come close to matching the costs of administering Federal grazing programs. Not only is it questionable economic policy, it's questionable environmentally by encouraging grazing at below-market rates.

We must look past special interests, toward the good of the country as a whole. The administration has made a valiant effort to eliminate Federal subsidization of the depletion of our natural resources. I applaud their efforts.

Mr. FAWELL. The conference report provides $201,724,000 for National Park Service construction in fiscal year 1994, including $161,524,000 for 70 site-specific line items. This total is $16,024,000 above the requested level; $17,775,000 above the House-approved level; and $10,588,000 above the Senate-approved level.

The conferees recommend $74,588,000 for construction of 44 projects lacking sufficient authorization, including 41 unauthorized projects totaling $56,756,000 which were not requested by the administration, and $17,832,000 for three administration-requested projects lacking sufficient authorization.

I want to note that Amendment No. 23 includes bill language that makes the National Park Service construction account subject to the provisions of the act of August 24, 1912, as amended (16 U.S.C. 451) which state: "No expenditure for construction of administration or other buildings cost in case of any building exceeding $3,000 shall be made in any national park except under express authority of Congress." If this amendment is enacted into law and the provisions of the act of August 24, 1912, are unchanged, then no more than $3,000 may be expended in fiscal year 1994 on any unauthorized project listed on pages 19 and 20 of the conference report (H. Rept. 103–299) accompanying H.R. 2520. Furthermore, no funds in excess of the current authorization level may be expended for any authorized project listed on pages 19 and 20 of the conference report.

A list of the above-referenced projects follows:

1. Allegheny Portage Railroad National Historic Site, Pennsylvania—$1,930,000 increase to $0 request for Lemon House rehabilitation. (Report language)

Authorization: Unauthorized. Appropriation: $1,930,000 (House); $0 (Senate).

2. Blackstone River Valley NHC, Massachusetts/Rhode Island—$500,000 increase to $0 request. (Report language)

Authorization: Unauthorized. Appropriation: $0 (House); $1,000,000 (Senate).

3. Boston National Historical Park, Massachusetts—$2,400,000 increase to $0 request for Old South Meeting House. (Report language) Authorization: Unauthorized. Appropriation: $2,700,000 (House); $0 (Senate).

4. Boston National Historical Park, Massachusetts—$700,000 increase to $0 request for Dorchester Heights. (Report language) Authorization: Unauthorized. Appropriation: $700,000 (House); $0 (Senate).

5. Boston National Historical Park, Massachusetts—$1,900,000 increase to $0 request for U.S.S. *Constitution* Museum. (Report language) Authorization: Unauthorized. Appropriation: $0 (House); $1,900,000 (Senate).

6. Chamizal National Monument, Texas—$840,000 increase to $0 request (Report language) Authorization: Unauthorized. Appropriation: $840,000 (House); $0 (Senate).

7. Chickamauga-Chattanooga National Military Park, Tennessee—$3,600,000 increase to $0 request for road relocation. (Report language) Authorization: Unauthorized. Appropriation: $5,000,000 (House); $0 (Senate).

8. Chickasaw National Recreation Area, Oklahoma—$1,420,000 increase to $0 request for campground. (Report language) Authorization: Unauthorized. Appropriation: $0 (House); $1,420,000 (Senate).

9. Coulee Dam National Recreation Area, Washington—$416,000 increase to $0 request for boat launch. (Report language) Authorization: Unauthorized. Appropriation: $416,000 (House); $0 (Senate).

10. Crater Lake National Park, Oregon—$150,000 increase to $0 request for campground expansion. (Report language) Authorization: Unauthorized. Appropriation: $0 (House); $150,000 (Senate).

11. Cuyahoga Valley National Recreational Area, Ohio—$1,000,000 increase to $0 request to rehabilitate historic structures. (Report language) Authorization: Unauthorized. Appropriation: $1,264,000 (House); $0 (Senate).

12. Cuyahoga Valley National Recreational Area, Ohio—$2,000,000 increase to $0 request for railroad track and bridges. (Report language) Authorization: Unauthorized. Appropriation: $2,000,000 (House); $0 (Senate).

13. Delaware Water Gap National Recreational Area, Pennsylvania—$195,000 increase to $0 request for trail development. (Report language) Authorization: Unauthorized. Appropriation: $195,000 (House); $0 (Senate).

14. Franklin D. Roosevelt Memorial, DC—$11,000,000 increase to $0 request. (Report language) Authorization: Unauthorized. Appropriation: $0 (House); $11,000,000 (Senate).

15. Gateway National Recreational Area, New York—$7,150,000: a $5,880,000 decrease to $13,030,000 request for Great Kills Bathhouse. (Report language) Authorization: $6,974,000. Appropriation: $6,600,000 (House); $13,030,000 (Senate).

16. Gateway National Recreational Area, New York—$5,200,000 increase to $0 request for Jacob Riis Park. (Report language) Authorization: Unauthorized. Appropriation: $5,200,000 (House); $5,200,000 (Senate).

17. Gettysburg National Military Park, Pennsylvania—$100,000 increase to $0 request for technical assistance. (Report language) Authorization: Unauthorized. Appropriation: $100,000 (House); $100,000 (Senate).

18. Great Basin National Park, Nevada—$250,000 increase to $0 request for water system. (Report language) Authorization: Unauthorized. Appropriation: $250,000 (House); $250,000 (Senate).

19. Harpers Ferry National Historic Park, West Virginia—$2,637,000 increase to $0 request for lower town. (Report language)

Authorization: Unauthorized. Appropriation: $0 (House); $2,637,000 (Senate).

20. Hot Springs, Arkansas—$350,000 increase to $0 request for a cost-shared feasibility study of flood protection for the downtown area. (Bill language)

Authorization: Unauthorized. Appropriation: $0 (House); $450,000 (Senate).

21. Ice Age Scientific Reserve, Wisconsin—$500,000 increase to $0 request for exhibits. (Report language)

Authorization: Unauthorized. Appropriation: $500,000 (House); $500,000 (Senate).

22. Indiana Dunes National Lakeshore, Indiana—$125,000 increase to $0 request for Long Lake Wetlands Overlook. (Report language)

Authorization: Unauthorized. Appropriations: $125,000 (House); $0 (Senate).

23. James A. Garfield National Historic Site, Ohio—$1,311,000 increase to $0 request for site, building restoration. (Report language)

Authorization: Unauthorized. Appropriation: $1,311,000 (House); $0 (Senate).

24. Jean Lafitte National Historical Park, Louisiana—$925,000 increase to $0 request for various projects. (Report language)

Authorization: Unauthorized. Appropriation: $100,000 (House); $925,000 (Senate).

25. John D. Rockefeller Parkway, Wyoming—$700,000: a $2,159,000 decrease to $2,859,000 request to relocate Flagg Ranch. (Report language)

Authorization: Unauthorized. Appropriation: $700,000 (House); $700,000 (Senate).

26. Kalaupapa National Historic Site, Hawaii—$525,000 increase to $0 request for various projects. (Report language)

Authorization: Unauthorized. Appropriation: $0 (House); $525,000 (Senate).

27. Lackawanna Heritage Park, Pennsylvania—$670,000 increase to $0 request for technical assistance. (Report language)

Authorization: Unauthorized. Appropriation: $175,000 (House); $670,000 (Senate).

28. Lincoln Research Center, Illinois—$3,000,000 increase to $0 request to begin construction. (Report language)

Authorization: Unauthorized. Appropriation: $3,000,000 (House) $0 (Senate).

29. Lincoln Home National Historic Site, Illinois—$709,000 increase to $0 request for Dubois House relocation. (Report language)

Authorization: Unauthorized. Appropriation: $709,000 (House); $0 (Senate).

30. Lyndon B. Johnson Ranch National Historic Site, Texas—$100,000 increase to $1,300,000 request for exhibits. (Report language)

Authorization: Unauthorized. Appropriation: $1,400,000 (House); $0 (Senate).

31. Martin Luther King, Jr., National Historic Site—$9,982,000: $0 increase to $9,982,000 request for visitor facilities. (Report language)

Authorization: $3,177,000. Appropriation: $0 (House); $9,982,000 (Senate).

32. Mount Vernon Bicycle Trail, Virginia—$250,000 increase to $0 request correct safety hazards. (Report language)

Authorization: Unauthorized. Appropriation: $450,000 (House); $0 (Senate).

33. Natchez Trace Parkway, Mississippi—$4,000,000 increase to $0 request for Parkway construction. (Report language)

Authorization: Unauthorized. Appropriation: $4,000,000 (House); $0 (Senate).

34. New England Conservatory, Massachusetts—$1,500,000 increase to $0 request for Jordon Hall. (Bill language)

Authorization: Unauthorized. Appropriation: $0 (House); $3,000,000 (Senate).

35. New River Gorge National River, West Virginia—$830,000 increase to $0 request. (Report language)

Authorization: Unauthorized. Appropriation: $0 (House); $830,000 (Senate).

36. Penn Center, South Carolina—$500,000 increase to $0 request for rehabilitation. (Bill language)

Authorization: Unauthorized. Appropriation: $0 (House); $850,000 (Senate).

37. Port Chicago National Memorial, California—$308,000 increase to $0 request for memorial fabrication/construction. (Report language)

Authorization: Unauthorized. Appropriation: $308,000 (House); $0 (Senate).

38. Salem Maritime National Historical Park, Massachusetts—$2,120,000 increase to $0 request for various projects. (Report language)

Authorization: Unauthorized. Appropriation: $1,300,000 (House); $2,850,000 (Senate).

39. Stones River National Battlefield, Tennessee—$700,000 increase to $0 for trail connector. (Report language)

Authorization: Unauthorized. Appropriation: $700,000 (House); $0 (Senate).

40. Thomas Stone National Historic Site, Maryland—$1,000,000 increase to $0 for main house restoration. (Report language)

Authorization: Unauthorized. Appropriation: $1,170,000 (House); $0 (Senate).

41. Ulysses S. Grant National Historic Site, Missouri—$150,000 increase to $0 to restore historic structures. (Report language)

Authorization: Unauthorized. Appropriation: $150,000 (House); $0 (Senate).

42. Upper Susquehanna Heritage, Pennsylvania—$50,000 increase for technical assistance. (Report language)

Authorization: Unauthorized. Appropriation: $50,000 (House); $0 (Senate).

43. War in the Pacific, Guam—$500,000 increase to $0 request for monument. (Report language)

Authorization: Unauthorized. Appropriation: $500,000 (House); $500,000 (Senate).

44. Weir Farm National Historic Site, Connecticut—$395,000 increase to $0 request to restore historic structures. (Report language)

Authorization: Unauthorized. Appropriation: $395,000 (House); $395,000 (Senate).

Mr. STUMP. Mr. Speaker, free and open. Our Founding Fathers, when writing the Constitution, envisioned a free and open legislative process, of the people, by the people and for the people.

I shudder to think of how our Founding Fathers would view the process by which we are now presented with the conference report on the fiscal year 1994 Interior Appropriations bill. We have been presented with a bill which contains sweeping new policies that were arrived at in the eleventh hour, cloaked in secrecy, and without the benefit of hearings or consideration by the authorizing committees.

Today, we are being asked to vote on an appropriations measure that would not only drastically increase grazing fees and spell economic ruin for Western ranching families and communities, but would also rob public rangeland ranchers, and others of water rights and set new public lands use policies.

The rangeland reform amendment is littered with vague and bureaucratic language. For example, the amendment proclaims U.S. rights and claims to water developed on public lands, and does not provide specific citations to support such rights.

Public rangeland ranchers are not opposed to efforts to improve public rangelands policies and have long been willing to address environmental concerns associated with grazing of livestock on public lands. In fact, ranchers and others have responded in earnest to the Department of the Interior's request for public comment on proposals to reform rangeland polices. Ironically, the public comment period ended today.

If the Interior Appropriations bill passes with the rangeland reform language, the House will be sending a clear and distressing message that comments and concerns of those who know the land, and who will be most directly affected by the reforms, are meaningless.

The bottom line is that this is a sneaky, underhanded way to advance an anti-Western, anti-public lands policy agenda. I am against the grazing and water language being included in the Interior appropriations bill, and ask my colleagues to support removing the rangeland reform language.

Mr. HUGHES. Mr. Speaker, I rise in support of H.R. 2520, which provides appropriations for the Department of the Interior and related agencies.

This legislation provides important funding for the Fish and Wildlife Service, the National Park Service, the Smithsonian Institute and other programs that are necessary to conserving and fostering our natural and cultural resources.

In particular, the funding that the bill provides to the Fish and Wildlife Service and the Park Service will have a special impact in the State of New Jersey. This money is crucial to New Jersey's efforts to protect and preserve important habitat and cultural resources in one of the fastest growing States in the Nation.

Mr. Speaker, I am especially pleased that this legislation provides funding to the Fish and Wildlife Service for two very significant land acquisition projects in New Jersey: one at the Cape May National Wildlife Refuge and the other at the E.B. Forsythe Refuge.

For the Cape May refuge, the bill contains $2.1 million that will enable the service to expand the refuge. These funds will help the Service follow through with some of the options and negotiations now in progress, and keep alive the movement to protect South Jersey's natural resources. The wetlands included in the refuge are vitally important to Cape May County for aquifer recharge, flood storage, and shore stabilization.

The Cape May refuge also provides critical habitat for a myriad of local and migrating birds and many rare, threatened, and endangered plant and animal species. In fact, the Cape May Peninsula is host to the second largest number of migratory birds of prey in the Nation, including northern harrier, osprey, peregrine falcon, merlin, American Kestrel, sharp-shinned, cooper's and red-shouldered hawk, in addition to hundreds of American bald eagles each year. Additionally, some 34 percent of the Atlantic flyway's black duck population, unusual concentrations of gamebirds, and overwhelming numbers of songbirds overwinter or temporarily rest in their migration in the Cape May refuge's wetlands. These species have the Cape May refuge as their best chance of survival.

The $4.5 million included in the bill for the E.B. Forsythe National Wildlife Refuge will allow the Fish and Wildlife Service to continue to purchase land in this refuge that is so worthy of protection, yet so endangered due to its location at the Jersey shore.

I am particularly grateful to the conferees for including funds and report language to ensure purchases of historical property in the town of Port Republic, in order to incorporate it into the refuge.

The Port Republic property holds great significance for the State and the Nation as the historic site known as Chestnut Neck. It was here that Fort Hill, a revolutionary war encampment, was located to protect shipping and privateering during the American Revolutionary War. The site is also the location of a battleground at which a large contingent of

continental soldiers was massacred by a British raiding party in 1788 while the community of Chestnut Neck was burned to the ground.

This location still retains an enormous wealth of artifacts from this crucial period of our history. The site of Fort Hill and Chestnut Neck battleground remains undeveloped and is largely undisturbed. Acquisition of this land will protect it from incompatible development with an eye toward preserving the site's unique place in history, as well as its archeological and environmental values.

The Fish and Wildlife Service placed these properties on their top priority list, and has already purchased one of them. This funding will help the service to acquire a companion property and significantly aid the effort to preserve the unique value of this area.

I would like to point out, Mr. Speaker, that the acquisition of the properties at the Cape May and Forsythe Wildlife Refuges will be funded by money from the Land and Water Conservation Fund. I think that it is important to note that the fund derives most of its revenues from Federal motorboat fuel taxes and offshore leasing of oil and gas sites—not from the General Treasury.

Mr. Speaker, last year Congress designated some 129 miles of the Great Egg Harbor River as components of the National Wild and Scenic Rivers System. This was a landmark occasion for New Jersey—the State's first wild and scenic river. This watershed constitutes a major source of drinking water and hosts many recreational, cultural, and historical points of interest.

The Great Egg Harbor River is one of New Jersey's most magnificent treasures. This region provides important habitat for a wide variety of animals, birds, and plants, including such rare and endangered species as the bald eagle and the peregrine falcon. This river is also one of the longest canoeable rivers in the Pinelands and is well know for its fishing, boating and recreational activities. Furthermore, there are many sites of cultural and historical interest along the river corridor including the remains of the iron and shipping industry.

National scenic and recreational designation of this river was the culmination of a 6-year study and represents a consensus between the local municipalities, and the county, State and Federal governments to cooperate in drawing up local river management plans for the Great Egg Harbor River. A cooperative effort on such a scale is indicative of the uniqueness of this area and the local and State support it receives.

The $81,000 included in the bill will enable the National Park Service to assist in the development of local river management plans, in preparing the comprehensive river protection plan, and in entering into agreements with local, State and other Federal groups. These funds are necessary to prevent further delay in carrying out the goals of this designation and provide long-term protection to this unique natural resource.

The Cape May, Forsythe, and Great Egg Harbor River projects represent rare opportunities to preserve the important environmental, cultural and historical values of New Jersey and the Nation.

I would like to thank the chairman and ranking Republican of the Appropriations Committee and the chairman and ranking member of the Interior Subcommittee. I would especially like to praise the fine work of Chairman YATES, as well as Mr. REGULA, the ranking Republican member of that panel. They have done an excellent job in crafting this bill as a whole. Chairman YATES and Mr. REGULA have been particularly sensitive to the need to protect natural resources in the face of increasing developmental pressures in New Jersey—the most urbanized and densely populated State in the Nation.

Mr. Speaker, despite these austere times and the necessary budget cuts, I believe that this bill reflects Congress' strong commitment to the preservation and protection of our natural and historical resources. This is a rational bill and I urge my colleagues' support for its passage.

Mr. POMEROY. Mr. Speaker, I rise today, regretfully to oppose this Interior appropriations legislation because the grazing proposal contained within it bypasses public discussion. I have no quarrel with other parts of the bill. Indeed, the committee has done a fine job putting the appropriations together and has treated my State of North Dakota fairly.

However, the sharp increase in grazing fees from $1.86 to $3.45 per animal unit month over 3 years will dramatically affect the family-size ranches in North Dakota. Since Congress has not invited the ranchers to testify before the House, I went to the ranchers. I recently spent a day in western North Dakota with members of the Little Missouri Grazing Association. These family ranchers have been raising cattle on this land for three generations. Even with the opportunity to lease public lands they net on average $20,000 or less per year per family.

Ranchers are not asking that no changes be made in Federal range management. They are asking that the process include them since its financial effect is significant.

In good conscience, I cannot vote for this conference report without testimony being heard by the House or the other body. To institute reforms without public discourse is a disservice to ranchers and the people.

Mr. BAKER of California. Mr. Speaker, I regretfully rise in opposition to the Interior appropriations conference report for fiscal year 1994. I had hoped I could vote for this conference report because there are many things in this bill that I support; however, the amount of money appropriated in this bill represents nearly a 10-percent increase over last year. The people of my congressional district did not receive a 10-percent salary hike, and they simply cannot afford a 10-percent increase for this bill. In fact, many of the people of my congressional district will receive a tax increase, and this bill only adds to their share of the Federal debt. I sincerely hope we can begin setting priorities in Federal spending so that we can take serious steps to reduce our Federal deficit. We must begin to set priorities. Let's do it for our children's sake.

Mr. MCDADE. Mr. Speaker, I rise in support of the conference report on the Interior and related agencies appropriations bill for fiscal year 1994. I want to commend my two House colleagues, Chairman SID YATES and ranking Republican RALPH REGULA, for their leadership and tireless efforts in an enormously difficult undertaking to reach a conference agreement that is acceptable to most Members of the House.

The agreement is the product of weeks of delicate negotiations between House and Senate conferees. As usual, the Interior appropriations bill has no shortage of controversies. The conference produced strong differences of opinion on such issues as Federal grazing fees, the new National Biological Survey, Forest Service road funding and Federal mining patents.

The most contentious of these, grazing fees, was resolved with a compromise that increases grazing fees over 3 years from the current $1.86 to $3.45 per animal unit month [AUM] and institutes a number of rangeland reforms. The conference debated these changes extensively before acting.

The agreement reflects the wishes of an increasing majority in the House who have voted on numerous occasions over the past several years for increased fees. The most recent vote came on September 29 when the House passed 314 to 109 a motion to instruct conferees to reject the Senate's 1-year moratorium on the implementation of grazing fee increases. To critics of the compromise, it should be pointed out that the agreement will prevent the Secretary of the Interior from implementing a higher fee schedule and more comprehensive reforms.

In regard to the National Biological Survey, the conferees included bill language prohibiting the use of Federal funds to conduct new surveys on private property unless specifically authorized in writing by the property owner. The statement of the managers contains language which clearly states that National Biological Survey funding is only provided to the extent authorized by law to continue ongoing research activities. The survey, as well intentioned as it may be, has been the subject of controversy in the House, and I believe funds should not be expended until Congress has fully expressed its will.

Much attention has been focused on the contentious issues faced by the conference, but that should not obscure our vision to the fact that the final figure of $13.4 billion falls under the administration request, the 602(b) allocation and the funding levels in the House and Senate Interior appropriations bills.

Even with this year's severe budget restrictions, the conference was able to provide for the essential program needs of the Forest Service, Department of Interior, conservation and fossil fuel programs of the Department of Energy, Indian education and health, and cultural and artistic programs.

The conference report also facilitates a number of goals in the Vice President's report on reinventing Government, including a measure to eliminate all employee floors and ceilings in the Department of the Interior. This gives the Secretary the flexibility needed to meet the goal of greater efficiency by reducing the number of employees in the Department.

I have been a member of the Interior Appropriations Subcommittee for nearly three decades. As always, it is a labor of love to work on issues affecting our glorious public lands—the national parks, forests, rivers, and wildlife refuges. This bill preserves and protects our

cultural heritage, provides low-income weatherization assistance and promotes needed research on energy conservation and development. These wonderful projects and programs are worthy of our support. I urge adoption of this conference report.

Mr. SYNAR. Mr. Speaker, today's vote is about gridlock, not grazing fees.

It is about managing public lands, not private property rights.

There were are only two important questions before the House: Whether we can break the gridlock on public lands reform? Whether we can take on the special interests and reduce the Federal deficit?

The day the Senate passed its so-called moratorium was a sad day for both the taxpayers, the environment.

However, the day that they voted 314 to 109 to instruct conferees not to agree to the Senate moratorium effort on grazing fees was just the opposite.

That was the beginning of a new era of bipartisan cooperation on public land reform and grazing reform.

The conferees have followed the House's instruction and returned with a conference report that breaks the gridlock over grazing fees and presents a good deal for the grazers, and a fair deal for the taxpayers.

Contrary to some wild claims by those who oppose increasing Federal grazing fee, this conference report is not an attack on private property rights.

Federal grazing permits do not confer private property rights in Federal lands and low grazing fees are not a private property rights.

Some Federal grazers made those allegations when the first Federal grazing fees were assessed in 1906.

They maintained that any grazing fee on Federal lands amounted to a "taking" without just compensation, which is prohibited by the fifth amendment.

In 1911, the U.S. Supreme Court ruled that the grazers were wrong and that grazing permits confer no private property rights in Federal public lands, See: *Light* v. *United States* (220 U.S. 523).

The Court said clearly that: "Grazing on public land does not confer any vested right * * * nor deprive the United States of the power of recalling any * * * license under which the land has been used for private purposes."

Nothing in this conference report changes that.

In fact, all land reform changes contained in the conference report are prefaced with the phrase "subject to valid existing rights."

So, the conference report respects valid existing private property rights.

The bottom line—for those who do not support the conference report—is that there is no right time to increase Federal grazing fees, no fee increase that is acceptable and no argument that can be foregone to prevent a fair return to the taxpayers.

For those of us who disagree, there is no time like the present.

The conference report is right on target.

Federal grazing fees are ridiculously low.

Current Federal range condition is too poor.

The conference report is sound and practical because it recognizes that only the market place can allocate Federal rangeland resources.

Because of the conference report, we can at last start running the Federal Government more like a business.

It presents a good deal for the grazers, and a fair deal for the taxpayers.

Mr. KYL. Mr. Speaker, I rise in opposition to the rule and the conference report on the fiscal year 1994 Interior appropriations bill as it comes before the House today.

Mr. Speaker, the House never had an opportunity to fully debate and consider the Rangeland Reform 1994 provisions included in the conference report. The Clinton administration didn't even announce its reform proposal until several weeks after the House had acted on the original version of the Interior bill.

Far from including rangeland reform in its version of the bill, the Senate voted a one-year moratorium on the implementation of the Clinton Rangeland Reform program.

Yet, somehow, a handful of conferees secretly negotiated a deal behind closed doors to add these provisions which neither the House not the Senate had ever approved.

Mr. Speaker, the grazing fee increase in this legislation will be devastating to the many small ranching families across the West. The policy changes this conference report will also codify represent a sweeping change in the way our public lands are managed. The changes infringe upon private property rights. Land managers are given broad, new, unilateral authority to implement decisions from which there is no recourse.

All this despite administration officials' own admission, made in an internal Department memo, that their "own statistics can be used to show that the range is in better shape than at any point in this century."

As if that weren't bad enough, the Interior conference report fully authorizes and funds the National Biological Survey—a program that had to be pulled from the House floor last week by its sponsors. This is a back-door effort to evade even the modest protections for private property rights which were approved during the course of debate on the Biological Survey bill.

I urge my colleagues to vote against the rule. The conference committee should reconvene and bring back a bill which withholds funding for the Biological Survey until it is properly authorized. It should excise the rangeland reform provisions to avert a certain Senate filibuster, and avoid delaying the many other important programs funded by the Interior bill.

Mr. BEREUTER. Mr. Speaker, this Member rises today to thank the chairman of the Interior Appropriations Subcommittee, the gentleman from Illinois [Mr. YATES] and the ranking Republican on that subcommittee, the gentleman from Ohio [Mr. REGULA] for their support of appropriations for construction of a new hospital in Winnebago, NE. The quest for a new hospital has been a long and drawn-out process. The Winnebago Hospital provides vital health care services to the native American population of Nebraska and is in dire need for replacement; therefore this Member is pleased that the subcommittee allocated $300,000 in planning money for a replacement facility at Winnebago, contingent on the approval of a project justification document.

Mr. YATES. 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. MFUME). The question is on the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

AMENDMENTS IN DISAGREEMENT

The SPEAKER pro tempore. Pursuant to House Resolution 279, the motions printed in the joint explanatory statement of the committee of conference to dispose of amendments in disagreement are considered as read.

The Clerk will designate the first amendment in disagreement.

The text of the amendment is as follows:

Senate Amendment No. 1: Page 2, after line 2, insert:

"MANAGEMENT OF LANDS AND RESOURCES

"For expenses necessary for protection, use, improvement, development, disposal, cadastral surveying, classification, and performance of other functions, including maintenance of facilities, as authorized by law, in the management of lands and their resources under the jurisdiction of the Bureau of Land Management, including the general administration of the Bureau of Land Management, $604,415,000, of which the following amounts shall remain available until expended: not to exceed $1,462,000 to be derived from the special receipt account established by section 4 of the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 4601-6a(i)), and $69,418,000 for the Automated Land and Mineral Record System Project: *Provided*, That appropriations herein made shall not be available for the destruction of healthy, unadopted, wild horses and burros in the care of the Bureau of Land Management or its contractors; and in addition, $15,300,000 for Mining Law Administration program operations to remain available through September 30, 1994, to be reduced by amounts collected by the Bureau of Land Management and credited to this appropriation from annual mining claim fees so as to result in a final fiscal year 1994 appropriation estimated at not more than $604,415,000: *Provided further*, That in addition to funds otherwise available, not to exceed $5,000,000 from annual mining claim fees shall be credited to this account for the costs of administering the mining claim fee program, and shall remain available until expended."

MOTION OFFERED BY MR. YATES

Mr. YATES. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. YATES moves that the House recede from its disagreement to the amendment of the Senate numbered 1, and concur therein with an amendment, as follows: In lieu of the matter inserted by said amendment, insert the following:

"MANAGEMENT OF LANDS AND RESOURCES

"For expenses necessary for protection, use, improvement, development, disposal, cadastral surveying, classification, and performance of other functions, including maintenance of facilities, as authorized by law, in

the management of lands and their resources under the jurisdiction of the Bureau of Land Management, including the general administration of the Bureau of Land Management, $599,860,000, of which the following amounts shall remain available until expended: $1,462,000 to be derived from the special receipt account established by section 4 of the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 4601-6a(i)), and $69,418,000 for the Automated Land and Mineral Record System Project: *Provided*, That appropriations herein made shall not be available for the destruction of healthy, unadopted, wild horses and burros in the care of the Bureau of Land Management or its contractors; and in addition, $15,300,000 for Mining Law Administration program operations to remain available through September 30, 1994, to be reduced by amounts collected by the Bureau of Land Management and credited to this appropriation from annual mining claim fees so as to result in a final fiscal year 1994 appropriation estimated at not more than $599,860,000: *Provided further*, That in addition to funds otherwise available, not to exceed $5,000,000 from annual mining claim fees shall be credited to this account for the costs of administering the mining claim fee program, and shall remain available until expended."

The SPEAKER pro tempore. Without objection, the motion is agreed to.

Mr. BURTON of Indiana. Mr. Speaker, I object.

The SPEAKER pro tempore. Does the gentleman from Indiana object to adoption of the motion by unanimous consent?

Mr. BURTON of Indiana. Mr. Speaker, could the motion be restated? What was the motion? I think I understood the motion, but I would be happy to hear it restated.

The SPEAKER pro tempore. Does the gentleman from Illinois [Mr. YATES], since he has 30 minutes, wish to debate the motion?

Mr. YATES. Mr. Speaker, I ask unanimous consent that the Clerk repeat the motion.

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

There was no objection.

The SPEAKER pro tempore. The Clerk will redesignate the motion.

The Clerk redesignated the motion.

Mr. BURTON of Indiana. Mr. Speaker, I object.

The SPEAKER pro tempore. What is the gentleman's objection?

Mr. BURTON of Indiana. Mr. Speaker, this $599 million was struck when it left the House on a point of order. It was struck on a point of order when it left the House, and I think the House's sentiments should be what we live with here. I do not think we should put that money back in.

The SPEAKER pro tempore. The gentleman from Indiana should then proceed or debate time yielded to him. Does the gentleman from Illinois [Mr. YATES] yield time to the gentleman from Indiana in order to debate the matter?

Mr. YATES. Mr. Speaker, if the gentleman from Indiana is requesting time, I will be glad to yield to him if he wants.

Mr. BURTON of Indiana. Yes. Mr. Speaker, will the gentleman yield?

Mr. YATES. I yield to the gentleman from Indiana.

Mr. BURTON of Indiana. Mr. Speaker, I think we probably ought to try to illuminate the issue a little bit.

Mr. YATES. Reclaiming my time, Mr. Speaker, this amount of money to which the gentleman objects is for the Bureau of Land Management.

As the gentleman will recall, Mr. Speaker, the committee put an appropriation into the bill, and did not ask for a rule to protect the Bureau of Land Management appropriation on the House floor because BLM had no current authorization. I am sure the gentleman will recall that it was on his point of order that that amount of money was stricken.

□ 1820

Subsequently, as we went into the conference, the House had passed an authorization and the Senate had restored the funding for the Bureau of Land Management. The conferees, in order to provide the funds for the Bureau of Management, which has such important operations throughout the country and particularly in the West, agreed to the funding.

Mr. BURTON of Indiana. Mr. Speaker, if the gentleman will yield, can the gentleman from Illinois [Mr. YATES] tell me how much the Bureau of Land Management received last year to run its operation nationwide?

Mr. YATES. Mr. Speaker, the amount is $542 million.

Mr. BURTON of Indiana. So this is $57 million above last year's figure?

Mr. YATES. The gentleman is correct, for the reason there were additional duties on the part of the Bureau of Land Management that had been passed by the Congress, and funds were necessary for that purpose.

Mr. BURTON of Indiana. Mr. Speaker, if the gentleman will yield further, the concern that I have is with the severe fiscal problems that this country faces, to have a $57 million increase, which is almost 10 percent, in one year for one agency of Government, seems to me to be excessive. I would hope that we could maybe send this back to conference and have it cut back. If we increase every area of Government by 10 percent this year, we would have an exorbitant increase in spending.

Mr. YATES. Mr. Speaker, I would suggest to the gentleman that the House tried to get a lesser figure. The amount is actually $5 million less than the Senate appropriated in its original bill. But I could not obtain Senate approval for a lesser amount. I doubt that if the bill was sent back to conference that we would be able to do much better.

Mr. BURTON of Indiana. Mr. Speaker, I feel that somebody has to draw the line someplace, and for that reason I will ask for a rollcall vote on this, because I think over a 10-percent increase in funding for one agency of Government is excessive, and it should not be passed.

The SPEAKER pro tempore (Mr. MFUME). Does the gentleman from Ohio [Mr. REGULA] desire time?

Mr. REGULA. Mr. Speaker, I have no requests for time.

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

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

Mr. BURTON of Indiana. 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 296, nays 131, not voting 6, as follows:

[Roll No. 523]

YEAS—296

Ackerman
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Applegate
Bacchus (FL)
Baesler
Barlow
Barrett (WI)
Becerra
Beilenson
Bentley
Bereuter
Berman
Bevill
Bilbray
Bishop
Blackwell
Bliley
Bonior
Borski
Boucher
Brewster
Brooks
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Byrne
Camp
Cantwell
Cardin
Carr
Chapman
Clay
Clayton
Clement
Clinger
Clyburn
Coleman
Collins (IL)
Collins (MI)
Conyers
Coppersmith
Costello
Coyne
Cramer
Danner
Darden
de la Garza
Deal
DeFazio
DeLauro
Dellums
Derrick
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Dooley
Durbin
Edwards (CA)
Edwards (TX)
English (AZ)
English (OK)
Eshoo
Evans
Farr
Fazio
Fields (LA)
Filner
Fingerhut
Flake
Foglietta
Ford (MI)
Ford (TN)
Fowler
Frank (MA)
Franks (CT)
Frost
Furse
Gallo
Gejdenson
Gephardt
Geren
Gilchrest
Gillmor
Gingrich
Glickman
Gonzalez
Gordon
Goss
Grandy
Green
Gunderson
Gutierrez
Hall (OH)
Hamburg
Hamilton
Harman
Hastings
Hayes
Hefner
Hilliard
Hinchey
Hoagland
Hobson
Hochbrueckner
Hoekstra
Holden
Houghton
Hoyer
Huffington
Hughes
Hutto
Inslee
Jefferson
Johnson (CT)
Johnson (GA)
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kennedy
Kennelly
Kildee
Kleczka
Klein
Klink
Knollenberg
Kolbe
Kopetski
Kreidler
Kyl
LaFalce
Lambert
Lancaster
Lantos
LaRocco
Laughlin
Lazio
Leach
Lehman
Levin
Levy
Lewis (CA)
Lewis (GA)
Lipinski
Lloyd
Long
Lowey
Machtley
Maloney
Manton
Margolies-Mezvinsky
Markey
Martinez
Matsui
Mazzoli
McCandless
McCloskey
McCollum
McCrery
McCurdy
McDade
McDermott
McHale
McKinney
McMillan
McNulty
Meehan
Meek
Menendez
Mfume
Miller (CA)
Miller (FL)
Mineta
Mink
Moakley

Mollohan
Montgomery
Moran
Morella
Murphy
Murtha
Myers
Nadler
Natcher
Neal (MA)
Neal (NC)
Oberstar
Obey
Olver
Ortiz
Owens
Packard
Pallone
Parker
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Pickle
Pomeroy
Porter
Poshard
Price (NC)
Pryce (OH)
Quillen
Rahall
Rangel
Ravenel
Reed
Regula
Reynolds
Richardson
Roemer
Rogers
Ros-Lehtinen
Rose
Rostenkowski
Roth
Roukema
Rowland
Roybal-Allard
Rush
Sabo
Sanders
Sangmeister
Sawyer
Saxton
Schenk
Schiff
Schroeder
Schumer
Scott
Serrano
Sharp
Shaw
Shepherd
Sisisky
Skaggs
Skeen
Skelton
Slattery
Slaughter
Smith (IA)
Smith (NJ)
Smith (OR)
Snowe
Spratt
Stark
Stokes
Strickland
Studds
Stupak
Swett
Swift
Synar
Tanner
Tauzin
Tejeda
Thomas (CA)
Thompson
Thornton
Thurman
Torres
Torricelli
Towns
Traficant
Tucker
Unsoeld
Upton
Valentine
Velázquez
Vento
Visclosky
Volkmer
Waters
Watt
Weldon
Wheat
Whitten
Williams
Wilson
Wise
Woolsey
Wyden
Wynn
Yates
Zimmer

NAYS—131

Allard
Archer
Armey
Bachus (AL)
Baker (CA)
Baker (LA)
Ballenger
Barca
Barcia
Barrett (NE)
Bartlett
Barton
Bateman
Bilirakis
Blute
Boehlert
Boehner
Bonilla
Bunning
Burton
Buyer
Callahan
Calvert
Canady
Castle
Coble
Collins (GA)
Combest
Condit
Cooper
Cox
Crane
Crapo
Cunningham
DeLay
Dickey
Doolittle
Dornan
Dreier
Duncan
Dunn
Emerson
Everett
Ewing
Fawell
Fields (TX)
Fish
Franks (NJ)
Gallegly
Gekas
Gilman
Goodlatte
Goodling
Grams
Greenwood
Hall (TX)
Hancock
Hansen
Hefley
Herger
Hoke
Horn
Hunter
Hutchinson
Hyde
Inglis
Inhofe
Istook
Jacobs
Johnson, Sam
Kasich
Kim
King
Kingston
Klug
Lewis (FL)
Lightfoot
Linder
Livingston
Mann
Manzullo
McHugh
McInnis
McKeon
Meyers
Mica
Michel
Minge
Molinari
Moorhead
Nussle
Orton
Oxley
Paxon
Penny
Petri
Pickett
Pombo
Portman
Quinn
Ramstad
Ridge
Roberts
Rohrabacher
Royce
Santorum
Sarpalius
Schaefer
Sensenbrenner
Shays
Shuster
Smith (MI)
Smith (TX)
Solomon
Spence
Stearns
Stenholm
Stump
Sundquist
Talent
Taylor (MS)
Taylor (NC)
Thomas (WY)
Torkildsen
Vucanovich
Walker
Walsh
Wolf
Young (AK)
Young (FL)
Zeliff

NOT VOTING—6

Abercrombie
Engel
Gibbons
Hastert
Washington
Waxman

□ 1843

The Clerk announced the following pair:

On this vote:

Mr. Abercrombie for, Mr. Hastert against.

Messrs. SHAYS, ARCHER, MINGE, MOORHEAD, SARPALIUS, HORN, BARCIA of Michigan, and HYDE changed their vote from "yea" to "nay."

Ms. PRYCE of Ohio, Mr. MCMILLAN, and Mr. WELDON changed their vote from "nay" to "yea."

So the motion was agreed to.

The result of the vote was announced as above recorded.

□ 1844

The SPEAKER pro tempore (Mr. MFUME). The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 2: Page 2, after line 26, insert:

CONSTRUCTION AND ACCESS

For acquisition of lands and interests therein, and construction of buildings, recreation facilities, roads, trails, and appurtenant facilities, $10,817,000, to remain available until expended.

MOTION OFFERED BY MR. YATES

Mr. YATES. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. YATES moves that the House recede from its disagreement to the amendment of the Senate numbered 2, and concur therein with an amendment, as follows:

Retain the matter proposed by said amendment, amended as follows:

In lieu of the sum named in said amendment, insert: "$10,467,000".

The SPEAKER pro tempore. Without objection, the motion is agreed to.

Mr. BURTON of Indiana. Mr. Speaker, I object.

Mr. YATES. Mr. Speaker, I will be glad to yield to the gentleman from Indiana [Mr. BURTON] if he wishes to debate the motion.

The SPEAKER pro tempore. The gentleman from Illinois [Mr. YATES] is recognized for 30 minutes.

Mr. YATES. I yield to the gentleman from Indiana.

Mr. BURTON of Indiana. Mr. Speaker, this is $10.467 million for the Bureau of Land Management construction and access. This was struck on a point of order in the House and the Senate amendment was, I guess, about the same amount, maybe a little bit more.

Can the gentleman tell me what this $10.467 million is for?

Mr. YATES. I would reply to the gentleman that this is another Bureau of Land Management item. The 1993 amount, last year's amount, was $15,676,000. This year the Senate put in $10.8 million. The amount that the Committee had in the bill was stricken on the House floor on the gentleman's point of order. The Senate put in $10,817,000. The conferees agreed on a lesser figure, $10,467,000.

Mr. BURTON of Indiana. If the gentleman will yield further, Mr. Speaker, I would ask, are these new projects, old projects, or are these being refunded?

Mr. YATES. These are the projects that were ongoing.

Mr. BURTON of Indiana. They are all ongoing projects?

Mr. YATES. They are ongoing projects.

Mr. BURTON of Indiana. And not new ones?

Mr. YATES. That is correct.

Mr. BURTON of Indiana. Mr. Speaker, I thank the gentleman.

The SPEAKER pro tempore. Without objection, the motion is agreed to.

There was no objection.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 4: Page 4, after line 4, insert:

RANGE IMPROVEMENTS

For rehabilitation, protection, and acquisition of lands and interests therein, and improvement of Federal rangelands pursuant to section 401 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701), notwithstanding any other Act, sums equal to 50 per centum of all moneys received during the prior fiscal year under sections 3 and 15 of the Taylor Grazing Act (43 U.S.C. 315 et seq.) and the amount designated for range improvements from grazing fees and mineral leasing receipts from Bankhead-Jones lands transferred to the Department of the Interior pursuant to law, but not less than $10,025,000, to remain available until expended: Provided, That not to exceed $600,000 shall be available for administrative expenses.

SERVICE CHARGES, DEPOSITS, AND FORFEITURES

For administrative expenses and other costs related to processing application documents and other authorizations for use and disposal of public lands and resources, for costs of providing copies of official public land documents, for monitoring construction, operation, and termination of facilities in conjunction with use authorizations, and for rehabilitation of damaged property, such amounts as may be collected under sections 209(b), 304(a), 304(b), 305(a), and 504(g) of the Act approved October 21, 1976 (43 U.S.C. 1701), and sections 101 and 203 of Public Law 93-153, to be immediately available until expended: Provided, that notwithstanding any provision to the contrary of section 305(a) of the Act of October 21, 1976 (43 U.S.C. 1735(a)), any moneys that have been or will be received pursuant to that section, whether as a result of forfeiture, compromise, or settlement, if not appropriate for refund pursuant to section 305(c) of that Act (43 U.S.C. 1735(c)), shall be available and may be expended under the authority of this or subsequent appropriations Acts by the Secretary to improve, protect, or rehabilitate any public lands administered through the Bureau of Land Management which have been damaged by the action of a resource developer, purchaser, permittee, or any unauthorized person, without regard to whether all moneys collected from each such forfeiture, compromise, or settlement are used on the exact lands damage to which led to the forfeiture, compromise, or settlement: Provided further, That such moneys are in excess of amounts needed to repair damage to the exact land for which collected.

MISCELLANEOUS TRUST FUNDS

In addition to amounts authorized to be expended under existing law, there is hereby appropriated such amounts as may be contributed under section 307 of the Act of October 21, 1976 (43 U.S.C. 1701), and such amounts as may be advanced for administrative costs, surveys, appraisals, and costs of making conveyances of omitted lands under section 211(b) of that Act, to remain available until expended.

ADMINISTRATIVE PROVISIONS

Appropriations for the Bureau of Land Management shall be available for purchase, erection, and dismantlement of temporary structures, and alteration and maintenance of necessary buildings and appurtenant facilities to which the United States has title; up to $100,000 for payments, at the discretion of the Secretary, for information or evidence concerning violations of laws administered by the Bureau of Land Management; miscellaneous and emergency expenses of enforcement activities authorized or approved by the Secretary and to be accounted for solely on his certificate, not to exceed $10,000: Provided, that appropriations herein made for Bureau of Land Management expenditures in connection with the revested Oregon and California Railroad and reconveyed Coos Bay Wagon Road grant lands (other than expenditures made under the appropriation "Oregon and California grant lands") shall be reimbursed to the General Fund of the Treasury from the 25 per centum referred to in subsection (c), title II, of the Act approved August 28, 1937 (50 Stat. 876), of the special fund designated the "Oregon and California land grant fund" and section 4 of the Act approved May 24, 1939 (53 Stat. 754), of the special fund designated the "Coos Bay Wagon Road grant fund": Provided further, That notwithstanding 44 U.S.C. 501, the Bureau may, under cooperative cost-sharing and partnership arrangements authorized by law, procure printing services from cooperators in connection with jointly-produced publications for which the cooperators share the cost of printing either in cash or in services, and the Bureau determines the cooperator is capable of meeting accepted quality standards.

MOTION OFFERED BY MR. YATES

Mr. YATES. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. YATES moves that the House recede from its disagreement to the amendment of the Senate numbered 4, and concur therein with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert:

RANGE IMPROVEMENTS

For rehabilitation, protection, and acquisition of lands and interests therein, and improvement of Federal rangelands pursuant to section 401 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701), notwithstanding any other Act, sums equal to 50 per centum of all moneys received during the prior fiscal year under sections 3 and 15 of the Taylor Grazing Act (43 U.S.C. 315 et seq.) and the amount designated for range improvements from grazing fees and mineral leasing receipts from Bankhead-Jones lands transferred to the Department of the Interior pursuant to law, but not less than $10,025,000, to remain available until expended: *Provided*, That not to exceed $600,000 shall be available for administrative expenses.

SERVICE CHARGES, DEPOSITS, AND FORFEITURES

For administrative expenses and other costs related to processing application documents and other authorizations for use and disposal of public lands and resources, for costs of providing copies of official public land documents, for monitoring construction, operation, and termination of facilities in conjunction with use authorizations, and for rehabilitation of damaged property, such amounts as may be collected under sections 209(b), 304(b), 305(a), and 504(g) of the Act approved October 21, 1976 (43 U.S.C. 1701), and sections 101 and 203 of Public Law 93-153, to be immediately available until expended: *Provided*, That notwithstanding any provision to the contrary of section 305(a) of the Act of October 21, 1976 (43 U.S.C. 1735(a)), any moneys that have been or will be received pursuant to that section, whether as a result of forfeiture, compromise, or settlement, if not appropriate for refund pursuant to section 305(c) of that Act (43 U.S.C. 1735(c)), shall be available and may be expended under the authority of this or subsequent appropriations Acts by the Secretary to improve, protect, or rehabilitate any public lands administered through the Bureau of Land Management which have been damaged by the action of a resource developer, purchaser, permittee, or any unauthorized person, without regard to whether all moneys collected from each such forfeiture, compromise, or settlement are used on the exact lands damage to which led to the forfeiture, compromise, or settlement: *Provided further*, That such moneys are in excess of amounts needed to repair damage to the exact land for which collected.

MISCELLANEOUS TRUST FUNDS

In addition to amounts authorized to be expended under existing law, there is hereby appropriated such amounts as may be contributed under section 307 of the Act of October 21, 1976 (43 U.S.C. 1701), and such amounts as may be advanced for administrative costs, surveys, appraisals, and costs of making conveyances of omitted lands under section 211(b) of that Act, to remain available until expended.

ADMINISTRATIVE PROVISIONS

Appropriations for the Bureau of Land Management shall be available for purchase, erection, and dismantlement of temporary structures, and alteration and maintenance of necessary buildings and appurtenant facilities to which the United States has title: up to $100,000 for payments, at the discretion of the Secretary, for information or evidence concerning violations of laws administered by the Bureau of Land Management; miscellaneous and emergency expenses of enforcement activities authorized or approved by the Secretary and to be accounted for solely on his certificate, not to exceed $10,000: *Provided*, That notwithstanding 44 U.S.C. 501, the Bureau may, under cooperative cost-sharing and partnership arrangements authorized by law, procure printing services from cooperators in connection with jointly-produced publications for which the co-operators share the cost of printing either in cash or in services, and the Bureau determines the cooperator is capable of meeting accepted quality standards.

The SPEAKER pro tempore. Without objection, the motion is agreed to.

Mr. BURTON of Indiana. Mr. Speaker, I object. Will the gentleman yield?

The SPEAKER pro tempore. The gentleman from Illinois [Mr. YATES] is recognized for 30 minutes.

Mr. YATES. I yield to the gentleman from Indiana.

Mr. BURTON of Indiana. Mr. Speaker, I would say to the gentleman, this is $10.025 million, again for the Bureau of Land Management, range improvements. This was struck on a point of order when it left the House. I raised the point of order.

Can the gentleman tell me what this is for, and are there any new projects? Are these all ongoing old projects?

Mr. YATES. This is an amount that is received from grazing fees, and it is used for the improvement of the public lands. It is the same amount, roughly, as we had last year.

Mr. BURTON of Indiana. The same amount as last year?

Mr. YATES. That is correct.

Mr. BURTON of Indiana. Mr. Speaker, I withdrew my reservation of objection.

The SPEAKER pro tempore. Without objection, the motion is agreed to.

There was no objection.

The SPEAKER pro tempore. The clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 10: Page 5, line 13, strike out all after "expended" down to and including "Marsh" in line 16

MOTION OFFERED BY MR. YATES

Mr. YATES. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. YATES moves that the House recede from its disagreement to the amendment of the Senate numbered 10, and concur therein with an amendment, as follows:

In lieu of the matter stricken by said amendment, insert the following:

"of which $1,800,000 shall be available as a grant from the United States Fish and Wildlife Service to Ducks Unlimited, Inc., for construction of the Federal portion of the dike and pumping station at Metzger Marsh: *Provided*, That notwithstanding any other provision of law a single procurement for the construction of facilities at the Walnut Creek National Wildlife Refuge, Iowa may be issued which includes the full scope of the project: *Provided further*, That the solicitation and the contract shall contain the clause "availability of funds" found at 48 CFR 52.323.18".

The SPEAKER pro tempore. Without objection, the motion is agreed to.

Mr. BURTON of Indiana. Mr. Speaker, I object.

Will the gentleman yield?

The SPEAKER pro tempore. The gentleman from Illinois [Mr. YATES] is recognized for 30 minutes.

Mr. YATES. I yield to the gentleman from Indiana.

Mr. BURTON of Indiana. Mr. Speaker, this is $1.78 million for Ducks, Unlimited. It was not requested by the President. Is this a new appropriation or is this a continuation of an old program?

Mr. YATES. This is a continuation of an ongoing project. It is not a new project.

Mr. BURTON of Indiana. Is this comparable to the amount that was appropriated last year?

Mr. YATES. It is less than the amount appropriated last year.

Mr. BURTON of Indiana. Mr. Speaker, I thank the gentleman.

The SPEAKER pro tempore. Without objection, the motion is agreed to.

There was no objection.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 12: Page 7, line 3, strike out "$61,610,000" and insert: "$76,204,000".

MOTION OFFERED BY MR. YATES

Mr. YATES. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. YATES moves that the House recede from its disagreement to the amendment of the Senate numbered 12, and concur therein with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert "$82,655,000".

The SPEAKER pro tempore. Without objection, the motion is agreed to.

Mr. BURTON of Indiana. Mr. Speaker, I object.

Will the gentleman yield?

The SPEAKER pro tempore. The gentleman from Illinois [Mr. YATES] is recognized for 30 minutes.

Mr. YATES. I yield to the gentleman from Indiana.

Mr. BURTON of Indiana. Mr. Speaker, the House had $61.61 million for this purpose, and the Senate had $76.204 million, and yet the amount that is appropriated is $82.655 million, which is substantially higher than both the House and the Senate.

Can the gentleman explain why it is higher than both the House and the Senate figures?

Mr. YATES. I will tell the gentleman, the House had its list of projects that Members had requested for land acquisition for the Fish and Wildlife Service. The Senate had its own list of projects that its Members had requested. The total of both lists was about $110 million.

□ 1950

The figure that was agreed upon by the conferees was $82,655,000, which was significantly lower.

Mr. BURTON of Indiana. Further reserving the right to object, if the gentleman will yield, are any of these new pork barrel projects or projects for individual Senators or House Members?

Mr. YATES. No. These are not pork barrel projects.

Mr. BURTON of Indiana. Are there any new projects in there?

Mr. YATES. There are two new projects, may I tell the gentleman, out of about 50.

Mr. BURTON of Indiana. Could the gentleman tell me where those projects are and how much they are?

Mr. YATES. There is one in the Emiquon National Wildlife Refuge in Illinois. Incidentally, I did not request it. It is requested by Mr. MICHEL, I understand.

Mr. BURTON of Indiana. What is the other one?

Mr. YATES. It is Lake Wales Ridge in Florida, which is $2 million.

Mr. BURTON of Indiana. And is this figure, this total of $82,655,000, is that higher than last year's future?

Mr. YATES. It is roughly the equivalent, perhaps higher by $1 million, or $2 million, or $3 million.

Mr. BURTON of Indiana. But it is higher than last year, and we have two new projects?

Mr. YATES. Insignificantly higher.

Mr. BURTON of Indiana. Insignificantly.

Mr. Speaker, I object.

The SPEAKER pro tempore (Mr. MFUME). Does the gentleman from Illinois [Mr. YATES] wish more time?

Mr. YATES. No, I do not, Mr. Speaker.

The SPEAKER pro tempore. Does the gentleman from Indiana [Mr. BURTON] wish more time?

Mr. BURTON of Indiana. No, Mr. Speaker.

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

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

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

The SPEAKER 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 293, nays 131, not voting 9, as follows:

[Roll No. 524]

YEAS—293

Abercrombie
Ackerman
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Applegate
Bacchus (FL)
Baesler
Barlow
Bateman
Becerra
Beilenson
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Bishop
Blackwell
Bliley
Blute
Boehlert
Bonior
Borski
Boucher
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Byrne
Callahan
Calvert
Canady
Cantwell
Cardin
Carr
Chapman
Clay
Clayton
Clement
Clinger
Clyburn
Coleman
Collins (IL)
Collins (MI)
Conyers
Coppersmith
Costello
Coyne
Cramer
Danner
Darden
de la Garza
Deal
DeFazio
DeLauro
Dellums
Derrick
Deutsch
Diaz-Balart
Dicks
Dixon
Dooley
Durbin
Edwards (CA)
Edwards (TX)
Engel
English (AZ)
Eshoo
Evans
Farr
Fields (LA)
Filner
Fingerhut
Fish
Flake
Foglietta
Ford (MI)
Ford (TN)
Fowler
Frank (MA)
Franks (CT)
Frost
Furse
Gallo
Gejdenson
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gingrich
Gonzalez
Goodling
Gordon
Goss
Green
Gutierrez
Hall (OH)
Hamburg
Hamilton
Harman
Hastings
Hayes
Hefner
Hilliard
Hinchey
Hoagland
Hobson
Hochbrueckner
Holden
Horn
Houghton
Hoyer
Hughes
Inslee
Jefferson
Johnson (CT)
Johnson (GA)
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kennedy
Kennelly
Kildee
Kleczka
Klein
Klink
Kolbe
Kopetski
Kreidler
Kyl
LaFalce
Lancaster
Lantos
LaRocco
Laughlin
Lazio
Leach
Levin
Lewis (CA)
Lewis (FL)
Lewis (GA)
Lipinski
Livingston
Lloyd
Long
Lowey
Machtley
Maloney
Mann
Manton
Margolies-Mezvinsky
Markey
Martinez
Matsui
Mazzoli
McCandless
McCloskey
McCollum
McCrery
McDade
McDermott
McHale
McKinney
McMillan
McNulty
Meehan
Meek
Menendez
Mfume
Mica
Michel
Miller (CA)
Miller (FL)
Mineta
Mink
Moakley
Mollohan
Montgomery
Moran
Morella
Murphy
Murtha
Myers
Nadler
Natcher
Neal (MA)
Neal (NC)
Oberstar
Obey
Olver
Ortiz
Owens
Packard
Pallone
Parker
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Pickle
Pomeroy
Poshard
Price (NC)
Quillen
Rahall
Rangel
Ravenel
Reed
Regula
Reynolds
Richardson
Roemer
Rogers
Ros-Lehtinen
Rose
Rostenkowski
Roukema
Rowland
Roybal-Allard
Rush
Sanders
Sangmeister
Sawyer
Saxton
Schenk
Schiff
Schroeder
Schumer
Scott
Serrano
Shays
Shepherd
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (IA)
Smith (NJ)
Snowe
Spence
Spratt
Stark
Stokes
Strickland
Studds
Stupak
Swett
Swift
Synar
Tauzin
Taylor (MS)
Tejeda
Thomas (CA)
Thomas (WY)
Thompson
Thornton
Thurman
Torkildsen
Torres
Torricelli
Towns
Traficant
Tucker
Unsoeld
Valentine
Velazquez
Vento
Visclosky
Volkmer
Walsh
Washington
Waters
Watt
Weldon
Wheat
Whitten
Williams
Wilson
Wise
Wolf
Woolsey
Wyden
Wynn
Yates
Young (AK)
Young (FL)
Zimmer

NAYS—131

Allard
Archer
Armey
Bachus (AL)
Baker (CA)
Baker (LA)
Ballenger
Barca
Barcia
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bentley
Boehner
Bonilla
Brewster
Bunning
Burton
Buyer
Camp
Castle
Coble
Collins (GA)
Combest
Condit
Cooper
Cox
Crane
Crapo
Cunningham
DeLay
Dickey
Dingell
Doolittle
Dornan
Dreier
Duncan
Dunn
Emerson
English (OK)
Everett
Ewing
Fawell
Fields (TX)
Franks (NJ)
Gallegly
Gekas
Geren
Glickman
Goodlatte
Grams
Grandy
Greenwood

Gunderson	Linder	Rohrabacher
Hall (TX)	Manzullo	Roth
Hancock	McCurdy	Royce
Hansen	McHugh	Santorum
Hefley	McInnis	Sarpalius
Herger	McKeon	Schaefer
Hoekstra	Meyers	Sensenbrenner
Hoke	Minge	Shaw
Huffington	Molinari	Shuster
Hutchinson	Moorhead	Slattery
Hutto	Nussle	Smith (MI)
Hyde	Orton	Smith (OR)
Inglis	Oxley	Smith (TX)
Inhofe	Paxon	Solomon
Istook	Penny	Stearns
Jacobs	Peterson (MN)	Stenholm
Johnson, Sam	Petri	Stump
Kasich	Pickett	Sundquist
Kim	Pombo	Talent
King	Porter	Tanner
Kingston	Portman	Taylor (NC)
Klug	Pryce (OH)	Upton
Knollenberg	Quinn	Vucanovich
Lambert	Ramstad	Walker
Levy	Ridge	Zeliff
Lightfoot	Roberts	

NOT VOTING—9

Brooks	Hunter	Sabo
Fazio	Lehman	Sharp
Hastert	Pastor	Waxman

□ 1911

Messrs. BREWSTER, SLATTERY, McCURDY, and JACOBS, and Mrs. MEYERS of Kansas changed their vote from "yea" to "nay."

Mr. LIVINGSTON and Mr. BEREUTER changed their vote from "nay" to "yea."

So the motion was agreed to.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Ms. LAMBERT. Mr. Speaker, I rushed in late on rollcall vote No. 524 and misunderstood the explanation of the vote. I intended to vote "yea."

□ 1910

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 18: Page 9, line 19, after "construction" insert ": *Provided*, That the National Biological Survey is authorized to accept lands, buildings, equipment, and other contributions, either cash or in-kind, from public and private sources, and to prosecute projects in cooperation with other agencies, Federal, State, or private: *Provided further*, That the National Biological Survey is authorized to accept the services of outside individuals or entities without compensation".

MOTION OFFERED BY MR. YATES

Mr. YATES. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. YATES moves that the House recede from its disagreement to the amendment of the Senate numbered 18, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment, insert:

"In lieu of the matter proposed by said amendment, insert ': *Provided*, That none of the funds under this head shall be used to conduct new surveys on private property unless specifically authorized in writing by the property owner'.".

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 23: Page 11, line 7, strike out "$183,949,000" and insert "$191,136,000".

MOTION OFFERED BY MR. YATES

Mr. YATES. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. YATES moves that the House recede from its disagreement to the amendment of the Senate numbered 23, and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment, insert "$201,724,000".

The SPEAKER pro tempore. The gentleman from Illinois [Mr. YATES] is recognized for 30 minutes.

Mr. BURTON of Indiana. Mr. Speaker, will the gentleman yield?

Mr. YATES. I yield to the gentleman from Indiana.

Mr. BURTON of Indiana. Mr. Speaker, may I ask the committee chairman, the House had $184 million for National Park Service construction. The Senate had $191 million and yet this is $18 million above the House and $10 million above the Senate. It is above both.

I understand that there is $2 million for new construction for the Boston Library; $3 million for a Lincoln Research Facility in Massachusetts, and that project could go as high as $30 million to $40 million over the long term, the first tranche is $3 million.

For Atlantic, there is $3 million in there, I guess for the Olympics for the Martin Luther King project.

Mr. YATES. Mr. Speaker, I do not understand what the gentleman means.

Mr. BURTON of Indiana. Mr. Speaker, if the gentleman will continue to yield, what I was doing was asking why this is above both the House and the Senate. It is $18 million above the House and $10 million above the Senate figure, and why do we have about four or five new projects that I do not believe were authorized that are going to cost $50 million or $60 million over the long pull.

One is in Boston, the Library in Boston; the Lincoln Research Project which is starting off at $3 million and it is going to cost $30 million to $40 million long term; the Martin Luther King project in Atlanta which is going to cost $9 million and something nobody over here can find out about or explain to me that is called the New England Conservatory, which is another $2 million.

All these are new projects, and I do not believe they are authorized.

Mr. YATES. Mr. Speaker the gentleman is partially correct. The Boston Public Library is an authorized project.

Mr. BURTON of Indiana. It is authorized?

Mr. YATES. It is an authorized project, yes. It is a landmark. It is one of the distinguished architectural buildings in the country. It is now engaged in a fundraising of which the Federal Government is providing a very small amount. Private sources will be providing the major amount of this project.

The gentleman also made references to a project which he said may cost $30 million. That I think is the $3 million project in the report.

Mr. BURTON of Indiana. Mr. Speaker, if the gentleman will yield further, that is the first phase of it, through, I understand.

Mr. YATES. I was just going to say, that project is not authorized, and the $3 million will become available only if and when the project is authorized. It is not made available in this budget.

Mr. BURTON of Indiana. What about the project in Atlanta and the New England Conservatory?

Mr. YATES. The Atlanta project is authorized.

The New England Conservatory project is subject to authorization. The money is not made available until the conservatory is designated a National landmark.

Mr. BURTON of Indiana. Well, if the gentleman will yield further, as I said before, this is $18 million above the House, $10 million above the Senate.

How does this compare to last year's figure, the appropriation for last year?

Mr. YATES. This appropriation is $27 million below last year's appropriation.

Mr. BURTON of Indiana. Below last year?

Mr. YATES. Below last year's appropriation.

Mr. BURTON of Indiana. That being the case, Mr. Speaker, I thank the gentleman.

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 24: Page 11, line 8, strike out all after "expended" down to and including "470a" in line 10 and insert: "*Provided*, That of the funds provided under this heading, not to exceed $450,000 shall be made available to the City of Hot Springs, Arkansas, to be used as part of the non-Federal share of a cost-shared feasibility study of flood protection for the downtown area which contains a significant amount of National Park Service property and improvements: *Provided further*, That notwithstanding any other provision of law a single procurement for the construction of the Franklin Delano Roosevelt Memorial may be issued which includes the full scope of the

project: *Provided further*, That the solicitation and the contract shall contain the clause "availability of funds" found at 48 CFR 52.323.18".

MOTION OFFERED BY MR. YATES

Mr. YATES. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. YATES moves that the House recede from its disagreement to the amendment of the Senate numbered 24, and concur therein with an amendment, as follows: In lieu of the matter stricken and inserted by said amendment insert "$4,377,000 to be derived from amounts made available under this head in Public Law 101-512 as a grant for the restoration of the Keith Albee Theatre in Huntington, West Virginia, and $1,844,000 to be derived from amounts made available under this head in Public Law 102-381 for a pedestrian walkway and interpretive park (A Walk on the Mountain): *Provided*, That $2,000,000 for the Boston Public Library and $500,000 for the Penn Center shall be derived from the Historic Preservation Fund pursuant to 16 U.S.C. 470a: *Provided further*, That of the funds provided under this heading, not to exceed $350,000 shall be made available to the City of Hot Springs, Arkansas, to be used as part of the non-Federal share of cost-shared feasibility study of flood protection for the downtown area which contains a significant amount of National Park Service property and improvements: *Provided further*, That notwithstanding any other provision of law a single procurement for the construction of the Franklin Delano Roosevelt Memorial may be issued which includes the full scope of the Project: *Provided further*, That the solicitation and the contract shall contain the clause "availability of funds" found at 48 CFR 52.323.18: *Provided further*, that for the purpose of performing an environmental impact statement (EIS) on the Paseo del Norte alignment, the National Park Service's proposed Calabacillas alternative road alignment, and any other alternative routes in association with the Petroglyph National Monument in Albuquerque, New Mexico $400,000 are to be allocated to the City of Albuquerque to perform the EIS, only in the event that the City of Albuquerque and the National Park Service reach mutual agreement, within 75 days of the date of enactment of this Act, on the conditions that must be met for the study, such funds to be derived by transfer from balances available in the "Land acquisition and State assistance" account, National Park Service: *Provided further*, That $1,500,000 for the New England Conservatory shall be derived from the Historic Preservation Fund pursuant to 16 U.S.C. 470a upon designation as a National Historic Landmark".

Mr. BURTON of Indiana. Mr. Speaker, will the gentleman yield?

Mr. YATES. I yield to the gentleman from Indiana.

Mr. BURTON of Indiana. Mr. Speaker, I think this one is particularly onerous. I appreciate the gentleman yielding to me.

This project includes a litany of pork-barrel projects, and I think anybody in this place who listens to this will agree with that.

First of all, there is $4.377 million for the restoration of the Keith Albee Theater in Huntington, WV. This funding was not requested by the President. It was not in the House or the Senate bill. It happens to be in the state of the chairman of the Senate Appropriations Committee.

Mr. YATES. Mr. Speaker, if the gentleman will permit me to correct him, this is not a project that receives money. This is in fact a rescission; money is taken from the Keith Albee Theater.

Mr. BURTON of Indiana. There is no money for this project?

Mr. YATES. That is correct. We take money away from this project and use it somewhere else.

Mr. BURTON of Indiana. So this project is not an ongoing project.

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

Mr. YATES. I yield to the gentleman from Minnesota.

Mr. VENTO. Mr. Speaker, I want to commend the committee for rescinding basically this money that was put in past appropriation bills and being withdrawn. Some of the funds here are projects, the Boston Library which is an authorized project, the conservatory in Massachusetts which is subject to authorization.

In other words, what is happening here, they are making up for some past mistakes that occurred.

I want to commend the conference and the chairman especially for in fact subscribing to this particular policy in this instance. This is an amendment that actually pulls back that money which was improperly appropriated.

Mr. BURTON of Indiana. Mr. Speaker, if the gentleman will yield further, I think what the gentleman just alluded to was the previous amendment, to which I did not object.

Mr. YATES. Mr. Speaker, I must tell the gentleman, I had a contrary opinion.

Mr. BURTON of Indiana. We are on amendment No. 24 now.

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

Mr. YATES. I yield to the gentleman from Washington.

Mr. DICKS. That is what we are talking about. It is No. 24. The money was rescinded.

Mr. BURTON of Indiana. No, no. He is talking about the Boston Library, which was in the previous amendment.

Mr. YATES. It is in this one. The library is in this amendment.

Mr. VENTO. Mr. Speaker, if the gentleman will yield, the library is in this. The gentleman previously discussed it, but it is in this amendment, and I thank the committee chairman for yielding to me.

Mr. BURTON of Indiana. Mr. Speaker, if the gentleman will continue to yield, this $4.777 million the gentleman says has been stricken?

Mr. YATES. Yes.

Mr. BURTON of Indiana. There is $1.844 million for a walk on the Mountain Park, a pedestrian walkway, Interpretive Park in Tacoma, WA. This was not requested by the President. It was not in the House or in the Senate.

Mr. YATES. This is an amount that is rescinded. It is not made available.

Mr. DICKS. Mr. Speaker, if the gentleman will yield, we rescinded that money. That was rescinded as well.

Mr. BURTON of Indiana. Mr. Speaker, I thank the gentleman.

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The Boston Library, $2 million, that is in here; $500,000 for the Penn Center in South Carolina?

Mr. YATES. The gentleman from Indiana [Mr. BURTON] is correct. Both of them are authorized.

Mr. BURTON of Indiana. Says in my notes that the funding was not requested by the President but was in the Senate bill.

Mr. YATES. Well, the Boston Public Library funding was approved at the request of the chairman of the Committee on Rules, the gentleman from Massachusetts [Mr. MOAKLEY] and, as I indicated to the gentleman a few moments ago, the $2 million is a small amount of the total amount that is being raised from private sources.

Mr. BURTON of Indiana. All right. I was talking about the Penn Center in South Carolina, the $500,000.

Mr. YATES. The Penn Center in South Carolina is a very old historic center which used to house slaves, and it was requested by Senator HOLLINGS over in the Senate because it is an historical center in which the gentleman from South Carolina [Mr. RAVENEL] is interested and the gentleman from South Carolina [Mr. CLYBURN] is interested. It is one of the projects which has particular importance to the African American population.

Mr. BURTON of Indiana. What about the $350,000 for the non-Federal share of a cost-shared feasibility study for flood control in downtown Hot Springs, AR? That was not requested by the President but was in the Senate bill. Is that authorized?

Mr. Yates. It is not authorized, but it is a project that needs repair because, without adequate flood protection, many valuable Park Service facilities in Hot Springs could be flooded and would require extensive future appropriations to repair the flooding. This is in the nature of saving money by making repairs at this time so we will not have to make a much more extensive repairs in the future.

These are historic projects, too. The baths in Hot Springs are authorized as historic projects.

Mr. BURTON of Indiana. OK; how about $400,000 for——

The SPEAKER pro tempore (Mr. MFUME). Does the gentleman from Illinois [Mr. YATES] yield further?

Mr. YATES. Mr. Speaker, I yield to the gentleman from Indiana.

Mr. BURTON of Indiana. How about the $400,000 for a road through the Petroglyph National Monument in Albuquerque, NM? It was not requested by the President, not in the House, nor the Senate bill.

Mr. YATES. This was requested by Senator DOMENICI of New Mexico, and the reason for this is——

Mr. BURTON of Indiana. He wants it?

Mr. YATES. Well, he points out that the city of Albuquerque is growing right up to that Petroglyph Monument, and this is requested by the city of Albuquerque in order to expedite traffic through the area.

Mr. BURTON of Indiana. Well, finally, Mr. Speaker, the $1½ million for Jordan Hall at the New England Conservatory. That was not requested by the President, nor in the House bill.

Mr. YATES. That is subject to authorization. It is not authorized. The money is not made available in this bill until the conservatory is designated a national landmark.

Mr. BURTON of Indiana. Mr. Speaker, most of the objections I had have been answered, so I will withdraw my reservation of objections.

Mr. YATES. Mr. Speaker, I thank the gentleman from Indiana.

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

The motion was agreed to.

The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate Amendment No. 27: Page 13, line 3, after "1913" insert ": *Provided further*, That notwithstanding any other provision of law, the National Park Service may hereafter recover all costs of providing necessary services associated with special use permits, such reimbursements to be credited to the appropriation current at that time".

MOTION OFFERED BY MR. YATES

Mr. YATES. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. YATES moves that the House recede from its disagreement to the amendment of the Senate numbered 27, and concur therein.

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate Amendment No. 38: Page 22, line 15, after "Act" insert ": *Provided further*, That of the amount appropriated under this head in Public Law 102-381, $250,000 for activities related to the Alaska Native Claims Settlement Act shall remain available until expended".

MOTION OFFERED BY MR. YATES

Mr. YATES. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. YATES moves that the House recede from its disagreement to the amendment of the Senate numbered 38, and concur therein with an amendment, as follows: In lieu of the matter inserted by said amendment, insert the following ": *Provided further*, That of the amount appropriated under this head in Public Law 102-381, any unobligated balance as of September 30, 1993 related to the Alaska Native Claims Settlement Act shall remain available until expended and may be obligated under a grant to the Alaska Native Foundation for education, training, and technical assistance to Alaskan village corporations for reconveyance requirements".

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate Amendment No. 39: Page 22, line 18, after "ties" insert ": *Provided further*, That not to exceed $84,808,000 of the funds in this Act shall be available for payments to tribes and tribal organizations for indirect costs associated with contracts or grants or compacts authorized by the Indian Self-Determination Act of 1975, as amended".

MOTION OFFERED BY MR. YATES

Mr. YATES. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. YATES moves that the House recede from its disagreement to the amendment of the Senate numbered 39, and concur therein with an amendment, as follows: In lieu of the matter inserted by said amendment, insert ": *Provided further*, That not to exceed $91,223,000 of the funds in this Act shall be available for payments to tribes and tribal organizations for indirect cots associated with contracts or grants or compacts authorized by the Indian Self-Determination Act of 1975, as amended, for fiscal year 1994 and previous years".

The SPEAKER pro tempore. The gentleman from Illinois [Mr. YATES] is recognized for 30 minutes.

Mr. YATES. Mr. Speaker, I yield such time as he may consume to the gentleman from Massachusetts [Mr. MOAKLEY].

Mr. MOAKLEY. Mr. Speaker, I rise in support of the conference report on the Interior appropriations bill, and the funding it contains for the preservation and restoration of the Boston Public Library and Jordan Hall of the New England Conservatory. I would like to thank the gentleman from Illinois [Mr. YATES] and the gentleman from Ohio [Mr. REGULA] for including the funding this year.

The rehabilitation of the Boston Public Library is authorized under 16 U.S.C. 470A, which provides for the preservation and restoration of national historic landmarks. The restoration and preservation work going on at the Boston Public Library is a joint effort that should involve the local, State, and Federal governments, as well as the private sector, just as the Historic Preservation Act envisioned. To date, the city and State governments have already approved spending over $20 million on the library and a paramount local effort to raise private funds has been very successful. It is time for the Federal share to be allocated.

The Boston Public Library has been, since 1895, the cornerstone of Boston's and New England's cultural and social life. Designed by the legendary Charles McKim, the Boston Public Library is the largest in New England. For almost a century, the BPL has been the regional depository for U.S. Government documents and patents, and houses the extensive and definitive collections of the papers of John and Abigail Adams. The library itself was founded in 1848 and has, since that date, served the city of Boston, the Commonwealth, and the Nation in a myriad of ways. Funds committed to preserve and enhance the library's physical plant, interior collection of historic frescos, and irreplaceable historic data, will allow the library to continue to serve this generation and the generations to come.

Mr. Speaker, Jordan Hall is another structure that is in the same class as the Boston Public Library and will be authorized under the same preservation law. The $1.5 million appropriated here is made subject to Jordan Hall receiving national landmark status. The review for the designation is now underway and is expected to be completed by March 31, 1994. Once the designation is made the money will be released. This money is urgently needed to keep the structure safe for public use. Like the library, the effort to raise private money through donations has been very successful. Over $2.7 million is already in hand and the effort continues toward the goal of $8 million for complete rehabilitation.

Mr. Speaker, Jordan Hall houses the New England Conservatory, the Nation's oldest continuing institution of higher learning devoted to music. Since its construction in 1903, the conservatory's Jordan Hall has served as New England's premier performance hall and a living, thriving classroom, for instruction in music performance and education. Jordan Hall is known around the world for its excellent acoustics, for the legions of musical greats that have performed there, and for the conservatory's track record of involvement in the city. It services Boston and the Commonwealth by hosting over 100 free concerts a year, offers free musical instruction to urban residents incapable of paying tuition, and has clearly merited its pending designation as a national historic landmark.

Funds directed to the conservatory at Jordan Hall will allow for the first renovation effort there since 1932. Completion of this work will allow the conservatory to continue its rich history of serving New Englanders and citizens of the world desirous of hearing great music and contributing their talents to the world's ever-expanding body of music.

Mr. Speaker, I urge the House to adopt the motion at hand so that the Federal Government can contribute its fair share to preserving these two magnificent buildings that play such a central, significant, and ongoing role in the cultural and historical life of New England and the Nation.

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

Mr. YATES. Mr. Speaker, I ask unanimous consent that the amendments of the Senate numbered 41, 43, 49, 50, 51, 67, 76, 82, 95, 101, and 111, be considered en bloc and printed in the RECORD.

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

There was no objection.

The texts of the various Senate amendments referred to in the unanimous consent request are as follows:

Senate amendment No. 41: Page 22, line 18, after "ties" insert ": *Provided further*, That for the purpose of Indian Reservation road construction, all public Indian reservation roads (as defined in 23 U.S.C. 101), identified in the 1990 Bureau of Indian Affairs Juneau Area Transportation Study (and in any subsequent update of such Transportation Study) shall be included as BIA system adjusted miles in the Bureau of Indian Affairs highway trust fund formula for distribution for fiscal year 1994: *Provided further*, That this provision shall expire upon implementation by the Secretary of the Interior of a relative needs based highway trust fund allocation formula pursuant to 23 U.S.C. 202(d)".

Senate amendment No. 43: Page 25, line 13, after "1994" insert ": *Provided further*, That any funds provided under this head or previously provided for tribally-controlled community colleges which are distributed prior to September 30, 1994, which have been or are being invested or administered in compliance with section 331 of the Higher Education Act shall be deemed to be in compliance for current and future purposes with Title III of the Tribally Controlled Community Colleges Assistance Act".

Senate amendment No. 49: Page 30, line 6, after "99-396," insert "or any subsequent legislation related to Commonwealth of the Northern Mariana Islands covenant grant funding,".

Senate amendment No. 50: Page 30, line 13, after "Foundation" insert ": *Provided further*, That the funds for the program of operations and maintenance improvement are appropriated to institutionalize routine operations and maintenance of capital infrastructure in American Samoa, Guam, the Virgin Islands, the Commonwealth of the Northern Mariana Islands, the Republic of Palau, the Republic of the Marshall Islands, and the Federated States of Micronesia through assessments of long-range operations and maintenance needs, improved capability of local operations and maintenance institutions and agencies (including management and vocational education training), and project-specific maintenance (with territorial participation and cost sharing to be determined by the Secretary based on the individual territory's commitment to timely maintenance of its capital assets)".

Senate amendment No. 51: Page 30, line 13, after "Foundation" insert ": *Provided further*, That any appropriation for disaster assistance under this head in this act or previous appropriations acts may be used as non-Federal matching funds for the purpose of hazard mitigation grants provided pursuant to section 404 of Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c)".

Senate amendment No. 67: Page 40, after line 23 insert:

INTERNATIONAL FORESTRY

For necessary expenses of international forestry as authorized by Public Laws 101-513 and 101-624, $6,996,000, to remain available until September 30, 1995.

Senate amendment No. 76: Page 50, strike out all after line 22 over to and including line 2 on page 51, and insert:

To the greatest extent possible, and in accordance with the Final Amendment to the Shawnee National Forest Plan, none of the funds available in this Act shall be used for preparation of timber sales using clearcutting or other forms of even aged management in hardwood stands in the Shawnee National Forest, Illinois.

Senate amendment No. 82: Page 52, after line 10 insert:

The Secretary of Agriculture, acting through the Forest Service, shall reimburse the Agricultural Stabilization and Conservation Service for administrative costs incurred under the Stewardship Incentive Program for the actual cost of services provided by the Agricultural Stabilization and Conservation Service, except that the actual costs shall not exceed 10 percent of the total annual appropriation for the program.

Senate amendment No. 95: Page 58, after line 20 insert:

The thirty-day waiting period required under this head in Public Law 101-512, Department of Energy Administrative Provisions, relating to a contract, agreement, or arrangement with a profit-making or nonprofit entity to conduct activities at the Department of Energy's research facilities at Bartlesville, Oklahoma, is hereby waived.

Senate amendment No. 101: Page 62, line 13, after "buildings" insert "and renovation of existing facilities".

Senate amendment No. 111: Page 74, line 2, after "1995" insert ": *Provided*, That funds provided under this head in Public Law 102-381 shall remain available until expended".

MOTION OFFERED BY MR. YATES

Mr. YATES. Mr. Speaker, I offer a motion

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. YATES moves that the House recede from its disagreements to the amendments of the Senate numbered 41, 43, 49, 50, 51, 67, 76, 82, 95, 101, and 111, and concur therein.

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 42: Page 23, line 16, after "1991" insert ": *Provided further*, That any reorganization proposal shall not be implemented until the Task Force has reviewed it and recommended its implementation to the Secretary and such proposal has been submitted to and approved by the Committees on Appropriations, except that the Bureau may submit a reorganization proposal related only to management improvements, along with Task Force comments or recommendations to the Committees on Appropriations for review and disposition by the Committees".

MOTION OFFERED BY MR. YATES

Mr. YATES. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. YATES moves that the House recede from its disagreement to the amendment of the Senate numbered 42, and concur therein.

The SPEAKER pro tempore. Without objection, the motion is agreed to.

Mr. THOMAS of Wyoming. Mr. Speaker, I object to this package.

The SPEAKER pro tempore. The gentleman from Illinois [Mr. YATES] is recognized for 30 minutes.

Mr. YATES. Mr. Speaker, I yield to the gentleman from Wyoming.

Mr. THOMAS of Wyoming. Mr. Speaker, I wonder if I can discuss amendment No. 42. It provides that the review and approval of the reauthorization proposals by the task force on the Bureau of Indian Affairs reorganization be submitted to the Committee on Appropriations.

Mr. Speaker, we talked about this earlier, and the chairman pulled that out. It was put back in by the Senate. It does seem to me that the authorizing committees are the appropriate place for this study to be returned.

Mr. YATES. Mr. Speaker, if the gentleman from Wyoming would permit me to intervene here, I am telling the gentleman that I agree completely with the gentleman, and I want to assure the gentleman that our committee will urge the Bureau of Indian Affairs to make its reorganization proposals available to the authorizing committees as well.

Mr. THOMAS of Wyoming. Mr. Speaker, I appreciate that and thank the gentleman from Illinois [Mr. YATES] very much.

Mr. Speaker, I withdraw my objection.

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 54: Page 32, after line 6, insert:

ECOSYSTEM RESTORATION FUND

For expenses necessary to implement the President's Forest Plan for "Jobs in the Woods" ecosystem restoration in Northern California, Washington, and Oregon, $7,000,000, to remain available until September 30, 1995: Provided, That with the approval of the Secretary, such amounts as may be identified in implementation plans may be transferred to the Bureau of Land Management, the Fish and Wildlife Service, and the Bureau of Indian Affairs.

MOTION OFFERED BY MR. YATES

Mr. YATES. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. YATES moves that the House recede from its disagreement to the amendment of the Senate numbered 54, and concur therein.

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 62: Page 39, after line 12, insert:

SEC. 117. In implementing Section 1307 of Public Law 96-487 (94 Stat. 2479), the Secretary shall deem the holder of entry permit LP-GLBA005-93 to be a person who, on or before January 1, 1979, was engaged in adequately providing visitor services of the type authorized in said permit with Glacier Bay National Park.

MOTION OFFERED BY MR. YATES

Mr. YATES. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. YATES moves that the House recede from its disagreement to the amendment of the Senate numbered 62, and concur therein with an amendment, as follows: Retain the matter inserted by said amendment, amended as follows:

In lieu of the first section number named in said amendment, insert "114".

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 69: Page 41, line 8, strike out "$1,237,272,000" and insert "$1,300,153,000".

MOTION OFFERED BY MR. YATES

Mr. YATES. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. YATES moves that the House recede from its disagreement to the amendment of the Senate numbered 69, and concur therein with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert the following: "$1,304,891,000, including not less than $55,552,000 for law enforcement".

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 71: Page 43, line 5, strike out "$237,423,000" and insert "$264,795,000".

MOTION OFFERED BY MR. YATES

Mr. YATES. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. YATES moves that the House recede from its disagreement to the amendment of the Senate numbered 71, and concur therein with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert: "$249,002,000, including road obliteration and watershed restoration".

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 72: Page 43, line 6, strike out "$96,495,000" and insert "$97,867,000".

MOTION OFFERED BY MR. YATES

Mr. YATES. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. YATES moves that the House recede from its disagreement to the amendment of the Senate numbered 72, and concur therein with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert: "$20,000,000, is for watershed restoration; $99,347,000".

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 73: Page 43, line 8, strike out "$140,228,000" and insert "$166,928,000".

MOTION OFFERED BY MR. YATES

Mr. YATES. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. YATES moves that the House recede from its disagreement to the amendment of the Senate numbered 73, and concur therein with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert "$129,655,000".

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 74: Page 43, line 24, strike out "$56,700,000" and insert "$51,050,000".

MOTION OFFERED BY MR. YATES

Mr. YATES. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. YATES moves that the House recede from its disagreement to the amendment of the Senate numbered 74, and concur therein with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert "$64,250,000".

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 75: Page 47, line 18, after "forest" insert ", and for timber sales preparation to replace sales lost to fire or other causes, and sales preparation to replace sales inventory on the shelf for any national forest to a level sufficient to maintain new sales availability equal to a rolling five-year average of the total sales offerings, and for design, engineering, and supervision of construction of roads lost to fire or other causes associated with the timber sales programs described above: *Provided*, That notwithstanding any other provision of law, monies received from the timber salvage sales program shall be considered as money received for purposes of computing and distributing 25 per centum payments to local governments under 16 U.S.C. 500, as amended".

MOTION OFFERED BY MR. YATES

Mr. YATES. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. YATES moves that the House recede from its disagreement to the amendment of the Senate numbered 75, and concur therein with an amendment, as follows: In lieu of the matter inserted by said amendment, insert ", and for timber sales preparation to replace sales lost to fire or other causes, and sales preparation to replace sales inventory on the shelf for any national forest to a level sufficient to maintain new sales availability equal to a rolling five-year average of the total sales offerings, and for design, engineering, and supervision of construction of roads lost to fire or other causes associated with the timber sales programs described above, and for watershed assessment activities: *Provided*, That notwithstanding any other provision of law, monies received from the timber salvage sales program shall be considered as money received for purposes of computing and distributing 25 per centum payments to local governments under 16 U.S.C. 500, as amended".

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

The motion was agreed to.

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The SPEAKER pro tempore [Mr. MFUME]. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 77: Page 51, strike out lines 3 to 6 and insert "None of the funds made available in this Act shall be used for timber sale planning or scoping using clearcutting on the Ozark-St. Francis National Forest in Arkansas, except for sales that, in the discretion of the forest supervisor, are necessary as a result of natural disaster or a threat to forest health, or for maintaining or enhancing wildlife habitat, or habitat for endangered and threatened species, or for research purposes.".

MOTION OFFERED BY MR. YATES

Mr. YATES. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. YATES moves that the House recede from its disagreement to the amendment of the Senate numbered 77, and concur therein with an amendment, as follows: In lieu of the matter stricken and inserted by said amendment, insert "None of the funds made available in this Act shall be used for timber sale planning or scoping using clearcutting in the Ouachita and Ozark-St. Francis National Forests in Arkansas, except for sales that are necessary as a result of natural disaster or a threat to forest health, or for maintaining or enhancing wildlife habitat, or habitat for endangered and threatened species, or for research purposes.".

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 81: Page 52, strike out lines 5 to 7.

MOTION OFFERED BY MR. YATES

Mr. YATES. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. YATES moves that the House recede from its disagreement to the amendment of the Senate numbered 81, and concur therein with an amendment, as follows: Restore the matter stricken by said amendment, amended to read as follows:

"None of the funds available to the Forest Service in this Act shall be used to begin preparation of timber sales in fiscal year 1994 using the scaling method: *Provided*, That this limitation shall not apply to timber salvage sales: *Provided further*, That thinning sales may be prepared using the scaling method if determined by the Regional Forester to be the most effective means of achieving a stated environmental objective: *Provided further*, That this limitation shall not apply to sales prepared pursuant to existing timber contracts: *Provided further*, That any timber sales prepared during fiscal year 1994 which involve the use of the scaling method must be scaled by the Forest Service, or under contracts issued by the Forest Service and paid for using deposits by the timber purchaser.

Total outlays by the Forest Service pursuant to the cooperative work trust funds accounts (12-8028-0-7-302) shall not exceed $279,668,000 in fiscal year 1994.".

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 84: Page 52, after line 10, insert: "Funds appropriated to the Forest Service shall be available for interactions with and providing technical assistance to rural communities for sustainable rural development purposes outside the boundaries of National Forest System lands.".

MOTION OFFERED BY MR. YATES

Mr. YATES. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. YATES moves that the House recede from its disagreement to the amendment of the Senate numbered 84, and concur therein with an amendment, as follows: In lieu of the matter inserted by said amendment, insert: "Funds appropriated to the Forest Service shall be available for interactions with and providing technical assistance to rural communities for sustainable rural development purposes.".

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 90: Page 54, line 16, strike out [$18,810,000] and insert "$19,310,000".

MOTION OFFERED BY MR. YATES

Mr. YATES. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. YATES moves that the House recede from its disagreement to the amendment of the Senate numbered 90, and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment, insert "$18,310,000".

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

The motion was agreed to.

The SPEAKER pro tempore. The clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 100: Page 62, line 4, after "facilities" insert ": *Provided further*, That of the funds provided herein, $500,000 is available to initiate planning and design for the replacement facility at Winnebago, Nebraska upon approval of a program justification document by the Assistant Secretary for Health".

MOTION OFFERED BY MR. YATES

Mr. YATES. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. YATES moves that the House recede from its disagreement to the amendment of the Senate numbered 100, and concur therein with an amendment, as follows: Retain the matter proposed by said amendment, amended as follows: In lieu of the sum named in said amendment insert "$300,000".

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 102: Page 63, line 18, strike out all after "policy" down to and including "Appropriations" in line 24.

MOTION OFFERED BY MR. YATES

Mr. YATES. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. YATES moves that the House recede from its disagreement to the amendment of the Senate numbered 102, and concur therein with an amendment, as follows: Restore the matter stricken by said amendment, amended to read as follows: ": *Provided further*, That, notwithstanding any other provision of law, funds previously or herein made available to a tribe or tribal organization through a contract, grant or agreement authorized by Title I of the Indian Self-Determination and Education Assistance Act of 1975 (88 Stat. 2203; 25 U.S.C. 450), may be deobligated and reobligated to a self-governance funding agreement under Title III of the Indian Self-Determination and Education Assistance Act of 1975 and thereafter shall remain available to the tribe or tribal organization without fiscal year limitation".

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 118: Page 80, after line 5 insert:

"SEC. 315. The Forest Service and Bureau of land Management may offer for sale salvageable timber in the Pacific Northwest in fiscal year 1994: Provided, That for public lands known to contain the Northern spotted owl, such salvage sales may be offered as long as the offering of such sale will not

render the area unsuitable as habitat for the Northern spotted owl: Provided further, That timber salvage activity in spotted owl habitat is to be done in full compliance with all existing environmental and forest management laws.".

MOTION OFFERED BY MR. YATES

Mr. YATES. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. YATES moves that the House recede from its disagreement to the amendment of the Senate numbered 118, and concur therein with an amendment, as follows: Retain the matter inserted by said amendment, amended as follows: In lieu of the section number named in said amendment, insert "314".

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 120, Page 80, after line 5 insert:

"SEC. 317. None of the funds in this Act may be used to plan, prepare, or offer for sale timber from trees classified as giant sequoia (sequoiadendron giganteum) which are located on National Forest System or Bureau of Land Management lands until an environmental assessment has been completed and the giant sequoia management implementation plan is approved. In any event, timber harvest within the identified groves will be done only to enhance and perpetuate giant sequoia. There will be no harvesting of giant sequoia specimen trees. Removal of hazard, insect, disease and fire killed giant sequoia other than specimen trees is permitted.".

MOTION OFFERED BY MR. YATES

Mr. YATES. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. YATES moves that the House recede from its disagreement to the amendment of the Senate numbered 120, and concur therein with an amendment, as follows: Retain the matter inserted by said amendment, amended as follows: In lieu of the section number named in said amendment, insert. "315".

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 121: Page 80, after line 5 insert:

"SEC. 318. None of the funds appropriated in this Act may be used to implement any increase in government housing rental rates in excess of 10 per centum more than".

MOTION OFFERED BY MR. YATES

Mr. YATES. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. YATES moves that the House recede from its disagreement to the amendment of the Senate numbered 121, and concur therein with an amendment, as follows: Retain the matter inserted by said amendment, amended as follows; In lieu of the section number named in said amendment, insert "316".

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 123: Page 80, after line 5 insert:

"SEC. 320. None of the funds made available by this or any other law may be used to revise part 4, 1780, or 4100 of title 43 of the Code of Federal Regulations in accordance with Part VI, Department of the Interior, Bureau of Land Management or part 222 of title 36 of the Code of Federal Regulations in accordance with Part V, Department of Agriculture, Forest Service, of volume 58, number 155, of the Federal Register, dated August 13, 1993, or to continue any action involving the proposed rulemaking contained in such Federal Register prior to October 1, 1994.".

MOTION OFFERED BY MR. YATES

Mr. YATES. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. YATES moves that the House recede from its disagreement to the amendment of the Senate numbered 123, and concur therein with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert:

SEC. 317. GRAZING.

Title IV of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1751 et seq.) is amended by adding the following new sections:

"SEC. 405. GRAZING FEES.

"(a) ESTABLISHMENT.—The Secretary of the Interior and the Secretary of Agriculture shall annually establish grazing fees.

"(b) PHASE-IN.—The grazing fee for the grazing years 1994, 1995, and 1996 shall be as follows:

"(1) Grazing Fee for 1994=$2.39 per AUM

"(2) Grazing Fee for 1995=$2.92 per AUM

"(3) Grazing Fee for 1996=$3.45 per AUM

"(c) CALCULATION.—Beginning in the grazing year 1997, the grazing fee per AUM shall be equal to a $3.45 base value multipled by the forage value index computed annually from data supplied by the National Agricultural Statistics Service, in accordance with the following formula:

"Grazing Fee Per AUM=$3.45 Forage Value Index

"(d) DEFINITIONS.—For the purposes of this section—

"(1) the term 'Forage Value Index (FVI)' means the average estimate (weighted by AUMs) of the annual rental charge per AUM for pasturing cattle on private rangelands in the 17 contiguous Western States (Arizona, California, Colorado, Idaho, Kansas, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, and Wyoming) divided by $8.67 (average for the years 1990, and 1991, and 1992); and

"(2) the term 'Animal Unit Month (AUM)' means the amount of forage necessary for the sustenance of 1 cow or its equivalent for a period of 1 month.

"(e) INCREASES OR DECREASES.—Any annual increase or decrease in the grazing fee occurring after 1996 shall be limited to not more than 15 percent of the fee in the previous year.

"(f) LANDS AFFECTED.—Fees shall be charged for livestock grazing upon or crossing the public lands and other lands administered by the Bureau of Land Management and the National Forest System lands in the 17 contiguous Western States, excluding the National Forests in Texas, at a specified rate per animal unit month.

"(g) GRAZING AFFECTED.—The full fee shall be charged for each paying animal unit which is defined as each animal 6 months of age or over at the time of entering the public lands, or National Forest System lands, for all weaned animals regardless of age, and for such animals as will become 12 months of age during the authorized period of use. No charge will be made for animals under 6 months of age at the time of entering the public lands, or National Forest System lands, that are the natural progeny of animals upon which fees are paid, provided they will not become 12 months of age during the authorized period of use, or for progeny born during that period.

"SEC. 406. RANGELAND REFORM.

"(a) REGULATIONS.—The Secretary of the Interior shall promulgate regulations to establish payment dates, late fee assessments, and service charges for the grazing fee established pursuant to section 405 of this Act and as provided for in section 4130.7-3 of title 43, Code of Federal Regulations.

"(b) EXECUTIVE ORDER.—Executive Order No. 12548 (43 U.S.C. 1905 note) shall not apply to grazing fees established after the date of enactment of this section.

"(c) PROPOSED DECISIONS AND APPEALS ON PERMITS OR LEASES.—The Secretary of the Interior shall issue regulations providing for decisions and appeals of final decisions on razing permits or leases. Such regulations shall provide the following:

"(1) CHANGES IN LIVESTOCK MANAGEMENT PRACTICES.—After consultation, reductions of permitted use or changes in livestock management practices necessary to protect rangeland ecosystem health shall be implemented through a documented agreement or by decision of the authorized officer. Determinations regarding the ecological health of ecosystems or the actions necessary to achieve healthy ecosystems shall be based on the standards and guidelines promulgated pursuant to subsection (o), or monitoring, inventory, or other forage production data acceptable to the authorized officer.

"(2) OTHER CHANGES.—When the authorized officer determines that the soil, vegetation, or other resources on the public lands require protection because of conditions such as drought, fire, flood, or insect infestation, or when continued grazing use poses a significant risk of resource damage from these factors, after consultation with, or a reasonable attempt to consult with affected permittees or lessees, other interested parties, and the State having lands or responsible for managing resources within the area, the authorized officer shall close allotments or portions of allotments to grazing by any kind of

livestock, or modify authorized grazing use. Notices of closure and decisions requiring modification of authorized grazing use may be issued as final decisions effective upon issuance or on the date specified in the decision. Such decisions shall remain in effect pending the decision on appeal unless a stay is granted by the office of Hearings and Appeals.

"(d) WATER RIGHTS.—Subject to valid water rights existing on the date of enactment, no water rights shall be obtained for grazing-related actions on public lands except in the name of the United States.

"(e) SUBLEASING.—A leasing surcharge shall be added by the Secretary of the Interior to the grazing fee billings for authorized leasing of base property to which public land grazing preference is attached or authorized grazing of livestock owned by persons other than the permittee or lessee. The surcharge shall be in addition to any other fees that may be charged for using public land forage. Surcharges shall be paid for grazing use calculated in accordance with the following:

11(1) 20 percent of the grazing bill for the permitted grazing use that is attached to a leased base property by an approved transfer, or that was leased and attached to the base property of another party through an approved transfer.

"(2) 50 percent of the grazing bill for pasturing livestock owned by persons other than the permittee or lessee under a grazing authorization.

"(3) 70 percent of the grazing bill when base property is leased and a transfer has been approved and livestock owned by mesons other than the permittee or lessee are pastured under a grazing authorization.

"(f) UNAUTHORIZED GRAZING USE.—

"(1) VIOLATIONS.—

"(A) Violation of section 4140.1(b)(1) of title 43, Code of Federal Regulations, constitutes unauthorized grazing use.

"(B) The authorized officer shall determine whether a violation is nonwillful, willful, or repeated willful.

"(C) Violators shall be liable in damages to the United States for the forage consumed by their livestock, for injury to public lands and other property of the United States caused by their unauthorized grazing use, and for expenses incurred in impoundment and disposal of their livestock, and may be subject to civil penalties or criminal sanction for such unlawful acts.

"(2) NOTICE AND ORDER TO REMOVE.—

"(A) Whenever a violation has been determined to be nonwillful and incidental, and the owner of the unauthorized livestock is known, the authorized officer shall notify the alleged violator that a violation has been reported, that the violation must be corrected, and how it can be settled, based upon the discretion of the authorized officer.

"(B) Whenever it appears that a violation exists and the owner of the unauthorized livestock is known, written notice of unauthorized use and order to remove livestock by a specified date shall be served upon the alleged violator or the agent of record, or both, by certified mail or personal delivery. The written notice shall also allow a specified time from receipt of notice for the alleged violator to show that there has been no violation or to make settlement under paragraph (3).

"(C) When neither the owner of the unauthorized livestock nor his agent is known, the authorized officer may proceed to impound the livestock under paragraph (3).

"(3) SETTLEMENT.—

"(A) The authorized officer shall determine whether the violation is nonwillful, willful, or repeated willful. Where violations are repeated willful, the authorized officer shall take action under section 4170.1-1(b) of title 43, Code of Federal Regulations. The amount due for settlement shall include the value of forage consumed as determined under subparagraph (B). Settlement for willful and repeated willful violations shall also include the full value for all damages to the public lands and other property of the United States, and all reasonable expenses incurred by the United States in detecting, investigating, resolving violations, and livestock impoundment costs.

"(B) For purposes of subparagraph (A), the value of forage consumed shall be determined as follows:

"(i) For nonwillful violations, the value of forage consumed as determined by the average monthly rate per AUM for pasturing livestock on privately owned land (excluding irrigated land) for the 17 Western States as published annually by the Department of Agriculture. The authorized officer may approve nonmonetary settlement of unauthorized use when the authorized officer determines that each of the following conditions are met:

"(I) Evidence shows that the unauthorized use occurred through no fault of the livestock operator.

"(II) The forage use is insignificant.

"(III) The public lands have not been damaged.

"(IV) Nonmonetary settlement is in the best interests of the United States.

"(ii) For willful violations, twice the value of forage consumed as determined in clause (i) of this paragraph.

"(iii) For repeated willful violations, three times the value of the forage consumed as determined in clause (i) of this paragraph.

"(iv) Payment made under this paragraph does not relieve the alleged violator of any criminal liability under Federal or State law.

"(v) Violators shall not be authorized to make grazing use on the public lands administered by the Bureau of Land Management until any amount found to be due the United States under this section has been paid. The authorized officer may take action under section 4160.1-2 of title 43, Code of Federal Regulations, to cancel or suspend grazing authorizations or to deny approval of applications for grazing use until such amounts have been paid. The proposed decision shall include a demand for payment.

"(g) RESOURCE ADVISORY COUNCILS.—

"(1) One or more resource advisory councils, as provided for in section 309, shall be established for the area within the jurisdiction of each Bureau of Land Management State Office to provide guidance on the management of public lands and resources.

"(2) The Secretary or a designee of the Secretary shall appoint not less than 10 nor more than 15 members to serve on each resource advisory council. One appointee of each resource advisory council shall be an official elected to a position in State or local government serving the people of the area for which the council is established.

"(3) A resource advisory council advises the Bureau of Land Management official to whom it reports regarding multiple use plans and programs for public lands and resources within its area.

"(4) A resource advisory council and its subcommittees shall meet at the call of the designated Federal officer and elect their own officers. The designated Federal officer shall attend all meetings of the council and its subcommittees.

"(5) Administrative support for a resource advisory council and its subcommittees shall be provided by the office of the designated Federal officer.

"(h) RANGE IMPROVEMENT FUND.—

"(1) With respect to public lands, in addition to range developments accomplished through other resources management funds, authorized range improvement may be secured through the use of the appropriated range improvement fund provided for by section 401 of this Act. One-half of the available funds shall be expended in the State and district from which they were derived. The remaining one-half of the fund shall be allocated, on a priority basis, by the Secretary or designee for on-the-ground ecosystem rehabilitation, protection and improvement.

"(2) All appropriated funds for range improvement are to be used for cost-effective investment in improvements that benefit all rangeland resources, including riparian area rehabilitation, improvement, and protection, fish and wildlife habitat improvement or protection, soil and water resource improvement, wild horse and burro habitat management facilities, vegetation improvement and management and livestock grazing management. The funds may be used for activities including the planning, design, layout, modification, and monitoring and evaluating the effectiveness of specific range improvement projects.

"(3) During the planning of the range development or range improvement programs, authorized officers shall consult affected permittees, lessees, and other interested parties.

"(i) RANGE IMPROVEMENT OWNERSHIP.—

"(1) With respect to public lands, any permittee or lessee may apply for a range improvement permit to install, use, maintain, or modify range improvements that are needed to achieve management objectives within his or her designated allotment. The permittee or lessee shall agree to provide full funding for construction, installation, modification, or maintenance. Such range improvement permit may be issued at the discretion of the authorized officer.

"(2) The permittee or lessee may hold the title to all temporary range improvements authorized as livestock handling facilities such as corrals and dipping vats and temporary, readily removable improvements such as troughs for hauled water. The authorization for permanent water developments, such as spring developments, well, reservoirs, stock tanks, and pipelines, shall be through cooperative range improvement agreement to protect the public interest for multiple use of rangeland ecosystems. The United States shall assert its claims and exercise its rights to water developed on public lands to benefit the public lands and resources thereon.

"(3) Where a permittee or lessee cannot make use of the forage available for livestock and an application for nonuse has been denied or the opportunity to make use of the available forage is requested by the authorized officer, the permittee or lessee shall cooperate with the temporary authorized use of forage by another operator, when it is authorized by the authorized officer following consultation with the preference permittee or lessee.

"(4) A permittee or lessee shall be reasonably compensated for the use and maintenance of improvements and facilities by the operator who has an authorization for temporary grazing use.

"(5) The authorized officer may mediate disputes about reasonable compensation and,

following consultation with the interested parties, make a determination concerning the fair and reasonable share of operation and maintenance expenses and compensation for use of improvements and facilities.

"(6) Where a settlement cannot be reached, the authorized officer shall issue a temporary grazing authorization including appropriate terms and conditions and the requirement to compensate the preference permittee or lessee for the fair share of operation and maintenance as determined by the authorized officer under subpart 4160 of title 43, Code of Federal Regulations.

"(j) MANDATORY QUALIFICATIONS.—

"(1) Except as provided in sections 4110.1–1, 4130.3, and 4130.4–3 of title 43, Code of Federal Regulations, to qualify for a grazing permit or lease on the public lands an applicant must own or control land or water base property, and must be—

"(A) a citizen of the United States or have properly filed a valid declaration of intention to become a citizen or a valid petition for naturalization;

"(B) a group or association authorized to conduct business in the State in which the grazing use is sought, all members of which are qualified under subparagraph (A); or

"(C) a corporation authorized to conduct business in the State in which the grazing use is sought.

"(2) Any applicant who currently holds or has previously held a Federal grazing permit or lease, either directly or indirectly, must be determined by the authorized officer to have a satisfactory record of performance.

"(3) The applicant and any affiliate must at the time of permit or lease issuance be determined by the authorized officer to be in substantial compliance with the terms and conditions of any Federal or State grazing permit or lease presently held and with the rules and regulations applicable to those permits and leases. The authorized officer may take into consideration circumstances beyond the control of the applicant or affiliate in determining whether the applicant and affiliate, if any, are in compliance with existing permit or lease terms and conditions and applicable rules and regulations.

"(4) Any applicant or affiliate who has had any Federal or State grazing permit or lease canceled for violation of the permit or lease within the 36 calendar months immediately preceding the date of application shall be deemed to have an unsatisfactory performance record.

"(5) In determining whether affiliation exists, the authorized officer shall consider all appropriate factors, including, but not limited to, common ownership, common management, identity of interests among family members, and contractual relationships.

"(6) Applicants shall submit an application and any other information requested by the authorized officer in order to determine that all qualifications have been met.

"(k) SUSPENDED NONUSE.—The Secretary shall promulgate regulations to remove references in existing regulations to long-term suspended nonuse.

"(l) PROHIBITED ACTS.—The Secretary shall promulgate regulations which would make violations of the Wild Horse and Burro Act, Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), and other Federal or State laws concerning conservation, protection of natural or cultural resources, and protection of environmental quality prohibited acts. Upon the expiration of appeal or review periods following a conviction for violation or an administrative finding of violation of these laws the authorized officer may consider cancellation or suspension of permits and leases when the violation occurred on public land or is found to be related to authorized grazing of public land.

"(m) RANGE IMPROVEMENTS.—Subject to valid rights existing on the date of enactment of this section, all rights to permanent improvements contained on or in public lands are vested in the United States.

"(n) CONSERVATION NONUSE.—The Secretary shall promulgate regulations to authorize persons or entities owning or controlling base property which is capable of serving as a base for livestock use of public lands to apply for up to 10 consecutive years of conservation use of a permit or lease, and up to 3 consecutive years of temporary nonuse.

"(o) STANDARDS.—The Secretary of the Interior shall develop standards and guidelines that establish minimum conditions for the protection of rangeland ecological health. These standards and guidelines shall be promulgated pursuant to the National Environmental Policy Act of 1969, and chapter 5 of title 5, United States Code, to the extent each is applicable. Permits and leases shall incorporate applicable standards and guidelines to ensure the proper management of public rangelands. These standards shall provide for—

"(1) the restoration and protection of riparian values, such as healthy wildlife and fish habitat and diverse vegetation;

"(2) compliance with the Clean Water Act (33 U.S.C. 1251 et seq.);

"(3) compliance with the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); and

"(4) restoration, maintenance, and improvement of ecosystem health, such as diversity, resilience, and sustainability.".

SEC. 318. USE OF FUNDS.

Except as provided by this Act, none of the funds made available to the Secretary of the Interior by this Act may be used to implement any grazing reform program, including a grazing fee increase, unless Congress has approved such program or fee increase. Nothing in this section shall prohibit the Secretary from promulgating regulations, modifying existing regulations, or taking other actions, as necessary, to implement the provisions of sections 405 and 406 of the Federal Land Policy and Management Act of 1976 as added by this Act.

SEC. 319. REPEAL.

Section 403 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1753) is repealed.

The SPEAKER. Without objection, the motion is agreed to.

Mr. PACKARD. Mr. Speaker, I object to the motion. Pursuant to clause 1(b) of rule XXVIII, I request one-third of the time.

The SPEAKER pro tempore. Is the gentleman from Ohio opposed to the motion? If not, the gentleman from Illinois [Mr. YATES] will be recognized for 20 minutes, the gentleman from Ohio [Mr. REGULA] will be recognized for 20 minutes, and the gentleman from California [Mr. PACKARD] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Illinois [Mr. YATES].

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

The Speaker, this is the grazing fee amendment which has already been discussed very thoroughly during the debate on the rule. I think it is a good proposal. The House will recall that the House-passed bill did not contain any provision respecting grazing fees. The Senate, on the other hand, had attempted to stop Secretary Babbitt from taking any action with respect to increasing grazing fees and making other changes, and it passed a moratorium which prohibited the Secretary from taking any action.

Mr. Speaker, we met in conference on the Senate provision, and, as a result of the conference, an agreement was reached containing a number of measures respecting the operation of the grazing program, and which increased grazing fees over a 3-year period to $3.45.

Mr. Speaker, we think this is a fair provision. We think it is one that is acceptable to the Members of the House who mandated the committee to come to some resolution with the Senate on grazing fees. We acted in accordance with the mandate of the House. We now ask the House to approve my motion.

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

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

Mr. Speaker, let me just again point out that what the subcommittee did is restrain the Secretary. If this fails, the result will be no language, no fee, and we will go back to the Secretary's proposal, which would increase the fee in a 3-year period to $4.28 per animal unit month.

Mr. Speaker, our bill restricts it to $3.45 per animal unit month. In other words, we are about $1 less than the Secretary's proposal. Likewise, we only allow a 15-percent increase or decrease in any 1 year. The Secretary allows 25 percent. So the fee proposal in here is modest compared to what the Secretary has proposed.

Mr. Speaker, if this were to be defeated, the result would be that we would end up with no language, and, therefore, the Secretary's proposal. So I think that those opposed to the grazing fee ought to weigh the fact that this is a better arrangement for the permittees than would be the case if we were to defeat it.

Second, the Secretary's proposal on the rules and regulations are more severe, substantially more severe, than those that we have proposed to place in the law.

Mr. Speaker, again, I think it is not in the interest of the permittees to allow the Secretary's proposal, which would be the result ultimately of a no vote.

Last, I would point out once again that the standards, the requirements, are similar to what we have in the Forest Service. The Forest Service has those standards already. We had them for the BLM prior to 1982. So all this does is establish a uniform standard of requirements for the permittees so

that everybody is treated the same, whether they are on Forest Service land or whether they are on BLM land. Certainly, it is only fair that permittees should play by the same rules, as long as they are on public lands. This simply establishes the uniform standard.

So I think it is a policy that is fair to the taxpayers of these United States, fair to the grazers, and certainly more modest than that proposed by the Secretary of Interior.

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

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

Mr. Speaker, deep inside this conference report are 17 pages of unauthorized new legislation that would make new law if this passes. There have been no hearings, no review, no public comment, no congressional oversight. This would be new law, and it was agreed upon only in the conference committee.

Mr. Speaker, this particular proposal of $3.45, none of us really have any complaint about the fee increase. The real concern, as expressed by several of my colleagues, many of whom wish to speak to this issue tonight, is that there are regulations and land reform in the bill that have not been discussed, have not been approved nor authorized, and that is where the complaint really is.

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We made proposals in the conference committee that would agree to the $3.45 over a more extended period of time but also would put a hold on the reform measures, the land reform measures, until we were able to have hearings and have authorizations. That is all we are asking for, is that we reconsider those land reform measures.

Mr. Speaker, I have several Members that would like to speak to the issue, and I reserve the balance of my time.

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

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

Mr. PACKARD. Mr. Speaker, I yield 3 minutes to the gentlewoman from Nevada [Mrs. VUCANOVICH], who is a member of the Committee on Appropriations.

Mrs. VUCANOVICH. Mr. Speaker, I thank the gentleman for yielding time to me. I rise in strong opposition to the amendment of the House to the Senate amendment regarding the grazing management program on the public lands. The agreement reached by the conferees is yet another example of what all our constituents tell us is wrong with Congress—deals are struck in smoke-filled rooms with no public input that lead to burdensome mandates and serious infringement upon our rights as citizens.

Mr. Speaker, let me say to my colleagues that the amendment in question would codify 19 pages of text without one legislative hearing in either body. This alone is reason enough to sink this deal, but wait, there is more. This so-called compromise is anything but. In return for a fee increase just 83 cents less than that which the administration seeks the Federal Government would gain complete control over water rights and privately constructed range improvements. What a deal! I guess this means the price of granting Federal dominance over what has always been a State function—the adjudication of water rights—is just 83 cents per animal unit month.

Mr. Speaker, the dealmakers on this amendment are not from the arid States where water is so precious, save for one, and I must admit Senator REID is from my own State of Nevada. I cannot understand how he sincerely believes this deal is the best the West can get, but I can tell you the ranchers in my State are not in the least bit satisfied. And its not only ranchers who are worried. Plenty of other public lands users ask "Just how broad-reaching are these water provisions, in particular?"

No one seems to know, of course, because no testimony has been sought from the public or the executive branch. The Secretary's public meetings in the West early last summer were scoping sessions only. No language was forthcoming then. As soon as the administration put it's views into print a firestorm of protest ignited. But, westerners were led to believe an orderly rulemaking process of a year's duration or more would ensue and their comments to draft rules would be considered.

Not anymore, if this amendment becomes law. A few shrewd politicians found a way around the messy business of actually having to digest public comment and analyze impacts before assaulting a longstanding policy. Just amend a conference report without any hearing. No comments and no testimony to concern them. And better still, we can pass this because it's a spending bill. Members will not vote against it because it might imperil their pork-barrel projects.

Mr. Speaker, I am one who will. And let me remind my colleagues, I do serve on the Appropriations Committee. But, the grazing policy back-room deal is too odious for me to hold my nose and vote for this conference report. I ask that this amendment in technical disagreement be defeated. Send our conferees back to negotiate a provision that does not sell out the states' rights to administer water resources within their borders. Let them negotiate a compromise that doesn't take away the ownership of fences, windmills, stock-watering tanks, and such built with private funds—not Federal money.

Mr. Speaker, I urge a "no" vote.

The SPEAKER pro tempore (Mr. MFUME). Does the gentleman from Colorado [Mr. SKAGGS] seek to control the time of the gentleman from Illinois [Mr. YATES].

Mr. SKAGGS. Mr. Speaker, I yield 2 minutes to the gentleman from Minnesota [Mr. VENTO], chairman of the Subcommittee on National Parks, Forests and Public Lands.

Mr. VENTO. Mr. Speaker, I rise in support of this language. The House, over the last decade, and the Senate have been deadlocked in an effort to try and deal with the grazing fee and policy matter. Of course, I think that Secretary Babbitt, this year, appeared in the West in five different meetings, met extensively, heard from thousands of witnesses, which parallels the experience that the House committees have had in terms of numerous hearings over the years. Unfortunately, sending bills to the Senate has not resulted in action.

I would remind my colleagues that if the Senate or others want to engage in authorizing or final different policy changes in this, all they have to do is begin to act and pass bills to the House to be considered. But repeatedly, they have not done that. They have refused to act.

Some of my colleagues were happy with that particular circumstance. In fact, they voted for and wanted and would have accepted the moratorium that the Senate had tried to foist upon the House here during this consideration of the appropriations bill. This was not the form that I sought to debate this nor that the appropriators in our House sought to debate or to consider this policy issue. This is something that was put upon us by the other body.

We tried to make the best we could out of the situation. I want to commend Senator REID. He was a tough negotiator, along with others in the Senate and individuals that wanted to resolve this problem. And the fact is that this does not go as far as I would like to go in terms of $3.45 in 3 years, when we have almost all the prices charged by the State lands are higher, public lands in almost every one of the Western States. Certainly, the private land costs are much higher.

As far as the policies are concerned in this initiative, they parallel what the situation has been in the Forest Service throughout the 1980's. These are not a radical departure. They deny or take nobody's property rights or improvements. It is a case here where if you are the landlord, you do not simply give away the house on the basis that somebody has painted the room. You do not give away the water rights that belong to the National Government and the national lands. You do not give away the property.

That is exactly what the case has been with regard to the Forest Service. That is exactly what the case was prior to 1982, when Secretary Watt changed that policy.

Mr. Speaker, I rise in support of the Yates motion regarding grazing fees and range management, and ask unanimous consent to revise and extend my remarks.

The provisions adopted by the conference committee deal with the important issue of management of the public rangelands, including the fees that the taxpayers receive from ranchers who exercise the privilege of grazing livestock on those rangelands.

Clearly, these provisions are legislative in nature. Other matter being equal, such provisions should not be included in an appropriations measure.

But when it comes to the issue of grazing policy and fees, other things are not equal. This is an unusual case, a case of protracted deadlock between the House and the Senate that seemingly can be resolved in no other way.

As all Members are aware, Mr. Speaker, the House has been trying for a number of years, in fact for over a decade to resolve this issue of grazing fees and range management. In past years, the House twice has addressed grazing fees and range reforms as part of bills to reauthorize appropriations for the Bureau of Land Management. Those authorization bills originated in the authorizing committee of jurisdiction, which is the Committee on Natural Resources. The Senate did not act on either of those bills, and they have shown no readiness to act on any authorization bill that would address grazing fees or range reform.

And, this year, it was not the House that introduced this subject into an appropriations bill. As it passed the House, this Interior appropriation bill did not include any provisions related to grazing fees or range management.

But, when the bill got to the Senate, a range management amendment was added—an amendment to prevent the administration from acting on the subject administratively, which the administration undoubtedly has the authority to do.

That Senate amendment was described as a "moratorium" on grazing fees. But in reality it was just more of the same, more of the gridlock that had frustrated every attempt at range reform for year after year after year.

The House rejected that "moratorium", Mr. Speaker. By a vote of 314 to 109, the House voted to end the gridlock, and to let the process of range reform go forward.

If that were all, Mr. Speaker, if the "moratorium" were dropped and nothing else included in this bill, that would be an acceptable outcome, because the administration could go forward with its plan for range reform.

That administration plan is sound. It is both fair to ranchers and good for the environment. It combines overdue protection for rangeland resources with recognition of the need for economic stability in the rural west.

However, after the House's rejection of the Senate's moratorium, there were discussions to see if an agreement could be reached that would resolve this issue now, without waiting for the administration's plan to go into effect.

In particular, our former colleague from Nevada, now the senior Senator from Nevada, Senator REID, acted to try to develop a compromise. After lengthy discussions, a compromise was reached, one which was adopted by the conference committee and which is now before the House.

In my opinion, this grazing compromise is acceptable.

I do not think it is as complete or as balanced as the administration's range reform plan, and it provides for grazing fees that would be far lower than those approved by the House in the past.

But, overall, it is acceptable because it would combine a necessary minimum level of range reform with a highly desirable degree of certainty for everyone. Ranchers will know what their fees will be, and what the rules will be. The taxpayers will realize a more equitable return, even if not the full fair market value, for their forge. And the land managers will have the necessary mandate for better management of these public rangelands that belong to all the American people.

Mr. Speaker, I will vote for the grazing provisions, and I am confident that the House will give them overwhelming support.

I am hopeful that the Senate will approve the grazing provisions as well.

But, Mr. Speaker, members of the other body should understand that if this compromise is not adopted, the administration's plan should, can and will go forward.

The time for reform on the range has come. Reform may come under this compromise plan, or under the administration's plan. But either way, it is coming.

Mr. Speaker, for too long previous administrations have paid lip service to the need to improve management of the national rangelands, while allowing continued mismanagement. The Forest Service and the Bureau of Land Management in the past have developed policies—on paper—that rightly stressed the need to take better care of sensitive riparian areas, restore and improve wildlife habitat, and balance grazing and other consumptive uses of the public lands with other uses. But the agencies have not been able to implement those plans on the ground, because the policy in practice has favored mining and grazing rather than a balanced approach. Grazing fees have been only a part of that pattern.

The Reagan-era grazing fee formula was specifically designed to artificially depress grazing fees. As shown by GAO's calculations, it accomplished its purpose; in constant dollars the 1991 western Federal grazing fee had decreased by 15 percent over the last 10 years while private grazing prices had increased by 17 percent—and since 1991, the Federal fee, incredibly, has gone down.

The Clinton administration's plan would replace that sweetheart deal with a market-based—but still low-priced—standard based on data from thousands of actual grazing operations throughout the West.

The compromise included in this conference report would increase fees less than the administration has proposed, and would restrict any future increases more severely.

Under the administration's proposal, fees would rise to $4.28 per aum in 1996, and then would be set according to a formula with a base value of $3.96 per aum. The compromise would raise the 1996 fee to $3.45, and thereafter would establish fees through a formula with the same base value—$3.45 per aum.

In the "Out Years," the administration's proposal would provide for increases or decreases—based on the formula—of up to 25 percent annually, while the compromise in the conference report would limit annual increases or decreases to 15 percent of the preceding year's fee.

The claims that the administration's grazing fees proposal was arbitrary are simply wrong. So are claims that either the administration's proposed new fees or the new fees provided for by the compromise would be above the market value.

In fact, even if the administration's plan takes full effect, the American people would get less for public range forage than most private landowners receive, and the national Government would be charging less than many western States now charge for grazing on their State lands.

Of course, the compromise adopted by the conference committee would establish even lower fees than the administration's proposal.

More important, this grazing compromise like the administration's plan—would reverse many of the worst excesses of the last 12 years, and bring an end to the James Watt era of grazing management,

I strongly support the planned development of environmental standards and guidelines that will apply to grazing management and that will help the agencies give needed priority to improvement of riparian areas, the recovery of threatened or endangered species—and prevent other species from becoming threatened or endangered—limit overlong grazing seasons, minimize the risks of pesticide use, and maintain or restore water quality. These are things that will benefit not just the range environment but grazing permittees, too—both today and tomorrow.

Requiring grazing permittees to comply with environmental laws to hold their permits is good government. This, too, should have been done long ago.

The compromise would replace the present grazing advisory boards, which lack a statutory basis, with the kind of true multiple-use advisory councils envisioned and provided for by the Federal Land Policy and Management Act of 1976, or "FLPMA", which is BLM's organic act. This also is something long overdue.

Unlike the advisory councils mandated by law, the current grazing boards represent only one user group—grazers. They have been the embodiment of the excessive political influence that this single, myopic user group has too often been able to exert over decisions about public rangeland management.

It is high time that piecemeal "privatization" of public waters was ended. This is another important part of the compromise as well as the administration plan's—one that does not affect any existing water rights of anybody, but that will prevent future giveaways.

Finally, the compromise, like the administration's plan addresses subleasing—a fancy word for profiteering at the expense of the taxpayers.

We should also recognize that both the compromise and the administration's plan are based on the authority provided under current law. Thus, there are some matters that neither the compromise nor the administration plan includes—reforms that would require new law, such a change in the allocation of grazing fee receipts.

Mr. Speaker, the Congress should either approve the compromise adopted by the conference or should allow the administration to go forward to implement its sound proposals.

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

Mr. PACKARD. Mr. Speaker, I yield 3 minutes to the gentleman from Oregon [Mr. SMITH].

Mr. SMITH of Oregon. Mr. Speaker, I thank the gentleman for yielding time to me.

Unfortunately, tonight 11 Western States in the West are sentenced to a crime they did not commit. The idea that somehow livestock grazing on public lands deprives other uses is simply wrong. The facts are that public lands are improving. Notice by the big game improvements, whether it be elk or deer or antelope. So the livestock producer is being sentenced to death tonight with this huge increase in grazing fees, along with the so-called rangeland reform program, codified into law without a hearing, without even one hearing in this Chamber or the Senate, which condemns livestock operators across the West.

I call that unfair sentencing. I say to my colleagues that this so-called compromise was not a compromise at all. We in the West support a reasonable increase in fees.

I serve on the Committee on Natural Resources and the Committee on Agriculture. We have been listening to these issues for years. There has never been a bill offered or passed by either committee that I serve on. Why is that? Because it was unreasonable, the requests that came forward through the authorizing committees.

This eliminates the authorizing committees of the House and Senate. Why should we have a Congress? We have a Secretary of the Interior and a President who do whatever they wish to the West.

If I were going to eliminate the West, do Members know what I would do? I would eliminate 75 percent of the timber harvest in the Northwest to start with. We have already done that. I would pass a grazing fee that eliminates grazing on public lands. We will do that tonight.

Then I would eliminate mining on public lands. I would turn the West into the great wilderness area that some of my colleagues want.

I suggest to my colleagues, if they have any compassion for those who live in an area that they do not know about, if they have any compassion for those who are managing the resources properly, then they will vote against this bill. I ask them to do that tonight.

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The SPEAKER pro tempore (Mr. MFUME). The Chair wishes to advise Members designated to control debate time that the gentleman from California [Mr. PACKARD] has 12 minutes remaining, and the gentleman from Ohio [Mr. REGULA] has 17 minutes remaining, and the gentleman from Colorado [Mr. SKAGGS] has 16 minutes remaining.

Mr. PACKARD. Mr. Speaker, I yield 3 minutes to the gentleman from Wyoming [Mr. THOMAS].

Mr. THOMAS of Wyoming. Mr. Speaker, I rise in opposition to the motion. We have talked about it a great deal, of course, not only tonight but in previous times.

Let me say that basically I am opposed to this evening's action based on procedures, two procedures. One of them is the procedure followed by the Secretary of the Interior when he put together his so-called reform of the rangelands. He came out to the West. He had several hearings, and he brought in ranch people. Many ranch people appeared. Many of them made statements.

Unfortunately, the memo that was in the hands of the Secretary before the hearings ever started was exactly what he imposed after the hearings were over. This was certainly not what he heard. This procedure was a sham. This procedure was not out there to listen or to hear, it was an exercise in trying to appear on the scene and not listening to what was heard.

The other, of course, is the procedure here in the Congress, where we do have rules. We have rules to do these kinds of things, not on the appropriations but through the authorization. We are not doing that. We are ignoring that. We are saying, "That is what we ought to do," except when it suits us, and then we say, "It is OK, we need to do it, we will rise above principle and go ahead and fix it." That is wrong. That is wrong.

There is a great deal of impact here in the West. We talk about jobs and we talk about the economy. We spend a lot of time figuring out how we are going to fix that, how we are going to take care of communities, keep people off the welfare rolls.

This kind of thing, coupled with timber, coupled with a moratorium on oil and gas, coupled with increased costs of reclamation water, coupled with these regulations, coupled with the demise of the Wool Act, this is a hard, hard, hard lesson for the West, the minority of us in the West.

I understand, if Members do not live there, they just do not care a lot, but we care. We care a lot about people who are trying to make a living on the ranch, trying to make a living on the range, not rich people, just families who have lived there forever, utilizing the lands that are left. These are not reserved lands, withdrawn lands, these are the lands that are residual and depend upon the deeded lands for the water and winter feed for wildlife.

Mr. Speaker, I am not talking about the fee, I am talking about the regulations, which I think will have a great impact. I would urge Members to consider sending this back to the committee; stick with the fee, if they have to, but put the rules through the authorization process, have some hearings, let the folks be heard. I urge Members to oppose the motion.

Mr. SKAGGS. Mr. Speaker, I yield 3 minutes to the gentleman from California [Mr. MILLER], chairman of the Committee on Natural Resources.

Mr. MILLER of California. Mr. Speaker, I would hope that we would support the motion and go forward with the bill as reported by the Committee on Appropriations, and certainly with respect to grazing fees, that we would recognize that we in fact do have a compromise here, a compromise that was hammered out over many, many days and many weeks.

We of the authorizing committee, we did not choose this forum. We did not choose this fight. We have tried in the past, over the past decade, to address the issues of the Bureau of Land Management, the reform of that agency, the changes in that agency to bring it into modern times, to bring it into current thinking. We have been resisted at every step.

We have passed legislation that has addressed many of the issues that we address here tonight, only to find it received as a dead letter on the door of the Senate, never to be taken up; a pledge that it would never be taken up. Time and time again we have tried that. Through the efforts of the gentleman from Oklahoma [Mr. SYNAR], the gentleman from Ohio [Mr. REGULA], and others who are fed up with what has happened to the taxpayers in this program, we have constantly addressed the fees within the appropriation bill, recognizing the difficulty of legislating on an appropriation.

We have continued that process over the last several years. The House has voted time and again for a much higher fee than this fee, and for other issues dealing with the BLM. This year the Senate, when the Secretary of the Interior started through an orderly process, a public process, after he had traveled to the grazing States of the West, met with the cattlemen's associations, met with the ranchers, met with farmers, met with the community, came back and proposed a series of rules to change the management of the BLM. It was a public process, asking for comments.

The Senate immediately has done the same thing that it did for 10 years. It put a rider on appropriations, saying that he could expend no money to go forward in that process. He could not even read the comments of the gentlemen's constituents who wanted to tell him what they thought was good, bad, or otherwise about what he was proposing. They put that prohibition on.

This House would not accept it, and this House voted on a bipartisan basis,

314 of us, to reject that. That is why now we have dealt, with the help of the Committee on Appropriations, we have dealt with the legislation, because it is very clear that we will not get a hearing in the Senate. They are planning to engage in a filibuster.

That is their proposal, to address grazing reform, to address our concerns for the stewardship of the lands, to address our concerns for the taxpayers of this country who have been subsidizing this program. Their answer is gridlock and a filibuster. That is not good enough.

Tonight we put an end to that.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair would advise all Members to refrain from characterizations of the other body.

Mr. MILLER of California. This is going to be hard.

The SPEAKER pro tempore. The Chair understands.

Mr. MILLER of California. Mr. Speaker, because of the efforts of this committee, not choosing to authorize, but the fact that we were provided no other forum, and even in these negotiations Senator REID invited the Republican Senators, the western Senators, to participate. Some of them did, and some of them opted out, because they preferred gridlock. That is not fair to the taxpayers.

This fee increase will not even pay the cost of the program for maybe the next 4 or 5 years. We cannot even get back the cost of this program with this increase. I am not happy with it. I am sure the Secretary of the Interior is not happy with this, but this is, in fact, a compromise.

In 3 years, they are going to take this up to $3.45. This House has voted overwhelmingly to go to $8, recognizing the outrage, the insult against the taxpayers of this program.

Mr. Speaker, I was out in Colorado a few weeks ago talking to ranchers who farm 5,000, 6,000, 7,000 acres of their own land and graze on 10,000 or 12,000 acres of BLM land. I asked them about the Secretary's figure. They said they did not like it. Yes; they could possibly live with it. They did not like it. They could live with it.

That is what is really going on around here. We owe it to our constituents, in terms of the stewardship of the land and the care for the Treasury and the taxpayers, to vote for the committee position. It has been 10 years in the making and it is long overdue.

Mr. Speaker, I rise in support of this conference report. For many years, this House has supported substantial reform of the grazing program, only to be rebuffed time and again by the Senate and by the past administrations. In fact, under those prior administrations, the grazing fee actually was reduced, and the property rights of the United States were compromised through regulatory actions that were unauthorized by Congress and never subjected to public hearings.

Finally, we have an Interior Secretary who intends to enforce the law and utilize his administrative powers on behalf of consumers and taxpayers rather than on behalf of a very small number of people who really seek the subsidized and exclusive use of tens of millions of acres of public lands.

Now, personally, I have no quarrel with Secretary Babbitt's proceeding with his administrative reform of the program: the $4.28 per AUM fee, as well as his broad management improvements. This is well within his authority. It ought to have been done years ago, as the House voted.

But I am prepared to stand by the compromise I have negotiated with Senator HARRY REID, along with my colleagues BRUCE VENTO and MIKE SYNAR, because that compromise retains the essence of the reform plan, and because it would provide certainty to the ranchers and to the taxpayers who both have so much at stake.

But what I will not stand for, and what this House must vigorously resist, is the siren call of the western Senators who insist on more delay, more equivocation, more half-hearted proposals that are really the dying gasps of an outdated and very expensive public land use scheme.

I know that some Senators are threatening a filibuster against this conference report because of the grazing reform. They claim they are prepared to delay passage of this bill, hold up the funding for dozens of programs that are very important to everyone in this body—myself included—because they want to protect the grazing goodies enjoyed by a few of their constituents.

Well, Senators, the House of Representatives is fed up with your filibusters, your gridlock, and your ultimatums. Filibuster if you choose, but do so at your peril. Because if this compromise is filibustered, here is what you will get in its place: the full boat, the complete Babbitt reform package; the very reforms that Senator REID and others have labored valiantly to modify for the benefit of the grazing community.

Mr. Speaker, I don't like playing parliamentary games. I think the House and the Senate should have a chance to vote this compromise up or down. It was developed by strong advocates for the ranchers and strong advocates for taxpayers and the environment. We have had over 300 studies, reports, hearings, and analyses of the shortcomings of the grazing program. Those who request more in lieu of action are not being constructive and are not helping to resolve this problem.

My hat goes off to Senator REID. I have known and respected him since his service here in the House. He has consistently demonstrated the kind of political courage and integrity with which the Congress in general could prosper by emulating. If anyone doubts the courage it took a Senator from Nevada to take the lead in this effort, review the sordid rhetoric of the conference committee to see how his opponents mischaracterize him.

It is important that the membership of the House understand that the facts are being severely misrepresented by those who want to kill this compromise. Taking a page from recent House actions, those opponents are pretending that the grazing reform plan would interfere with property rights and water rights. Nothing could be further from the truth. The conference report clearly leaves in place all water rights and improvements granted to private parties during the pendency of existing rules.

Nor can we give any credibility to the argument that Secretary Babbitt should not have moved ahead with his reforms. On the fee, let us recall, the House has voted for a fee nearly twice that proposed by the Secretary. And the $3.45 compromise to be reached in 1996 would not even cover the current cost of administering the program. Moreover, those same people who today criticize the Secretary for his action offered no opposition when, a decade ago, Secretary James Watt not only took sweeping administrative action without any hearings, but in doing so gave away tens of millions of dollars in public resources and rights.

I also reject the notion that anyone was excluded from the effort to reach this compromise plan. Everyone knew discussions were underway. Those who chose to remain out of the process until the very last minute have only themselves to blame. They wanted to be excluded so they could throw rocks at the good work done by HARRY REID and the rest of us. The last thing they wanted was to be in that room, constructively working to reform the grazing program.

In a world of unparalleled political upheaval, in which leaders have taken stands that cost them their jobs and even their lives, can the U.S. Senate confront one great challenge and agree to reform the subsidized grazing program. It is comical and absurd that the Senate of the United States could become gridlocked over the question of raising grazing fees on lands that produce just 2 percent of beef cattle.

Members of the House, we are nearing the end of this great debate over the management of public grazing lands, and I know that every member of the House will sigh with relief, because it has gone on entirely too long. The House cannot walk away from this process. We cannot allow the Senate—and a minority of the Senate at that—to dictate whether we can act on reforms that clearly have the support of a majority of House and Senate memberships, and the support of the Interior Department and the White House, as well.

I would hope that, after reviewing the Reid plan, the Babbitt draft, and the legislative options, thoughtful Senators will allow the full Senate to vote, up or down, on the Reid plan, just as we will do in the House.

The choice is $4.28 or $3.45. The choice is national interest or special interest. The choice is gridlock or doing the job we are sent here and paid to do: make decisions.

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

Mr. Speaker, I will go ahead while the gentleman from California [Mr. PACKARD] may have another speaker.

Mr. Speaker, I would just again emphasize, these are public lands. They are owned by all of the people of the United States. We do not do anything in here that affects the private lands. Therefore, it is only fair that we have some conditions.

I would also point out, Mr. Speaker, that we grandfather the people who have existing facilities that they have put on these public lands. They are protected. This would only apply to future improvements and water rights. Permittees would understand what the rules are going in, in case they want to lease these lands.

Mr. Speaker, as the gentleman from California [Mr. MILLER] pointed out, let me say to my colleagues, we spend $70 million taking care of these lands. We collect $27 million in grazing fees. Even with this increase, we will not come close to collecting in fees what we spend on management of the lands.

Mr. Speaker, I concede that in managing the lands, we enhance the range for wildlife, and there are other benefits.

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But, nevertheless, we are not even breaking even, and all we are saying in this is let us manage these lands in a way that is fair to everybody concerned, and I think this achieves that objective.

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

Mr. PACKARD. Mr. Speaker, I yield 3 minutes to the gentleman from Pennsylvania [Mr. WALKER].

Mr. WALKER. Mr. Speaker, I thank the gentleman for yielding the time.

You know we often say that we are a government of laws rather than of men. Today evidently we are going to abandon that premise and become a government where powerful people are above the laws and the rules.

The issue here, in my opinion, is not the grazing fee issue. I have voted on both sides of that issue, depending upon the circumstances and what the moneys are. But I will tell you, I think that there are some real concerns here about the 16 pages of sweeping changes to grazing management policy that are contained in an appropriations bill. We are also talking about changing property rights issues.

Some of us on the authorizing committees, including some of the chairmen on the authorizing committees who are directly concerned with some of these issues have said that never should we have the appropriators moving in this kind of a direction of doing the authorizing in appropriations bills. And yet here is not just a minor violation, this is not just a small little item that they carved out, but here is a major, 16-page change in the entire policy that we are going to adopt as a part of an appropriations bill. This may be something in technical disagreement, but when you violate the rules in the way we are doing it here, it seems to me that what we do is call into question the entire process.

What we have here is nongermane legislation on an appropriations bill with language that was never subject to any congressional hearing. This is not just that the appropriators have decided to go out and put legislative language in the bill. There were not even any hearings held on this approach, and so we do not have any record to tell what Congress heard in order to adopt this particular policy.

One would think that this legislation put in an appropriations bill would cause an objection from the authorizing committees. But the problem is that we are dealing here with an amendment in disagreement, and the authorizing committees feel somewhat powerless in all of this.

It is clear then that the only time that we follow the House rules are when the power elite need them for what they want to do, and need them for a particular desire or result. But when they are not needed, they get easily discarded. And what is happening here tonight is that we are seeing the rules of this House, and the processes under which we are supposed to proceed ignored.

If the House rules mean anything, and specifically if the germaneness rule is to have any credibility, this waiver should never have been granted. We should not be considering this kind of legislation on the floor. But, like clockwork, when it comes to the needs of driving something through the process, the problem is that we tend to make a mockery of our own rules.

Had we followed the rules of the House, this issue would not even be before us. We should have followed the rules of the House.

Mr. PACKARD. Mr. Speaker, I yield myself such time as I may consume to simply say that this proposal came to us after an all night session where the gentleman from Nevada, who was asked to negotiate the agreement, called in to negotiate that agreement only those who were supporting the administration's position of lifting the fees significantly and imposing the land use reforms upon the conference. No one from the Western States that represented the ranchers was invited into that conference process, and no one who represented the views that we have heard from tonight that oppose this amendment were represented there.

So I am convinced that we could go back and negotiate a better settlement agreement. But that is not the issue tonight.

Mr. Speaker, I yield 2 minutes to the gentleman from Oregon [Mr. SMITH] to close the debate.

Mr. SMITH of Oregon. Mr. Speaker, I thank the gentleman for yielding the time.

Mr. Speaker, you have heard the debate, and you have heard it over and over again.

I think the question before the House is first are we going to legislate by executive fiat. In case we pass this program, that is the true story.

I thought this was a deliberative body, the finest in the world, and yet we have not been called upon to deliberate on this issue. We have been overrun.

Many of the Members on this side have written to the Rules Committee and to the Appropriations Committee especially, saying do not authorize on appropriation bills. And that is what is happening tonight.

Now for the effect. We have a study from Oregon State University which indicates that one-third of the 31,000 family ranchers are out of business with a $3.45 fee, plus the other rangeland programs offered, codified in this legislation. That is punishment without realization of fault.

I ask those Members who have any compassion about the West to use their influence to vote against this program simply because it is wrong. The idea, for instance, that we spend $73 million for rangeland management and livestock do not pay it all, of course they do not. If we eliminated the livestock from the rangeland management we would still spend $50 million per year for the other concerns of the range and the wildlife. So do not be caught up in this idea that the livestock industry is not supporting this program and every other program, and do not get caught up in the idea that we are decimating the land in the West, because we are not.

This is a key issue of existence for the West. I ask Members to vote against it.

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

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

Mr. Speaker, just to keep the record straight, these 16 pages of rules did not come out of nowhere. These are the Forest Service rules. They have been in place for a long time. They are identical to what the Forest Service uses for the lands that they lease for grazing, so this has been part of the public policy.

The BLM rules prior to 1982 were the same as what we are proposing here. The reason that they were changed is because Secretary Watt, by executive fiat, changed the rules to eliminate these requirements. We are simply going back to what was in place prior to 1982, and that are consistent with the Forest Service. And I think that is a very reasonable approach as a policy matter.

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

Mr. SKAGGS. Mr. Speaker, I yield 5 minutes to the gentleman from Oklahoma [Mr. SYNAR] to close the debate.

Mr. SYNAR. Mr. Speaker, I am kind of a little bit melancholy tonight as we begin what I think will be the last debate on this issue of grazing in the career of most of us. I want to start tonight by giving a few accolades, particularly to the gentleman from California [Mr. MILLER] and the gentleman

from Minnesota [Mr. VENTO], who both have been very sincere in the negotiations over the last couple of weeks that have brought us to this point today.

I also want to thank the gentleman from Illinois [Mr. YATES] for his outstanding service, not only to this particular cause, but to the entire cause of the Department of the Interior over the years, and in some ways apologize for having tied up his bill for many years on this very vital issue.

But I want to say the greatest praise to a gentleman that I think really brings us to this point tonight, and that is the gentleman from Ohio [Mr. REGULA], my friend and colleague. There is probably not a gentleman that I have more respect for in this institution than that gentleman. It has been his sincere tenaciousness as well as persuasive factual presentation of the case that has made it possible for us to finally conclude after 14 years an issue which should have been concluded many years ago. You are a fine gentleman. You are a tribute to the institution, and I am honored and privileged to serve with you tonight and all of the days that you serve ahead.

What I would like to do is to try to address the two very serious assertions and complaints voiced tonight as we end this debate. We have long abandoned the debate on the merits and the facts of the issue, and we really come down to two major complaints.

The first is that this conference report is an attack on private property rights. You know, I find it interesting that that particular complaint was a complaint that the grazers made as early as 1906 when they first made that allegation, when we first imposed fees on Federal lands. And it was in 1911, 1911 that the U.S. Supreme Court ruled that the grazers were wrong then, and have been wrong ever since, and that grazing permits do not confer any private property rights.

□ 2010

The second major objection to the action tonight, as posed by those who do not want to complete this task, is that this conference report changes the relationship between the Federal Government and the West without adequate public input and without one single public hearing.

Well, ladies and gentlemen, I am here to tell you that that is completely false. The facts are that this department, under the leadership of Bruce Babbitt, held not one, not two, but five public hearings in the West on this important issue during this year.

Second, the administration has received over 30,000 comments on the range reform bill of 1994, and they have been running 2-to-1 in favor of that report.

Third, these reforms are not new. They simply return us to the management of the BLM lands the way they were before Secretary Watt unilaterally changed the grazing management in the 1980's.

Fourth, for those who think we have never discussed it, I remind them of the hearings that my subcommittee, which I chaired, held in 1985 on this very issue that documented the problems with our grazing throughout the West. It is from that conference report that the Range Reform Act of 1994 was written and that we have studied this issue almost to a point of ad nauseam.

Finally, need I remind my colleagues that we have debated this very issue not once but every year since 1976 on this floor of the House.

You know, in the 14 years that we have debated this issue, there have been very simple facts that have been undisputed even as we end this debate tonight.

Fact No. 1 is that the power elite, as the gentleman from Pennsylvania [Mr. WALKER] would call them, the taxpayers of this country, have lost more than a billion dollars during the decade of the 1980's subsidizing 2 percent of the cattle industry. And the second fact which is undeniable, as much as 60 percent of the public rangelands throughout our country will continue to be in fair or poor condition well into the next century.

Tonight we turn the page of history, ending an era of gridlock and confrontation and opening a new age of bipartisan cooperation for public land and for budget reform.

I encourage my colleagues to stay the course. Let us complete the task.

Mr. SKAGGS. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the motion.

The previous question was ordered.

The SPEAKER pro tempore (Mr. MFUME). The question is on the motion offered by the gentleman from Illinois [Mr. YATES].

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 317, nays 106, not voting 10, as following:

[Roll No. 525]

YEAS—317

Abercrombie
Ackerman
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Applegate
Archer
Bacchus (FL)
Baesler
Barca
Barlow
Barrett (WI)
Becerra
Beilenson
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Bishop
Blackwell
Bliley
Blute
Boehlert
Bonior
Borski
Boucher
Brooks
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Byrne
Canady
Cantwell
Cardin
Carr
Castle
Chapman
Clay
Clayton
Clement
Clinger
Clyburn
Coble
Coleman
Collins (IL)
Collins (MI)
Condit
Conyers
Cooper
Coppersmith
Costello
Coyne
Cramer
Danner
Darden
de la Garza
Deal
DeFazio
DeLauro
Dellums
Derrick
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Duncan
Durbin
Edwards (CA)
Engel
English (OK)
Eshoo
Evans
Ewing
Farr
Fawell
Fazio
Fields (LA)
Filner
Fingerhut
Fish
Flake
Foglietta
Ford (MI)
Fowler
Frank (MA)
Franks (CT)
Franks (NJ)
Frost
Furse
Gallo
Gejdenson
Gekas
Gephardt
Gibbons
Gillmor
Gilman
Glickman
Gonzalez
Goodlatte
Gordon
Goss
Grandy
Green
Greenwood
Gunderson
Gutierrez
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
Klink
Klug
Knollenberg
Kreidler
LaFalce
Lambert
Lancaster
Lantos
Laughlin
Lazio
Leach
Levin
Levy
Lewis (GA)
Lipinski
Lloyd
Long
Lowey
Machtley
Maloney
Mann
Manton
Margolies-Mezvinsky
Markey
Martinez
Matsui
Mazzoli
McCloskey
McCrery
McCurdy
McDermott
McHale
McHugh
McKinney
McMillan
McNulty
Meehan
Meek
Menendez
Meyers
Mfume
Miller (CA)
Miller (FL)
Mineta
Minge
Mink
Moakley
Molinari
Mollohan
Montgomery
Moran
Morella
Murtha
Nadler
Natcher
Neal (MA)
Neal (NC)
Nussle
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Parker
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
Roth
Roukema
Rowland
Roybal-Allard
Royce
Rush
Sabo
Sanders
Sangmeister
Santorum
Sawyer
Saxton
Schenk
Schroeder
Schumer
Scott
Sensenbrenner
Serrano
Sharp
Shaw
Shays
Shepherd
Shuster
Sisisky
Skaggs
Skelton
Slattery
Slaughter
Smith (IA)
Smith (NJ)
Snowe
Solomon
Spence
Spratt
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
Walsh
Waters
Watt
Waxman
Weldon
Wheat
Wise
Woolsey
Wyden
Wynn
Yates
Young (FL)
Zimmer

NAYS—106

Allard	Fields (TX)	Mica
Armey	Gallegly	Michel
Bachus (AL)	Geren	Moorhead
Baker (CA)	Gilchrest	Myers
Baker (LA)	Gingrich	Orton
Ballenger	Goodling	Packard
Barcia	Grams	Pastor
Barrett (NE)	Hall (TX)	Peterson (MN)
Bartlett	Hancock	Pombo
Barton	Hansen	Pomeroy
Bentley	Hayes	Quillen
Boehner	Hefley	Roberts
Bonilla	Herger	Rogers
Brewster	Houghton	Sarpalius
Bunning	Huffington	Schaefer
Burton	Hunter	Schiff
Buyer	Hutchinson	Skeen
Callahan	Inhofe	Smith (MI)
Calvert	Johnson (SD)	Smith (OR)
Camp	Johnson, Sam	Smith (TX)
Collins (GA)	Kingston	Stenholm
Combest	Kolbe	Stump
Cox	Kopetski	Sundquist
Crane	Kyl	Talent
Crapo	LaRocco	Tauzin
Cunningham	Lehman	Taylor (NC)
DeLay	Lewis (CA)	Thomas (CA)
Dooley	Lewis (FL)	Thomas (WY)
Doolittle	Lightfoot	Vucanovich
Dornan	Linder	Walker
Dreier	Livingston	Williams
Dunn	Manzullo	Wolf
Edwards (TX)	McCandless	Young (AK)
Emerson	McCollum	Zeliff
English (AZ)	McInnis	
Everett	McKeon	

NOT VOTING—10

Bateman	McDade	Whitten
Ford (TN)	Murphy	Wilson
Hall (OH)	Oxley	
Hastert	Washington	

□ 2032

Mr. SARPALIUS and Mr. PASTOR changed their vote from "yea" to "nay."

Mrs. COLLINS of Illinois, and Messrs. ISTOOK, GREENWOOD, BROOKS, TANNER, and DUNCAN changed their vote from "nay" to "yea."

So the motion was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 124: Page 80, after line 5 insert:

SEC. 321. FOREST SERVICE SEPARATION PAY.—(a) In order to avoid or minimize the need for involuntary separations, effective for the period beginning upon the date of enactment of this Act through and including September 30, 1994, the Secretary of Agriculture, under such regulations and subject to such conditions as the Secretary of Agriculture may prescribe, shall have authority to offer separation pay to employees of the Forest Service to the same extent the Secretary of Defense is authorized to offer separation pay to employees of a defense agency in section 5597 of title 5, United States Code.

(b) In the event that an authority is enacted to offer separation incentive similar to such section 5597 of title 5, United States Code, but applicable to employees in the executive branch generally, the authority under subsection (a) shall terminate.

(c) Such payments may be made to employees who agree, during a continuous 90 day period designated by the agency head, beginning no earlier than the date of enactment of this Act and ending no later than September 30, 1994, to separate from service with the agency, whether by retirement or resignation.

(d) An employee who has received a voluntary separation incentive under this section and accepts employment with the Government of the United States within 2 years of the date of the separation on which payment of the incentive is based shall be required to repay the entire amount of the incentive to the agency that paid the incentive.

(e) Total outlays by the Forest Service pursuant to the cooperative work trust funds accounts (12-8028-0-7-302) shall not exceed $279,668,000 in fiscal year 1994.

MOTION OFFERED BY MR. YATES

Mr. YATES. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. YATES moves that the House recede from its disagreement to the amendment of the Senate numbered 124, and concur therein with an amendment, as follows:

In lieu of the matter inserted by said amendment, insert:

"SEC. 320. FOREST SERVICE SEPARATION PAY.—(a) In order to avoid or minimize the need for involuntary separations, effective for the period beginning upon the date of enactment of this Act through and including September 30, 1994, the Secretary of Agriculture, under such regulations and subject to such conditions as the Secretary of Agriculture may prescribe, shall have authority to offer separation pay to employees of the Forest Service to the same extent the Secretary of Defense is authorized to offer separation pay to employees of a defense agency in section 5597 of title 5, United States Code.

"(b) In the event that an authority is enacted to offer separation pay or a voluntary separation incentive similar to such section 5597 of title 5, United States Code, but applicable to employees in the executive branch generally, the authority under subsection (a) shall terminate.

"(c) Such payments may be made to employees who agree, during a continuous 90 day period designated by the agency head, beginning no earlier than the date of enactment of this Act and ending no later than September 30, 1994, to separate from service with the agency, whether by retirement or resignation.

"(d) An employee who has received a voluntary separation incentive under this section and accepts employment with the Government of the United States within 2 years of the date of the separation on which payment of the incentive is based shall be required to repay the entire amount of the incentive to the agency that paid the incentive."

PREFERENTIAL MOTION OFFERED BY MR. CLAY

Mr. CLAY. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore (Mr. MFUME). The Clerk will report the motion.

The Clerk read as follows:

Pursuant to clause 2(b)(2) of rule XXVIII, Mr. CLAY moves to insist on disagreement to Senate amendment numbered 124.

The SPEAKER pro tempore. The Chair finds that the motion offered by the gentleman from Illinois [Mr. YATES] proposes changes in existing law as written and is within the jurisdiction of the Committee on Post Office and Civil Service. So the chairman of that committee, the gentleman from Missouri [Mr. CLAY] is then recognized to offer a preferential motion which the Clerk will report by title.

The Clerk reread the preferential motion.

The SPEAKER pro tempore. The gentleman from Missouri [Mr. CLAY] will be recognized for 30 minutes and the gentleman from Illinois [Mr. YATES] will be recognized for 30 minutes.

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

Mr. Speaker, I urge my colleagues to support this motion to protect the prerogatives of the authorizing committees. On October 1, the administration submitted proposed legislation to establish voluntary separation incentives on a Governmentwide basis. On October 5, I introduced H.R. 3218, the Federal Workforce Restructuring Act, by request. That legislation has been referred to the Committee on Post Office and Civil Service. Legislative hearings were conducted on H.R. 3218 by the Subcommittee on the Civil Service and the Subcommittee on Compensation and Employee Benefits on October 13 and October 19. The Subcommittee on the Civil Service marked up H.R. 3218 today and the Subcommittee on Compensation and Employee Benefits will mark up the bill tomorrow. The full Committee on Post Office and Civil Service is scheduled to consider this legislation next Wednesday—and it is my intention to bring this legislation before the House as expeditiously as possible. Similar legislation is pending in the Senate and has already been the subject of hearings.

In our consideration of H.R. 3218, we have worked closely with the administration. At hearings on the legislation we have heard from representatives of the Office of Management and Budget, the Office of Personnel Management, the Department of Defense, the Department of Energy, the Treasury Department, and the Department of Housing and Urban Development. In addition, my committee has heard from representatives of all classes of Federal employees, from rank and file workers to the senior executive service. While operating on a very quick time schedule, my committee is nevertheless intent on producing a program that will truly serve the needs of the American people. We are seeking to ensure that agencies will realistically appraise their future needs and not just their immediate budget imperatives. The reduction of the Federal work force must be targeted to take into account undue layers of management, the goals of the programs administered by the agencies, the needs of the agencies' clients, and their long-term goals. Finally, my

committee is developing a uniform policy that will apply to all executive agencies that do not have retirement incentive authority, including the Forest Service.

In their version of the Interior appropriations bill, the Senate incorporated a provision authorizing the Forest Service to offer separation bonuses to its employees. At the same time that my committee is considering comprehensive legislation on this very subject, the conferees are now asking this body to legislate on an appropriations bill and authorize the use of separation bonuses by the Forest Service. I am asking the House to adopt my motion and reject that language.

By contrast to H.R. 3218, no one from the Office of Management and Budget or the Office of Personnel Management has ever consulted with my committee regarding the Senate provision the conferees are asking the House to adopt. Indeed, no one from either the Agriculture Department or even the Forest Service ever sought to consult with my committee regarding this provision until I raised objections to the manner of its consideration. It is contended that the Forest Service has a pressing need, but that need is no greater than that of many other agencies in the Government, including other agencies of the Agriculture Department. Rather, at the insistence of the other body, we are being asked to adopt authorizing legislation that has never been considered by an appropriate authorizing committee, that singles out one agency for special treatment regardless of the treatment accorded other agencies, and that may or may not achieve appropriate ends. If the provision we are being asked by the conferees to adopt addresses a problem, it is a problem for which a more appropriate solution is imminently pending.

We have an established committee structure to ensure that the legislation enacted by Congress is fully considered before it becomes law. On this issue, in particular, it is appropriate that we insist that regular procedures are complied with. I am not simply objecting to the fact that the Appropriations Committee is seeking to legislate on a subject within the jurisdiction of the Post Office and Civil Service Committee. In this case, they are seeking to legislate on a subject on which my committee is already actively engaged—on which we have worked closely with the administration—and on which we will very shortly be bringing to the floor a comprehensive legislative proposal. The issue is not whether the Forest Service needs to downsize, nor even whether or not they should have buy-out authority. H.R. 3218 confers such authority to the Forest Service as well as other Government agencies. Rather, the issue is whether or not the authorizing committees of the House are to be able to develop reasoned legislation within the jurisdiction that has been granted them by the rules of the House. The issue is whether or not the Members of both sides of the aisle are to be able to influence the development of that legislation. The issue is whether or not the full House will be able to consider such legislative proposals in an orderly process that permits the Members of this body to work their will. I urge the adoption of the motion.

□ 2040

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

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

Mr. Speaker, as the distinguished gentleman from Missouri [Mr. CLAY] knows, he and I had a conversation before I went to conference in which I told the gentleman that I would do my best to sustain his objection to the provision in the Senate bill. And I did that, Mr. Speaker. I worked very hard with the Senate in conference, telling them what I faced; that I was under an imprimatur from the House, a mandate not to accept legislation in my appropriation bill. I pointed out the rule that the House had adopted earlier this year that if legislation were adopted, it would call for a separate vote.

We discussed this with the Senate, back and forth, literally for days. It appears that President Clinton's Pacific Northwest forest plan will result in the Forest Service having to reduce an estimated 1,500 positions related to the timber sales program in 1994. The Forest Service estimates that this, due to RIF's and resignations, would cost $116 million. I want to point out that the early-out authority in this bill which I finally agreed to would save $26 million from that amount.

Second, I want to point out that I insisted upon protecting the rights of the legislative committee, of protecting the rights of the gentleman from Missouri [Mr. CLAY], by inserting a provision in the bill that would give precedence to any bill that the gentleman's committee passed that was enacted into law. The gentleman can proceed in an orderly fashion, as he says he should. He can pass the bill, as they are ready to do. The Senate can pass its version of the bill, as it is ready to do. At such time as that bill becomes law, it supersedes what we did in the conference report.

Mr. Speaker, the only effect that will result from the action of the conferees is that we will have saved $26 million by our action at this particular time.

Mr. Speaker, I want to tell the gentleman from Missouri [Mr. CLAY] that I am sorry that I had to yield to the Senate. The ways of conferences are like that. The gentleman has been in conferences himself. He knows that occasionally you have to accept a Senate provision in order to get a bill.

Mr. Speaker, I would hope that the House would sustain the committee and vote "no" on the motion.

Mr. Speaker, I yield 2 minutes to the gentleman from Ohio [Mr. REGULA].

Mr. REGULA. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I just want to point out it is not a partisan issue. This was something that was urged upon us by the Members of the Senate from both parties in the Northwest because they were concerned about what happens to these people as we downsize the Forest Service because of the policy of the President and the spotted owl issue.

Mr. Speaker, it seems to me that it is a matter of compassion for the individuals involved that there ought to be some form of separation. Private industry does this all the time when they have to separate people. It will save an estimated $25 million by not RIFing them.

Mr. Speaker, I can understand the position of the chairman of the Committee on Post Office and Civil Service. I hope they get a bill. We clearly provide that in the event of a bill, all of these arrangements drop out and the procedure goes forward under the terms of any bill that comes out of the authorizing committee.

Mr. Speaker, so we at least will get all of the facts out on this. They are contained in the report.

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

Mr. CLAY. Mr. Speaker, I yield 3 minutes to the gentleman from Mississippi [Mr. MONTGOMERY].

Mr. MONTGOMERY. Mr. Speaker, I rise in support of the motion offered by the gentleman from Missouri [Mr. CLAY]. There is no reason for us to be dealing with this issue in an appropriations measure. This is a clear case of an authorization in an appropriations bill.

The Senate has to stop putting legislation in appropriations measures. It is often done in conference agreements. In last year's conference agreement on the VA, HUD, and independent agencies bill, the Senate took $400 million from VA housing programs.

Now on this provision, the Post Office and Civil Service Committee, chaired by the Gentleman from Missouri [Mr. CLAY], is addressing this very issue in his Committee next week. The gentleman from Missouri and his committee members are the experts on this subject matter. It is their business to report legislation on this topic, and they are in the process of doing their job. Let us support the House Rules and the role of the authorizing committees. The Post Office and Civil Service Committee handles this issue which it is well-qualified to do.

I urge my colleagues to support Chairman CLAY's motion.

Mr. CLAY. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana [Mr. MYERS].

Mr. MYERS of Indiana. Mr. Speaker, I thank my colleague and chairman for yielding. I have to decide which hat I am going to wear tonight. I have been wearing most of the time the appropriations hat. I know the predicament we find ourselves in tonight. But particularly tonight it is not an urgency which we often find in appropriations, where we must authorize because something is going to happen if we do not that is detrimental to the program.

Mr. Speaker, I understand the Forest Service needs more people, not less people. But because of the recent idea about reinventing government, we are going to have to strike some people here. I am not sure what the consequences are. But what concerns me, unlike many times when the Committee on Appropriations must put authorization in, there is legislation pending now before the committee that the gentleman from Missouri [Mr. CLAY] is chairman of. Something will be done later this year, I am quite certain. The precedence we establish here, if we start providing early-outs for these people, what precedence do we provide for the legislation we are going to come back with, maybe hopefully in the next 30 to 60 days?

So, Mr. Speaker, I must say that even though I am a member of the Committee on Appropriations and also the ranking Republican on this committee, I must side with my Committee on Post Office and Civil Service, because we are setting a precedent here that I think will be dangerous with this type of legislation as to what we will have to do in the future. So I would hope that Members would know it is not the responsibility of the House; this was a Senate-added amendment here to this committee. I hope Members will wait and give at least the authorizing committee here, who has jurisdictional responsibility, who has already started legislation, we are having hearings, we are going to do everything we can, I would hope we would wait and give this committee an opportunity to function.

□ 2050

I hope we will support our chairman of the Committee on Post Office and Civil Service.

Mr. CLAY. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan [Mr. FORD].

Mr. FORD of Michigan. Mr. Speaker, I rise in support of the motion offered by Chairman Clay, that the House insist on its disagreement to Senate amendment 124 to H.R. 2520, the conference report on the Interior and related agencies appropriations bill.

My first objection to the Senate amendment is that it constitutes authorizing legislation on an appropriations bill. I am sure my colleagues recognize that this is not an unusual type of amendment to have returned from an appropriations conference. I do not fault the House conferees for bringing this amendment back to us. This is Senate amendment number 124. Clearly, our House colleagues had to make more than 100 trade offs with their counterparts from the other body. It is the other body which originated this provision and created this problem.

It is time to send a message to that body that the practice of legislating outside the authorizing process has to stop. With a new tool provided by the House rules, we have greater strength in enforcing our prerogatives.

Rule XXVIII, clause 2(B)(2) establishes a "legislative committee's preferential motion to insist." The procedure may be invoked by the chair of the committee of jurisdiction when the motion of the Appropriations Committee's floor manager to dispose of a Senate amendment would have the effect of changing existing law.

In effect, the new rule allows authorizing committee chairs to control debate on offending Senate provisions where the Appropriations chair has taken steps to accept it. This is the case here. Chairman Clay has acted on his right under the House rule to insist on disagreeing to the Senate amendment.

In this case, the Senate amendment would authorize the Forest Service to establish a separation bonus program. Not only does the amendment constitute authorizing legislation on an appropriations bill, it conflicts with H.R. 3218, legislation introduced at the request of the administration that is under consideration by the Committee on Post Office and Civil Service.

H.R. 3218 would authorize executive agencies to establish a program to encourage voluntary separations to minimize the need for involuntary separations caused by reductions-in-force. It would allow the heads of agencies that have no current authority to establish voluntary separation programs to offer employees up to $25,000 to agree to separate.

Chairman CLAY has moved aggressively to gather views on H.R. 3218. Since its introduction, two subcommittees have held hearings. A full committee markup is anticipated for later this month.

The Senate amendment would move ahead of this process, allowing one particular agency to establish a program without taking the responsible step of holding hearings and marking up legislation. This is an unacceptable eclipse of the authorizing process.

Mr. Speaker, I urge my colleagues to support the motion.

Mr. CLAY. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. CUNNINGHAM].

Mr. CUNNINGHAM. Mr. Speaker, I will be brief.

To me this is a battle between the authorization and appropriations committee. I think the other body has done a much better job on legislation than we have, but in this case I think that we are really looking at a precedent.

As I understood it, when I came here in the 102d Congress, we go through the authorization process. Then we appropriate.

I think we ought to stick to that. The gentleman from Illinois, I think he has a legitimate concern. I will probably support the gentleman from Illinois, if it goes through the authorization and then the appropriation committee. But the other concern I have is with the shortage of those types of individuals. We are going to have legislation here on the California Desert Plan. They are going to have over 6 million acres, and they do not have enough people to control it as it is.

They are going to legislate new National Parks, and they are still going to have a shortage.

Mr. CLAY. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. BROWN].

Mr. BROWN of California. Mr. Speaker, in many ways what the House is seeing here this evening is unique in its history. I would advise all the Members to pay careful attention to it.

The gentleman from Missouri [Mr. CLAY] is invoking, I think for the first time, although if it were invoked in the case of the Transportation Appropriation, I was not watching, a rule that we adopted at the beginning of this year aimed at the problem of legislating on appropriation bills. It did not aim to eliminate legislation on appropriations bills, as we saw from the previous action in which we legislated with regard to grazing fees on this very same bill.

What the rule does is allow the House to determine, after full debate, whether they wish to legislate on an appropriations bill.

I will say to all of my colleagues that there are times when we will wish to legislate, as we have just demonstrated. I have asked subcommittees of the Committee on Appropriations to legislate on appropriations bills and, yet, I am sometimes criticized as being a purist who is objecting to everything the Committee on Appropriations does.

I am not. I want this body to operate properly, according to its rules, with common sense, with an opportunity to debate every issue and to come to reasoned conclusions on it. That is done when we abide by the rules and when we make them work. We are in the process of doing that tonight.

I urge that we support the gentleman from Missouri [Mr. CLAY]. I have an identical situation in NASA where the President says, "You have got to downsize." They are laying off people like mad.

I have spoken to the gentleman from Missouri [Mr. CLAY] about this. We have agreed that it is proper to deal with it on a governmentwide basis.

I think we can do the same thing here. The problem is, if we do it on this bill, the Senators are notorious for not dealing with the authorization legislation, if they have already acted on an appropriations bill. It might be till hell freezes over before they pass the bill that the distinguished chairman will offer.

Mr. Speaker, I rise in support of the motion to disagree offered by the gentleman from Missouri [Mr. CLAY], the Chairman of the Post Office and Civil Service Committee.

Mr. Speaker, this is an important vote because it represents the first time that a new procedure which was included in the House rules of this Congress is being used to protect the prerogatives of the authorizing committees.

The great majority of the Members of this House who serve on authorizing committees should therefore pay careful attention to this motion and support the efforts of the distinguished Chairman of the Post Office and Civil Service Committee.

Mr. Speaker, the historical role of the authorizing committees is to set the basic policy framework for the Executive Branch through authorization bills. The role of the appropriations committee, of course, is to provide funding for the authorized programs, within the overall constraints of the budget. These roles are clearly spelled out in the House Rules, which prohibit any general appropriations bills from containing legislation or funding for unauthorized programs.

Unfortunately, the separation of the authorizing and appropriating powers is not as clearly distinguished (or respected) in the other body as it is in the House. For a variety of reasons which I will not detail here, there has been an increasing tendency in the last few years for the other body to add legislative language to appropriations bills. Under the House rules, such legislative amendments must be reported back to the House in technical disagreement, where it has been procedurally difficult for the authorizing committees to defeat the Senate legislative language.

Over the years, the authorizing committees have expressed deep concern about this practice of adopting Senate legislative amendments on appropriation conference reports. We have brought those concerns to the attention of the leadership, the Rules Committee, and the Appropriations Committee, but the practice has continued. In response to this continuing problem, chairmen of several of the authorizing committees last year proposed a new provision in the House Rules which permits the authorizers to offer a preferential motion to insist on disagreement with the Senate amendment.

We are faced with an example of a legislative amendment with Senate amendment No. 124, which authorizes the Forest Service to establish a separation bonus program. The question is not whether this is an appropriate policy. The question is whether the role of the authorizing committee in determining policy is to be respected.

The Committee on Post Office and Civil Service is working closely with the Administration on legislation to provide a government-wide voluntary separation bonus authority. This Senate amendment, if adopted, would provide piecemeal authority for the Forest Service which conflicts with the Administration's own legislative proposal. In addition, and more importantly in my view, the provision fundamentally undermines the authority of the Post Office and Civil Service Committee members to debate and determine what the appropriate policies should be.

If the motion to disagree is adopted, this provision will be sent back to conference; it will not affect any other provision in the conference report or any other amendment disposed of today.

Mr. Speaker, a vote for the Clay motion is a vote to respect regular order in this body. It is a vote to ensure that each of the Members who sit on an authorizing committee retains his or her right to participate, debate, and vote on the policy issues entrusted to their responsibility. It is a vote to ensure that the handful of Senators who sit on the Appropriations Committee do not have greater power to set policy than the hundreds of the Members of this body who sit on authorizing committees.

I urge my colleagues to support the authorizing committees and to vote for the Clay motion to insist on disagreement.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. MFUME). The Chair will advise Members to refrain from all characterizations of the other body.

Mr. CLAY. Mr. Speaker, I yield 2 minutes to the gentlewoman from the District of Columbia [Ms. NORTON].

Ms. NORTON. Mr. Speaker, I rise in support of the Clay motion and to support the chairman of the House Committee on Post Office and Civil Service.

I am chair of the Subcommittee on Compensation and Employee Benefits before whom the offending language should have come. When the chairman of one of our authorizing committees objects to the inclusion of authorizing language in an appropriations bill, I believe we must support the chair. I can appreciate the position that the gentleman from Illinois, Chairman YATES, was placed in. I am sure that he tried as hard as he could. It may be that for that reason this body needs to act, because I do not see how he could have acted otherwise.

This language is especially unnecessary in this case where the chairman put the matter on the fastest conceivable track and instructed me to do so in subcommittee and where the authorizing language inserted in an appropriations bill, as it turns out, is completely unnecessary.

We turned somersaults in an effort to see if this language would be necessary before the bill is passed. Everywhere we looked, the answer was no. We determined that we were actually ahead of the need for this language. I was prepared to ask the chairman to consider an exception in the event of an emergency or a special need, but there seemed to be only anxiety, not a need.

We must not begin to operate in this House as the other body has done, especially because of the size of our membership. We must adhere to well-established rules and protocol governing the manner in which we do business.

This amendment violates our rules, which should not be compromised without the unanimous consent of Members. This is the long and short of it, and it should be the end of it.

Please vote for the Clay motion.

Mr. CLAY. Mr. Speaker, I have no further requests for time, I urge an aye vote on the motion, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the preferential motion offered by the gentleman from Missouri [Mr. CLAY].

The preferential motion was agreed to.

□ 2100

The SPEAKER pro tempore (Mr. MFUME). The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 125: Page 80, after line 5 insert:

Sec. 322. None of the funds provided in this Act may be used to study or implement the Bureau of Land Management/United States Forest Service comprehensive strategy for Pacific salmon and steelhead habitat ("PACFISH") in the Tongass National Forest.

MOTION OFFERED BY MR. YATES

Mr. YATES. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. YATES moves that the House recede from its disagreement to the amendment of the Senate numbered 125, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment, insert:

"SEC. 321. None of the funds provided in this Act may be used to implement the Bureau of Land Management/United States Forest Service comprehensive strategy for Pacific salmon and steelhead habitat (PACFISH) or to impose interim guidelines for such strategy in the Tongass National Forest: *Provided*, That nothing in this section shall be construed to enlarge or diminish minimum timber no harvest buffer zones required by the Tongass Timber Reform Act or to enlarge or diminish site-specific management prescriptions which increase no harvest fish stream buffer zones applied under the Tongass Land Management Plan and existing standards and guidelines of the Tongass National Forest."

And on page 52, line 21 of the House engrossed bill, H.R. 2520, strike "$150,000,000 on October 1, 1993, $250,000,000" and insert "$125,000,000 on October 1, 1993, $275,000,000"

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

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the conference report and the several motions was laid on the table.

PERSONAL EXPLANATION

Mr. HASTERT. Mr. Speaker, I was unavoidably delayed during rollcall votes No. 522, 523, 524, and 525 on H.R. 2520. Had I been present I would have voted "no" on rollcall vote No. 522, "no" on rollcall vote No. 523, "no" on rollcall vote No. 524, and "yes" on rollcall vote No. 525 .

PERSONAL EXPLANATION

Mr. BATEMAN. Mr. Speaker, on October 20, I missed roll-call vote 525. Had I been present, I would have voted "yea."

GENERAL LEAVE

Mr. YATES. Mr. Speaker, I ask unanimous consent that all Members may have five legislative days in which to revise and extend their remarks, and include extraneous and tabular material, on H.R. 2520, the conference report just agreed to.

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

There was no objection.

CONFERENCE REPORT ON H.R. 2492, DISTRICT OF COLUMBIA SUPPLEMENTAL APPROPRIATIONS AND RESCISSIONS ACT, 1993

Mr. DIXON submitted the following conference report and statement on the bill (H.R. 2492) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1994, and for other purposes:

CONFERENCE REPORT (H. REPT 103-303)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 2492) "making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1994, and for other purposes," having met, after further full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 2, 3, 8, 9, 13, 18, and 24.

That the House recede from its disagreement to the amendments of the Senate numbered 12, 14, 16, 20, 28, 39, 40, 41, 42, 43, 44, 45, 46, 47, and 48, and agree to the same.

Amendment numbered 4:

That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$115,888,000*; and the Senate agree to the same.

Amendment numbered 7:

That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$892,156,000*; and the Senate agree to the same.

Amendment numbered 11:

That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$711,742,000*; and the Senate agree to the same.

Amendment numbered 15:

That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$882,359,000*; and the Senate agree to the same.

Amendment numbered 17:

That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$206,191,000*; and the Senate agree to the same.

Amendment numbered 21:

That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment, as follows:

In lieu of the sum named in said amendment insert: *$2,202,000*; and the Senate agree to the same.

Amendment numbered 27:

That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment, as follows:

Delete the matter proposed by the House and stricken by the Senate and delete the matter proposed by the Senate; and the Senate agree to the same.

Amendment numbered 30:

That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree to the same with an amendment, as follows:

In lieu of the matter proposed in said amendment, insert:

SEC. 138. AMENDMENTS TO CHARTER FOR GROUP HOSPITALIZATION AND MEDICAL SERVICES.

(a) LEGAL DOMICILE.—The first section of the Act entitled "An Act providing for the incorporation of certain persons as Group Hospitalization, Inc.", approved August 11, 1939 (hereafter referred to as "the Act"), is amended by adding at the end thereof the following: "The District of Columbia shall be the legal domicile of the corporation.".

(b) REGULATORY AUTHORITY.—

(1) IN GENERAL.—Section 5 of the Act is amended to read as follows:

"SEC. 5. The corporation shall be licensed and regulated by the District of Columbia in accordance with the laws and regulations of the District of Columbia.".

(2) REPEAL.—The Act is amended by striking section 7.

(c) REIMBURSEMENT OF REGULATORY COSTS BY THE CORPORATION.—The Act (as amended by subsection (b) of this section) is amended by inserting after section 6 the following new section:

"SEC. 7. The corporation shall reimburse the District of Columbia for the costs of insurance regulation (including financial and market conduct examinations) of the corporation and its affiliates and subsidiaries by the District of Columbia.".

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect October 1, 1993.

SEC. 139. (a) Title IV of the District of Columbia Omnibus Budget Support Act of 1992 (D.C. Law 9-145) is hereby repealed, and any provision of the District of Columbia Retirement Reform Act amended by such title is restored as if such title had not been enacted into law.

(b) Subsection (a) shall apply beginning September 10, 1992.

SEC. 140. Section 422(3) of the District of Columbia Self-Government and Governmental Reorganization Act of 1973, approved December 24, 1973 (87 Stat. 790; D.C. Code, sec. 1-242(3)), is amended by striking the period at the end of the fourth sentence and inserting the following:

", and except that nothing in this section shall prohibit the District from paying an employee overtime pay in accordance with section 7 of the Fair Labor Standards Act of 1938 (29 U.S.C. 207).".

SEC. 141. Effective October 1, 1993, there is hereby established pursuant to the District of Columbia Fund Accounting Act of 1980, effective June 14, 1980 (D.C. Law 3-70; D.C. Code, sec. 47-371 et seq.), a Cash Reserve Fund to replenish the consolidated cash balances of the District of Columbia.

SEC. 142. None of the Federal funds appropriated under this Act shall be expended for any abortion except when it is made known to the entity or official to which funds are appropriated under this Act that such procedure is necessary to save the life of the mother or that the pregnancy is the result of an act of rape or incest.

Amendment numbered 32:

That the House recede from its disagreement to the amendment of the Senate numbered 32, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$6,342,000*; and the Senate agree to the same.

Amendment numbered 34:

That the House recede from its disagreement to the amendment of the Senate numbered 34, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$5,202,000*; and the Senate agree to the same.

Amendment numbered 35:

That the House recede from its disagreement to the amendment of the Senate numbered 35, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$5,040,000*; and the Senate agree to the same.

Amendment numbered 36:

That the House recede from its disagreement to the amendment of the Senate numbered 36, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$20,578,000*; and the Senate agree to the same.

Amendment numbered 37:

That the House recede from its disagreement to the amendment of the Senate numbered 37, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$14,348,000*; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 5, 6, 10, 19, 22, 23, 25, 26, 29, 31, 33, and 38.

JULIAN C. DIXON,
LOUIS STOKES,
RICHARD J. DURBIN,
MARCY KAPTUR,
DAVID E. SKAGGS,
NANCY PELOSI,
WILLIAM H. NATCHER,
Managers on the Part of the House.

HERB KOHL,
PATTY MURRAY,

DIANNE FEINSTEIN,
ROBERT C. BYRD,
CONRAD BURNS,
CONNIE MACK,
MARK O. HATFIELD,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the further conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 2492) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1994, and for other purposes, submit the following joint statement of the House and the Senate in explanation of the effect of the actions agreed upon by the managers and recommended in the accompanying conference report.

RETIREMENT OF CHIEF JUDGE FRED B. UGAST

The conferees note the impending retirement of Judge Fred B. Ugast, Chief Judge of the District of Columbia Superior Court, after 20 years of judicial service, and congratulate him on his accomplishments in the areas of innovative programs, case processing efficiencies, and expanding access to court services. Chief Judge Ugast encouraged the development of the nationally recognized Civil Delay Reduction Program in 1989. His administration also developed the Specialized Felony Drug Calendar program which resulted in earlier disposition of criminal drug cases. He expanded the court's "Settlement Week" program into a formalized alternative dispute resolution program that is integrated into the civil, small claims, and domestic relations case processing systems. His administration has also emphasized expanded access to justice services.

Chief Judge Ugast's strong leadership and vision has truly enhanced the administration of justice in the District of Columbia. He leaves a lasting legacy of significant accomplishments in public service.

DEVELOPMENTAL DAY CARE FOR HOMELESS CHILDREN

Homeless preschool children represent the fastest growing, most fragile and vulnerable segment of the homeless population. Currently, 725 homeless families with approximately 957 preschoolers live in shelters in the District.

Programs serving homeless preschool children in the District should receive a fair share of day care funds made available to the District through Federal child care and block grant funding such as the Stewart B. McKinney Homeless Assistance Act of 1987 (Public Law 100-177). The Department of Human Services is urged to review its funding commitments and take expeditious steps to ensure that programs serving these homeless children are included in the allocation of available day care resources. Although McKinney Act funds are provided through the District's public schools to assist in meeting the needs of homeless school age children, the District currently has no program or special funding available to satisfy the very special developmental needs of the homeless preschool population.

The Committee encourages District officials to take the necessary creative steps to seek and use available Federal resources to meet the acute needs of homeless children and their families. In particular, District officials should improve coordination of resources directed toward the homeless and seek out additional existing funding available under the McKinney Act.

NATIONAL CHILD PROTECTION, TRAUMA AND RESEARCH CENTER

The House and Senate Subcommittees on District of Columbia Appropriations have provided significant support for the National Child Protection, Trauma and Research Center in previous years and the conferees wish to reiterate their strong support for the project. Although the Subcommittees lack sufficient Federal funds in their 602(b) allocations at this time to fund the project, the conferees continue their strong interest in supporting the Center through the appropriations process.

DEPARTMENT OF CORRECTIONS

The District of Columbia is party to several court orders and consent decrees meant to alleviate overcrowding and to mandate staff levels, security requirements, and standards of health and sanitation in facilities operated by the Department of Corrections. In the past 10 years, the Department's average daily inmate population has grown from approximately 6,500 to over 11,500. In order to comply with judicial requirements and to avoid additional court fines, the District has for several years outplaced prisoners in private and public corrections facilities in other states. In light of budget constraints, however, and citing a leveling trend in prison population, the District has recently reduced its out-of-state correctional contracting.

The conferees commend the District in its effort to secure the most cost-effective inmate housing. The conferees note, however, that according to information provided to them, the cost competitiveness and general quality of corrections contractors appear well documented. Moreover, the conferees are concerned that District inmates not be eligible for early release to reduce overcrowding as a result of returning D.C. prisoners to District-owned facilities. Even if this is not the case and inmate population is stable at an acceptable level, the prospect of future requirements makes it appear prudent to maintain some ongoing outside contracting capacity until additional new capacity is available in District-owned facilities. Should the Department of Corrections require expanded use of outside contracted prison or jail capacity the conferees will consider a supplemental or reprogramming request for the necessary increased costs, if any.

GEORGETOWN UNIVERSITY COGENERATION FACILITY

In 1989, Georgetown University, operating under that applicable local and Federal energy policy statutes, initiated District of Columbia approvals to develop a cogeneration plant on its campus. It is the conferees' understanding that approvals for this facility include three environmental policy acts enacted by the Council of the District of Columbia and 19 regulatory approvals as well as zoning approval granted and upheld by the D.C. Court of Appeals.

The proposed facility would continue to provide the much needed steam for the University at the same time that it provides the Potomac Electric Power Company with additional capacity on its system. Because of the energy and financial savings and the need for additional power, the conferees, encourage the District of Columbia to review, with the applicants, the basis for withdrawal of the environmental approval to construct the cogeneration facility.

TITLE I

FISCAL YEAR 1994 APPROPRIATIONS

FEDERAL FUNDS

FEDERAL CONTRIBUTION TO RETIREMENT FUNDS

Amendment No. 1: Restores language proposed by the House and stricken by the Senate which delays the obligation and expenditure of $2,000,000 until September 30, 1994, and October 1, 1994, respectively.

FEDERAL CONTRIBUTION FOR CRIME AND YOUTH INITIATIVES

Amendment No. 2: Appropriates $17,327,000 as proposed by the House instead of $15,327,000 as proposed by the Senate.

Amendment No. 3: Deletes language proposed by the Senate which would have allowed the Mayor to use a portion of the appropriations for Federal Crime and Youth Initiatives for the operation of the Trauma Care Fund established in Public Law 102-382 (106 Stat. 1428).

DISTRICT OF COLUMBIA FUNDS

GOVERNMENTAL DIRECTION AND SUPPORT

Amendment No. 4: Appropriates $115,888,000 instead of $118,543,000 as proposed by the House and $114,781,000 as proposed by the Senate. The increase of $1,107,000 above the Senate allowance reflects final action by the Mayor and Council on the fiscal year 1994 budget amendment that was transmitted to Congress September 13, 1993 (H. Doc. 103-136).

Amendment No. 5: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which requires the District to identify local sources of revenues for the account "Admission to Statehood".

ECONOMIC DEVELOPMENT AND REGULATION

Amendment No. 6: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the sum inserted by said amendment, insert: *$87,293,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference action appropriates $87,293,000 instead of $85,348,000 as proposed by the House and $85,629,000 as proposed by the Senate.

The increase of $1,644,000 above the Senate allowance reflects final action by the Mayor and Council on the fiscal year 1994 budget amendment that was transmitted to Congress September 13, 1993 (H. Doc. 103-136).

PUBLIC SAFETY AND JUSTICE

(INCLUDING TRANSFER OF FUNDS)

Amendment No. 7: Appropriates $892,156,000 instead of $907,966,000 as proposed by the House and $877,703,000 as proposed by the Senate.

The conference agreement reflects final action by the Mayor and Council on the fiscal year 1994 budget amendment that was transmitted to Congress September 13, 1993 (H. Doc. 103-136).

Police and Fire Clinic.—The conferees were recently informed that the District has undertaken a study to examine the costs and services now provided by the Clinic and plan to have a comprehensive package developed by January 1994 that will (1) recommend a system for providing performance of duty medical services to District police and fire fighters and for determining the impact of the system on Federal agencies currently receiving services from the Clinic on a reimbursable basis; (2) compare the cost of providing the Clinic's current services with the

cost of providing these services through private health care providers; and (3) provide an implementation schedule and cost analysis for establishing the new system. The conferees request that the study and comprehensive package address the comments and recommendations for the Federal agencies using the Clinic's services. The conferees note that the Federal agencies involved probably have not had an opportunity to consider the impact of changes proposed in the Clinic's operations on their fiscal year 1994 budgets, and therefore request District officials to make every effort to ensure that no changes are made in the availability of the Clinic's services prior to the Federal agency's concurrence with the changes or arrangement for alternative services. The conferees look forward to receiving the comprehensive package in early 1994, and direct that the Police and Fire Health Clinic continue operating in fiscal year 1994 at the fiscal year 1993 level until such time as the comprehensive plan is approved by the Committees on Appropriations of the House and the Senate. The conferees commend the District for identifying and implementing several cost cutting measures which have resulted in reducing nonpersonal services costs by $400,000. The conferees encourage District officials to continue their efforts to identify and implement cost cutting measures relative to the Clinic's current operations.

Fire suppression liquid.—The conferees have received the Fire Department's report regarding the features of a fire suppression liquid concentrate called Pyrocap B-136. The Department's report indicates that the concentrate greatly reduces toxic smoke, heat, and "completely relieves the problem of burnback in cases of petroleum fires". The conferees urge the Department to use this technology whenever possible, and to place it on trucks that answer fire emergencies in several parts of the city including several inner-city areas that have high fire incident rates as well as the White House and the Federal enclave. The conferees plan to review the use of this technology with fire officials at next year's hearings.

Amendment No. 8: Deletes language proposed by the Senate which would have provided $4,000,000 "from other Federal sources hereafter appropriated" to fund the D.C. National Guard ($1,100,000); the Office of Emergency Preparedness ($1,848,000); and object class 70 (equipment) of the Metropolitan Police Department ($1,052,000).

Amendment No. 9: Restores language proposed by the House and stricken by the Senate that prohibit the elimination of the Administrative Assistants to the Battalion Fire Chiefs in the Fire Department.

Amendment No. 10: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter proposed in said amendment, insert: *: Provided further, That in addition to the $892,156,000 appropriated under this heading, an additional $1,025,000 and 11 full-time equivalent positions shall be transferred from the Department of Administrative Services to the District of Columbia Court System for janitorial services, pest control, window washing, trash collection and removal, and landscaping*

, and

on page 5, after line 7 of the House engrossed bill H.R. 2492 insert "(Including Transfer of Funds)" as a centerhead.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference action deletes a proviso proposed by the Senate that would have prohibited the closing of Engine Company 3 located at 439 New Jersey Avenue, Northwest, and inserts a new proviso that transfers $1,025,000 and 11 full-time equivalent positions from the Department of Administrative Services under Governmental Direction and Support to the District of Columbia Court System for janitorial services, pest control, window washing, trash collection and removal, and landscaping. The conference action also inserts a new centerhead "Including Transfer of Funds" under the Public Safety and Justice appropriation heading.

Regarding the closing of Engine Company 3 located at 439 New Jersey Avenue, Northwest, the conferees have received assurances from the City Administrator that the closing ". . . will *not* impact on the level of fire protection afforded the U.S. Capitol or any part of the Capitol Hill area" and that the "Fire Department anticipates upgrading Ambulance Number 15, which is currently housed at Engine Company 3, to an Advanced Life Support unit staffed with paramedics . . . during the first quarter of fiscal year 1994. It will be moved to one of the four fire stations within a mile of the U.S. Capitol."

This action by the conferees is taken on the condition that District officials, at least 15 days prior to the closing of Engine Company 3, fully brief appropriate officials of the Architect of the Capitol on the District's plans for closing Engine Company 3 and continuing to provide the excellent service to the Capitol complex that has been provided in the past. The conferees stress the statement made by the head of the Architect's fire protection division that, "There needs to be assurance that the excellent service provided by the Fire Department in the past will not be diminished by any proposed change."

The conference agreement approves the transfer of $1,025,000 and 11 positions, to the D.C. Court System. The conferees were informed by the executive officer of the courts that the Department of Administrative Services has agreed to the transfer of these resources to the Court System. The executive officer further stated that while the Department of Administrative Service "appears to do the best it can under difficult circumstances, the courts suffer the consequences of reductions in service delivery."

PUBLIC EDUCATION SYSTEM

Amendment No. 11: Appropriates $711,742,000 instead of $711,813,000 as proposed by the House and $710,742,000 as proposed by the Senate. The conference action reflects final action by the Mayor and Council on the fiscal year 1994 budget amendment that was transmitted to Congress September 13, 1993 (H. Doc. 103-136).

Amendment No. 12: Allocates $3,474,000 for the Commission on the Arts and Humanities as proposed by the Senate instead of $3,540,000 as proposed by the House. The reduction of $66,000 below the House allowance reflects final action by the Mayor and Council on the fiscal year 1994 budget amendment that was transmitted to Congress September 13, 1993 (H. Doc. 103-136).

Amendment No. 13: Allocates $4,500,000 for the D.C. School of Law as proposed by the House instead of $3,500,000 as proposed by the Senate. The increase of $1,000,000 above the Senate allowance reflects the restoration of $1,000,000 that was included in final action by the Mayor and Council on the fiscal year 1994 budget amendment that was transmitted to Congress September 13, 1993 (H. Doc. 103-136).

Amendment No. 14: Allocates $487,000 for the Education Licensure Commission as proposed by the Senate instead of $492,000 as proposed by the House. The conference agreement reflects final action by the Mayor and Council on the fiscal year 1994 budget amendment that was transmitted to Congress September 13, 1993 (H. Doc. 103-136).

HUMAN SUPPORT SERVICES

Amendment No. 15: Appropriates $882,359,000 instead of $914,830,000 as proposed by the House and $869,587,000 as proposed by the Senate. The increase of $12,772,000 above the Senate allowance reflects final action by the Mayor and Council on the fiscal year 1994 budget amendment that was transmitted to Congress September 13, 1993 (H. Doc. 103-136).

Amendment No. 16: Provides that $20,905,000 is to remain available until expended for the District's employees' disability compensation program as proposed by the Senate instead of $17,905,000 as proposed by the House. The increase of $3,000,000 above the House allowance reflects final action by the Mayor and Council on the fiscal year 1994 budget amendment that was transmitted to Congress September 13, 1993 (H. Doc. 103-136).

PUBLIC WORKS

Amendment No. 17: Appropriates $206,191,000 instead of $215,749,000 as proposed by the House and $203,939,000 as proposed by the Senate. The increase of $2,252,000 above the Senate allowance reflects final action by the Mayor and Council on the fiscal year 1994 budget amendment that was transmitted to Congress September 13, 1993 (H. Doc. 103-136).

Water and Sewer Utility Administration.—The conference action abolishes 51 positions to reflect final action by the Mayor and Council on the District's fiscal year 1994 budget amendment (H. Doc. 103-136).

REPAYMENT OF LOANS AND INTEREST

Amendment No. 18: Deletes language proposed by the Senate which would have authorized the use of funds appropriated under this heading to pay the debt service for the first year on $50,000,000 that the District would have been authorized to borrow under capital outlay as matching funds for constructing or modernizing the George Washington University Hospital.

Amendment No. 19: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the sum proposed in said amendment, insert: *$306,264,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement appropriates $306,264,000 instead of $312,948,000 as proposed by the House and $316,948,000 as proposed by the Senate.

The reduction of $6,684,000 below the House allowance reflects final action by the Mayor and Council on the fiscal year 1994 budget amendment that was transmitted to Congress September 13, 1993 (H. Doc. 103-136). The Senate allowance included $4,000,000 to cover the first year debt service for $50,000,000 in general obligation bonds the District would have issued under amendment number 24 to provide matching funds for modernization of the George Washington University Hospital. Section 6 of the Trauma Care Systems Planning and Development Act of 1990 (Public Law 101-590; 104 Stat. 2929) authorizes a total of $50,000,000 to George Washington University Hospital as matching funds for the purpose of constructing or modernizing their medical facility.

PAY ADJUSTMENT

Amendment No. 20: Appropriates $81,680,000 as proposed by the Senate instead of $70,680,000 as proposed by the House. The increase of $11,000,000 above the House allowance reflects final action by the Mayor and Council on the fiscal year 1994 budget amendment that was transmitted to Congress September 13, 1993 (H. Doc. 103-136).

SEVERANCE PAY

Amendment No. 21: Inserts new heading and paragraph as proposed by the Senate and appropriates $2,202,000 instead of $11,033,000 as proposed by the Senate. The decrease of $8,831,000 below the Senate allowance reflects final action by the Mayor and Council on the fiscal year 1994 budget amendment that was transmitted to Congress September 13, 1993 (H. Doc. 103-136). The Senate action reflected the Mayor's proposal as submitted to the Council.

D.C. GENERAL HOSPITAL DEFICIT PAYMENT

Amendment No. 22: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter proposed in said amendment, insert:

D.C. GENERAL HOSPITAL DEFICIT PAYMENT

For the purpose of reimbursing the General Fund for costs incurred for the operation of the D.C. General Hospital pursuant to D.C. Law 1-134, the D.C. General Hospital Commission Act of 1977, $10,000,000.

ENERGY ADJUSTMENTS

The Mayor shall reduce appropriations and expenditures for energy costs in the amount of $482,000 within one or several of the various appropriation headings in this Act.

COMMUNICATIONS ADJUSTMENTS

The Mayor shall reduce appropriations and expenditures for communications costs in the amount of $158,000 within one or several of the various appropriation headings in this Act.

CONTRACTUAL SERVICES ADJUSTMENTS

The Mayor shall reduce contractual services appropriations and expenditures within object class 40 in the amount of $1,500,000 within one or several of the various appropriations headings in this Act: Provided, That no reductions shall be made to agencies not under the direct control of the Mayor or to the Department of Human Services.

CASH RESERVE FUND

For the purpose of a cash reserve fund to replenish the consolidated cash balances of the District of Columbia, $3,957,000.

, and

on page 13 line 3 of the House engrossed bill, H.R. 2492, strike "$3,423,000" and insert "$3,323,000".

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference action appropriates $10,000,000 instead of $20,000,000 as proposed by the Senate for the D.C. General Hospital Deficit Payment to the District's general fund. The reduction of $10,000,000 below the Senate allowance reflects final action by the Mayor and Council on the fiscal year 1994 budget amendment transmitted to Congress September 13, 1993 (H. Doc. 103-136). The conference action also inserts three new headings and paragraphs requested by the Mayor and Council in H. Doc. 103-136 which authorize the Mayor to reduce appropriations and expenditures throughout the District government in energy (-$482,000), communications (-$158,000), and contractual services for all agencies under the Mayor's direct control except for the Department of Human Services (-$1,500,000). The conference action also inserts a new heading "Cash Reserve Fund" and paragraph appropriating $3,957,000 to replenish the consolidated cash balances of the District government as requested by the Mayor and Council in H. Doc. 103-136.

In addition, the conference action appropriates $3,323,000 for optical and dental benefits as requested by the Mayor and Council in H. Doc. 103-136 instead of $3,423,000 as proposed by the House and the Senate.

PERSONAL AND NONPERSONAL SERVICES ADJUSTMENTS

Amendment No. 23: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

Delete the sum stricken by said amendment and delete the sum inserted by said amendment and strike out line 10 through and including line 14 on page 13 of the House engrossed bill H.R. 2492, and on page 29, line 12 of the House engrossed bill H.R. 2492 strike out "1993" and insert in lieu thereof "1994".

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference action deletes reductions of $27,062,000 proposed by the House and stricken by the Senate and $7,000,000 proposed by the Senate and deletes the heading and paragraph relative to Personal and Nonpersonal Services Adjustments which would have authorized the Mayor to reduce appropriations and expenditures throughout the District government to keep the budget in balance. The conference agreement reflects final action by the Mayor and Council on the fiscal year 1994 budget amendment transmitted to Congress September 13, 1993 (H. Doc. 103-136). The budget amendment distributes the reductions proposed by the House and Senate to agency budgets.

The conference action also extends for 12 months (from December 31, 1993, to December 31, 1994) the District's authority to retire up to 50 fire fighters or members of the Fire and Emergency Medical Services Department who were hired before February 14, 1980, and exclude those disability retirements from the computation of the rate of disability retirements under subsection 145(a) of the District of Columbia Retirement Reform Act (Public Law 96-122). The conferees have been advised by District officials that the additional 12 months are required to properly process these cases. The intent of section 132 in H.R. 2492 is to exempt up to 50 disability retirements from the trigger mechanism calculation for any period from October 1, 1993 through December 31, 1994. The trigger mechanism calculation is included in Public Law 96-122 and allows the annual Federal payment of $52,070,000 to the police officers and fire fighters retirement fund to be reduced when the disability retirement rate exceeds an established limit.

CAPITAL OUTLAY

Amendment No. 24: Appropriates $108,743,000 as proposed by the House instead of $158,743,000 as proposed by the Senate. The Senate allowance included $50,000,000 that the District government would have borrowed and transferred to George Washington University for use as matching funds for modernization of the George Washington University Hospital. Section 6 of the Trauma Care Systems Planning and Development Act of 1990 (Public Law 101-590) authorizes a total of $50,000,000 to George Washington University Hospital for the purpose of constructing or modernizing its medical facility.

Amendment No. 25: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter proposed in said amendment, insert: *: Provided further, That the District of Columbia government shall transmit to the House and Senate Committees on Appropriations, the House Committee on the District of Columbia, and the Senate Committee on Governmental Affairs, no later than April 15, 1994, a proposed plan providing for the financing of the capital rehabilitation and revitalization of the medical infrastructure within the District of Columbia: Provided further, That this plan shall include how the capital needs of all hospitals will be addressed: Provided further, That this plan shall specifically address the currently authorized George Washington University project as part of the overall plan.*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference action deletes language proposed by the Senate that would have allocated $50,000,000 of the funds borrowed under Capital Outlay solely for the purpose of carrying out section 6 of Public Law 101-590 (104 Stat. 2929) and would have required the funds to be transferred within 45 days of receipt of the bond proceeds and inserts in lieu thereof a proviso that requires the District government to transmit a plan by April 15, 1994, to the House and Senate Committees on Appropriations, the House Committee on the District of Columbia, and the Senate Committee on Governmental Affairs. The plan is to provide proposals for the financing of the capital rehabilitation and revitalization of the medical infrastructure within the District of Columbia. The conferees request that the plan include how the capital needs of all hospitals will be addressed and how the plan will specifically address the currently authorized George Washington University project as part of the overall plan.

The George Washington University Hospital. The history of federal support to hospitals in Washington, D.C. dates to June 1941 when the Congress enacted the National Defense Public Works Act that has become known as the Lanham Act (Public Law 137, 77th Congress; 55 Stat. 361). The Lanham Act provided for the construction of waterworks, sewage disposal systems, streets, and hospitals. It was through this authority that the current George Washington University Hospital was built. In 1946, the Congress enacted the Washington Hospital Center Act (Public Law 648, 79th Congress) which provided for the consolidation of three District hospitals into the Washington Hospital Corporation. This Act was amended several times to include the other hospitals in the city. In the 1968 District of Columbia Hospital and Medical Facilities Construction amendments, funds were authorized for seven hospitals because the District was unable to raise the necessary matching funds to make use of Hill-Burton funds. In 1990, the Congress enacted the Trauma Care System Planning and Development Act which authorized a 50-percent matching federal grant for George Washington University Hospital to complete its estimated $100 million modernization project.

The conferees believe that the above history makes it clear that the Federal government has historically played a significant role in financing the construction, renovation, and expansion of medical care facilities

in the District of Columbia. Since the last use of the original 1946 Act, the enactment of the District's Home Rule Act has changed the relationship between the District and Federal governments. This change necessitates a review of the funding mechanism for District hospital capitol projects. The conference agreement includes language requiring such a review and submission of a plan contemporaneous with the submission of the District's fiscal year 1995 budget on April 15, 1994.

The conferees note that, according to information available to them, most states and some local governments provide financial assistance to health care facilities within their jurisdictions. It has not been necessary for the District government to address this matter since Home Rule; however, it has now become necessary. As noted above the current physical plants of most of the hospitals in the District are approximately the same age and will soon, if they do not now, require substantial rehabilitation, renovation or reconstruction. As a general rule the financing of the capital needs of public hospitals requires some public assistance from government at some level. To ensure that help is applied evenly and that everyone knows what the procedure is there must be a plan. The conferees have asked the District government to develop and submit such a plan. In developing this plan, the conferees anticipate that the District will make use of available resources, including the Mayor's Task Force on Long Term Strategies to Improve the District of Columbia Public Health Care Delivery systems, the D.C. Hospital Association, the General Accounting Office and other interested public and private organizations.

This plan will specifically address the George Washington University Medical Center because it has an existing authorization to undertake a project of renovation and construction. George Washington University Hospital is a private institution with a public mission. It is the closest emergency medical facility to the White House, State Department and most foreign embassies. Everyone is familiar with the heroic efforts of its staff in March 1981 after an assassination attempt on the President of the United States. The hospital has specific emergency arrangements with the White House for such occasions and undertake additional preparedness during events such as summit conferences and major world meetings that take place in Washington, D.C. What goes unreported, but is more compelling, are the everyday crises that befall visitors or government workers downtown that find their way to the George Washington University Hospital. The emergency room currently sees 50,000 patients in a space designed for 30,000 annually. The University's own consultant has stated that the facility is 38 percent too small. Planning for expansion and renovation has identified minimum needs of $100 million. Included are expansion of the emergency room, additional operating rooms, and expanded critical care areas as well as physical, mechanical and space requirements for modern medical technology.

Children's National Medical Center.—Similarly, Children's National Medical Center has undertaken construction to house the National Child Protection, Trauma and Research Center. There is now nowhere in the District for such facilities to seek financial assistance. This omission should be addressed and a policy decision reached as to how such projects will be handled, currently and in the future.

Amendment No. 26: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which allows the Washington Aqueduct to use $500,000 of the funds borrowed under this heading to initiate construction of modifications to the Little Falls Dam facility to allow passage for anadromous fish on the Potomac River.

GENERAL PROVISIONS

Amendment No. 27: Deletes section 135 proposed by the House and stricken by the Senate and deletes a new section 135 proposed by the Senate. The House language stricken by the Senate and the Senate language deleted by the conferees are identical and would have prohibited the Mayor from contracting out for goods and services now provided by District employees until the Mayor submitted to the Council and the Council approved revised contracting policies and procedures that (1) provided a cost analysis for each contract and (2) showed that contracting out would provide savings of at least 10 percent over the duration of the contract.

Amendment No. 28: Deletes language proposed by the House and stricken by the Senate that would have prohibited the Mayor from awarding certain contracts over $1,000,000 until after the Council had approved the proposed contract award.

Amendment No. 29: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the section number named in said amendment, insert: *137*

, and

on page 33, line 11 of the House engrossed bill H.R. 2492 strike out "Sec. 137" and insert in lieu thereof "Sec. 135"

, and

on page 33, line 23 of the House engrossed bill H.R. 2492 strike out "Sec. 138" and insert in lieu thereof "Sec. 136".

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference action changes section number 139 proposed by the Senate to section number 137 and inserts language proposed by the Senate which requires the Mayor to report to the Congress within 90 days on the status of construction of a new Federal prison in the District of Columbia that was previously authorized.

The conference action also makes technical changes by renumbering sections 137 and 138 to 135 and 136, respectively, to reflect action by the conferees on amendment numbers 27 and 28.

Amendment No. 30: Changes the section number from 140 as proposed by the Senate to 138 and adds a new section as proposed by the Senate amending the congressional charter for Group Hospitalization, Inc. to establish the District of Columbia as the legal domicile for the corporation. The language requires the corporation to be licensed in and regulated by the laws and regulations of the District of Columbia government. The amendments are permanent legislation and takes effect October 1, 1993, instead of on the date of enactment of this Act. Identical substantive language was included in section 137 of the FY 1993 D.C. Appropriations Act (Public Law 102-382; 106 Stat. 1435) for a one-year period with the understanding that specific authorizing legislation would be enacted. The language in Public Law 102-382 will expire September 30, 1993.

Section 139 repeals three amendments to the District of Columbia Retirement Reform Act of 1976 (Public Law 96-122) that were included as part of the District's Omnibus Budget Support Act of 1992. Testimony was received from the Board's chairman requesting the repeal of these amendments. In a follow-up letter dated September 21, 1993, the Board chairman stated "As fiduciaries charged with the responsibility of managing the retirement funds for the District's police officers, fire fighters, teachers, and judges . . . the Board believed that the District's actions dangerously eroded the independence of the Board, and had therefore looked to Congress for relief." The three amendments that are being repealed: (1) provided the District with the authority to determine the source of funding for the Board's administrative expenses and eliminated the prohibitions on the District against specifying how the Board could spend its appropriated budget; (2) permitted the District to include grant funds in its annual contribution to the retirement funds; and (3) eliminated congressionally mandated prohibitions against "party-in-interest" transactions which were specifically designed by the Congress to guard against conflicts of interest and to ensure arms-length transactions between the Board and the District government. According to the September 21, 1993, letter referred to earlier, the Board chairman states that the repeal of the three amendments are necessary ". . . to ensure the continued independence of the Board and financial security of the Funds . . .".

The conference action also adds two new sections requested by the Mayor and Council in H. Doc. 103-136. Section 140 amends the Home Rule Act to clarify the District's authority to pay overtime to District government employees in accordance with the Fair Labor Standards Act of 1938. The report accompanying the District's request states that this change will reduce recordkeeping costs and the higher costs of more generous overtime provisions for employees hired prior to enactment of the District's Comprehensive Merit Personnel Act of 1978. The report further states that this amendment will not affect overtime provisions in existing compensation settlements.

Section 141 establishes a cash reserve fund to replenish the consolidated cash balances of the District government.

Language in section 142 prohibits the use of Federal funds for abortions except when it is made known to the entity or official to which funds are appropriated that such procedure is necessary to save the life of the mother or that the pregnancy is the result of an act of rape or incest.

TITLE II

FISCAL YEAR 1993 SUPPLEMENTAL

DISTRICT OF COLUMBIA FUNDS

GOVERNMENTAL DIRECTION AND SUPPORT

(INCLUDING RESCISSION)

Amendment No. 31: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the sum proposed in said amendment, insert: *$14,231,000*

, and

on page 35, line 12 of the House engrossed bill H.R. 2492 strike out "$10,587,000" and insert in lieu thereof "$10,242,000"

, and

on page 37, line 4 of the House engrossed bill H.R. 2492 after "*Provided*," insert:

"That $7,000,000 of this appropriation, to remain available until expended, shall be available solely for District of Columbia employees' disability compensation: Provided further,"

, and

on page 37, line 11 of the House engrossed bill H.R. 2492 strike out "(Rescission)" and insert in lieu thereof "Including Rescission"

, and

on page 37, line 12 of the House engrossed bill H.R. 2492 strike out "Of" and insert in lieu thereof "For an additional amount for "Public works", $23,447,000: *Provided*, That of"

, and

on page 37, line 16 of the House engrossed bill H.R. 2492 after "rescinded" insert "for a net increase of $20,176,000"

, and

on page 44, after line 14 of the House engrossed bill H.R. 2492 insert "Sec. 203. Notwithstanding any other provision of law, appropriations made and authority granted pursuant to this title shall be deemed to be available for the fiscal year ending September 30, 1993."

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement appropriates $14,231,000 instead of $15,133,000 as proposed by the House and $15,501,000 as proposed by the Senate. The decrease below the House and Senate allowances reflects the District's revised fiscal year 1993 supplemental request that was transmitted to Congress September 13, 1993 (H. Doc. 103–136).

The conference agreement also rescinds $10,242,000 under the Economic Development and Regulation appropriation title instead of $10,587,000 as proposed by the House and the Senate. The reduction of $345,000 below the House and Senate allowance relates to the Office of International Business as reflected in the District's final action on the revised fiscal year 1993 supplemental request that was transmitted to Congress September 13, 1993, too late for consideration by the House or the Senate.

The conferees have agreed to a new proviso requested by the District under "Human Support Services" that allows $7,000,000 to remain available until expended for employees' disability compensation.

Under the Public Works appropriation title the conference action inserts "Including Rescission" as a centerhead and appropriates an additional $23,447,000 requested by the District in H. Doc. 103–136 for payment to the Washington Metropolitan Area Transit Authority (WMATA) to cover the July–September 1992 quarterly operating subsidy. This action provides a net increase of $20,176,000 under the Public Works appropriation title instead of a rescission of $3,271,000 as proposed by the House and the Senate. The District's fiscal year 1992 supplemental request included a $26,000,000 reduction to reflect a change in the method used by the District to make its quarterly payments to WMATA. The District proposed to change from a forward-payment basis to a pay-behind basis. Although the proposal was not approved, the necessary budget authority was not provided. The conference action provides the budget authority required in order for the District to legally pay WMATA the amount owed for fiscal year 1992. The conferees have been informed that with this action the District has sufficient authority to pay the remaining fiscal year 1992 quarterly payment and all four fiscal year 1993 quarterly payments in accordance with current policies followed by WMATA and the Compact jurisdictions.

The conference action also inserts a new section 203 that deems the appropriations and language provisions in Title II to be available for the fiscal year ending September 30, 1993. This language in effect ratifies all obligations and expenditures made in anticipation of the enactment of the District's fiscal year 1993 supplemental request as approved in title II of this Act.

Amendment No. 32: Rescinds $6,342,000 instead of $4,760,000 as proposed by the House and $7,162,000 as proposed by the Senate.

The conference agreement reflects the District's revised fiscal year 1993 supplemental request that was transmitted to Congress September 13, 1993 (H. Doc. 103–136).

Amendment No. 33: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the sum proposed in said amendment, insert: *$7,889,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement provides a net increase of $7,889,000 instead of $10,373,000 as proposed by the House and $8,339,000 as proposed by the Senate. The action by the conferees reflects the District's revised fiscal year 1993 supplemental request that was transmitted to Congress September 13, 1993 (H. Doc. 103–136). The reduction of $450,000 in the net increase below the Senate allowance reflects a reduction in contractual services in the Office of City Administrator/Deputy Mayor for Operations.

ECONOMIC DEVELOPMENT AND REGULATION

(INCLUDING RESCISSION)

Amendment Nos. 34 and 35: Appropriate $5,202,000 for a net decrease of $5,040,000 instead of $1,047,000 for a net decrease of $9,540,000 as proposed by the House and $6,047,000 for a net decrease of $4,540,000 as proposed by the Senate.

The conference action reflects the District's revised fiscal year 1993 supplemental request that was transmitted to Congress September 13, 1993 (H. Doc. 103–136). The increase of $500,000 in the net decrease proposed by the Senate reflects a reduction in the District's Employer-Assisted Housing Program.

PUBLIC SAFETY AND JUSTICE

(INCLUDING RESCISSION)

Amendment Nos. 36 and 37: Rescind $20,578,000 for a net decrease of $14,348,000 instead of $18,921,000 for a net decrease of $12,691,000 as proposed by the House and $21,078,000 for a net decrease of $14,848,000 as proposed by the Senate.

The conference agreement reflects the District's revised fiscal year 1993 supplemental request that was transmitted to Congress September 13, 1993 (H. Doc. 103–136). The reduction of $500,000 below the net decrease proposed by the Senate reflects an increase for the purchase of police vehicles and radio equipment.

Amendment No. 38: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which provides that unspent funds remaining in the personal and nonpersonal services budget of the Metropolitan Police Department at the end of fiscal year 1993 shall remain available for the exclusive use of the Metropolitan Police Department for the purchase of equipment in fiscal year 1994. The House language provided for the carryover of unspent nonpersonal services funds.

Amendment No. 39: Corrects a misspelling in the printing of the bill as proposed by the Senate.

PUBLIC EDUCATION SYSTEM

(INCLUDING RESCISSION)

Amendment Nos. 40 and 41: Appropriate $4,000,000 for the public schools of the District for a net decrease of $3,257,000 in the Public Education System appropriation as proposed by the Senate instead of a net decrease of $7,257,000 in the Public Education System appropriation as proposed by the House. The Senate action reflects the District's revised supplemental request for fiscal year 1993 which was not available at the time the bill was under consideration by the House.

HUMAN SUPPORT SERVICES

(INCLUDING RESCISSION)

Amendment Nos. 42 and 43: Appropriate $81,772,000 for a net increase of $79,551,000 as proposed by the Senate instead of $70,772,000 for a net increase of $68,551,000 as proposed by the House.

The conference agreement reflects the District's revised supplemental request for fiscal year 1993 which was not available at the time the bill was under consideration by the House.

REPAYMENT OF LOANS AND INTEREST

Amendment No. 44: Appropriates $11,059,000 as proposed by the Senate instead of $19,051,000 as proposed by the House.

The conference agreement reflects the District's revised supplemental request for fiscal year 1993 which was not available at the time the bill was under consideration by the House.

PERSONAL AND NONPERSONAL SERVICES ADJUSTMENTS

Amendment No. 45: Deletes language proposed by the House and stricken by the Senate which would have authorized the Mayor to reduce $29,730,000 in fiscal year 1993 appropriations and expenditures throughout the District government to keep the budget in balance because of declining local revenues. The Senate action agreed to by the conferees reflects the District government's revised supplemental request for fiscal year 1993 which was not available at the time the bill was under consideration by the House. The revised supplemental request allocates the reduction proposed by the House and stricken by the Senate to agency budgets reflected throughout Title II of the bill.

GENERAL PROVISIONS

Amendment Nos. 46, 47, and 48: Delete language proposed by the House and stricken by the Senate concerning requirements of the Buy American Act as codified under 41 U.S.C. 10a et seq. These provisions already apply to all procurements made by the District of Columbia government since 41 U.S.C. 5a defines the word "department" as follows: "The word 'department' as used in this Act shall be construed to include independent establishments, other agencies, wholly owned Government corporations * * * and the government of the District of Columbia * * *.".

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 1994 recommended by the Committee of Conference, with comparisons to the fiscal year 1993 amount, the 1994 budget estimates, and the House and Senate bills for 1994 follow:

Federal Funds

New budget (obligational) authority, fiscal year 1993	$688,000,000

Budget estimates of new (obligational) authority, fiscal year 1994	705,101,000
House bill, fiscal year 1994	700,000,000
Senate bill, fiscal year 1994	698,000,000
Conference agreement, fiscal year 1994	700,000,000
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 1993	+12,000,000
Budget estimates of new (obligational) authority, fiscal year 1994	−5,101,000
House bill, fiscal year 1994	
Senate bill, fiscal year 1994	+2,000,000
District of Columbia Funds	
New budget (obligational) authority, fiscal year 1993	*3,988,421,000*
Budget estimates of new (obligational) authority, fiscal year 1994	*3,740,382,000*
House bill, fiscal year 1994	*3,753,705,000*
Senate bill, fiscal year 1994	*3,777,932,000*
Conference agreement, fiscal year 1994	*3,740,382,000*
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 1993	*(248,039,000)*
Budget estimates of new (obligational) authority, fiscal year 1994	*0*
House bill, fiscal year 1994	*(13,323,000)*
Senate bill, fiscal year 1994	*(37,550,000)*

JULIAN C. DIXON,
LOUIS STOKES,
RICHARD J. DURBIN,
MARCY KAPTUR,
DAVID E. SKAGGS,
NANCY PELOSI,
WILLIAM H. NATCHER,
Managers on the Part of the House.

HERB KOHL,
PATTY MURRAY,
DIANNE FEINSTEIN,
ROBERT C. BYRD,
CONRAD BURNS,
CONNIE MACK,
MARK O. HATFIELD,
Managers on the Part of the Senate.

TAMPER-PROOF ID FOR BOTH WORK AND HEALTH CARE ELIGIBILITY

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

Mr. FISH. Mr. Speaker, over a decade ago, the Select Commission on Immigration and Refugee Policy recognized that the magnet of job opportunities in the United States is a potent inducement to illegal immigration. Although Congress in 1986 passed legislation making it illegal knowingly to employ aliens lacking work authorization, we have not yet provided the essential missing element in the enforcement scheme. What remains lacking is tamper-resistant identification to facilitate accurate determinations of employment eligibility. The ready availability of fraudulent identifiers defeats the efforts of conscientious employers to avoid hiring persons illegally in this country.

In 1980, as a member of the Select Commission, I welcomed the opportunity to vote in favor of recommending employer sanctions combined with secure identification. After having sought for many years to implement the concept of secure identification, I am pleased to note that the time for successful action along these lines seems to be approaching quickly.

Today I want to share with my colleagues recent correspondence between Father Theodore Hesburgh, president emeritus of the University of Notre Dame, and Doris Meissner, the new Commissioner of the Immigration and Naturalization Service. Father Hesburgh advocated an upgraded, counterfeit resistant Social Security card years ago when he chaired the Select Commission on Immigration and Refugee Policy. It is very significant that this great civil libertarian and former Chairman of the U.S. Commission on Civil Rights continues to emphasize the importance of a noncounterfeitable identification card, pointing out this would simplify the participation of employers in verifying work eligibility.

Recently, the President has recommended a health care identifier to obtain health care benefits. Why shouldn't the tamper-resistant document that prospective employees present be a new combined work eligibility card and health care identifier? Father Hesburgh, I am pleased to note, reacted favorably to my suggestion relating to the potential dual use of a new health care card; U.S. citizens and permanent resident aliens will carry such a card anyway to obtain health benefits.

Finally, I believe Commissioner Meissner's recognition of the ID issue's importance will be most helpful in the months ahead.

The correspondence referred to follows:

UNIVERSITY OF NOTRE DAME,
Notre Dame, IN, June 21, 1993.

DORIS M. MEISSNER,
Commissioner, Immigration and Naturalization, Washington, DC.

DEAR DORIS: Best congratulations on your appointment by the President to become Commissioner of INS. I was delighted to read the oratory report of your abilities and wisdom in the New York Times. Of course, I already knew about that.

As the years have passed since we worked together on reforming the Immigration Law, I am still of the opinion that the simplest way to achieve progress against illegals is to have a non-conterfeitable ID card which could operate as simply as credit cards do. I would prefer that it be the Social Security card since it serves so many other useful purposes in our society. This, of course, puts a burden on employers but we already did that in the latest Immigration Law. This simplifies their participation. You have already heard me say this many times, but I simply repeat it because I think it is the one glaring weakness in the present enforcement rules.

Be sure of my best wishes and prayers for all success in your new endeavor. I am sure you will be a breathe of fresh air, as well as bringing new hope to your Service.

With cordial best wishes and prayers for all success.

Ever devoted in Notre Dame,
(Rev.) THEODORE M. HESBURGH, C.S.C.,
President Emeritus.

CARNEGIE ENDOWMENT
FOR INTERNATIONAL PEACE,
September 20, 1993.

Rev. THEODORE M. HESBURGH, C.S.C.,
University of Notre Dame,
Notre Dame, IN.

DEAR FATHER TED: Thanks so much for your kind words and good wishes.

You know I agree with your thoughts on matters of employment enforcement, and I'm pleased to know they remain of concern to you. One of my goals is to press the debate on ID issues from the platform of a credible INS that inspires public confidence in the government's ability to handle its responsibilities effectively. Perhaps that will help influence public attitudes in favor of what you correctly suggest.

I hope you are well and thriving. All best wishes.

Sincerely,
DORIS M. MEISSNER,
Senior Associate.

UNIVERSITY OF NOTRE DAME,
Notre Dame, IN, September 28, 1993.

DORIS M. MEISSNER,
Senior Associate, Carnegie Endowment for International Peace, Washington, DC.

DEAR DORIS: I had a call from Hamilton Fish today asking why we could not use the proposed card for the new health service. It would also serve as an identification for employment, especially in the case of immigrants who may or may not be legal. I told him I had the same idea the first time I saw President Clinton waiving that card on television. I am sure Al Simpson and Ted Kennedy will also be in favor of this.

Thanks again for your note.

Ever devotedly yours,
(Rev.) THEODORE M. HESBURGH, C.S.C.,
President Emeritus.

ON THE NORTH AMERICAN FREE-TRADE AGREEMENT

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

Mrs. UNSOELD. Mr. Speaker, we are all faced with contradictory views on what NAFTA means for U.S. jobs. Maybe we would be wise to focus on the view from Mexico.

I am holding an ad paid for by the Government of Yucatan. It shows an American business executive stating: "I can't find good, loyal workers for a dollar an hour within a thousand miles of here."

The ad's response is: "Yes you can. Yucatan."

Here is another. "You can't cut labor costs 300 percent in 90 minutes. Yes, you can, Yucatan."

Keeping wages low is a part of the Mexican Government's strategy for attracting United States investment. This isn't anti-Mexico rhetoric. It is the unfortunate truth.

A NAFTA which fails to reverse Mexico's policy of menial wages and fails to bolster Mexican labor rights is bad news for their workers and bad news for our workers. It is one of the reasons why I cannot support this NAFTA.

Mr. Speaker, I include for the RECORD the ads to which I referred:

"YOU CAN'T CUT LABOR COSTS 300% IN 90 MINUTES."

YES YOU CAN

YUCATAN

Where labor cost average under $1 an hour, including benefits. Far, far less than in the Far East. And less than CBI. Central America and even less than the rest of Mexico.

The employee turnover rate is less than 5% a year.

We're only 460 miles and 90 minutes by air from the U.S.

And you can save over $15,000 a year, per worker, if you had an off-shore production plant here.

So if you want to see how well you or your plant managers can live here while making your company more competitive in world markets, call for a free video tour of the State of Yucatan at 708-295-1793.

When the U.S. is too expensive and Far East too far,

"Yes You Can in Yucatan."

Government of the State of Yucatan, Mexico.

Department of Industrial and Commercial Development.

"I CAN'T FIND GOOD, LOYAL WORKERS FOR A DOLLAR AN HOUR WITHIN A THOUSAND MILES OF HERE"

YES YOU CAN

YUCATAN

We're only 460 miles and 90 minutes by air from the U.S.

Labor costs average under $1 an hour, including benefits. Far lower than in the Far East. And less than CBI, Central America and even less than the rest of Mexico.

The turnover rate is less than 5% a year.

And you could save over $15,000 a year, per worker, if you had an offshore production plant here.

So if you want to see how well you or your plant managers can live here while making your company more competitive, call for a free video tour of the State of Yucatan at 708-295-1793.

When the U.S. is too expensive and the Far East too far,

"Yes You Can In Yucatan."

Government of the State of Yucatan, Mexico.

Department of Industrial and Commercial Development.

VACATING SPECIAL ORDER AND GRANTING SPECIAL ORDER

Ms. LAMBERT. Mr. Speaker, I ask unanimous consent to change the 60-minute special order on October 21, 1993, for the gentleman from New York [Mr. OWENS] to a 5-minute special order.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Arkansas?

There was no objection.

OPERATION OF AMTRAK

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

Mr. PARKER. Mr. Speaker, I come to the well of the House tonight to express my extreme displeasure with the tactics presently being used by Amtrak. With the conference report on the Transportation appropriation bill scheduled to be considered in this body tomorrow, Amtrak has taken actions over the past few days to notify station managers and workers in 15 stations across the country that their facility will be closed—some as soon as Tuesday of next week. That is only 5 days notice.

Although I hate to make this assumption, it seems like Amtrak is playing political games with Congress. Mr. Speaker, as you know, Amtrak requested $381 million for operating expenses in 1994. The administration's request, however, was for only $331 million. Although the conference report contains $352 million, Amtrak officials seem to have started actions to show the American people, and especially Members of this body, why they need the additional $29 million not included in the Transportation appropriations bill—and I do believe they need the additional money.

In my conversation today with W. Graham Clayter, Jr., president of Amtrak, I was informed that these cuts have to be made because of the lack of operating capital. However, Mr. Clayter informed me that not one person in Amtrak's Washington office would lose their job. While some 30 employees in the 15 stations listed by Amtrak for closing today will lose their jobs, not one person in the stable of lawyers and other highly paid executives at Amtrak's headquarters will be effected.

Mr. Speaker, personally I find that decision to be absurd. While shutting down stations such as McComb, MS, located in my Congressional District, with only two employees—and the source of some $20,000 per month in revenue, Amtrak has decided that top heavy management is more important than their presence in local communities.

I also think that it is ridiculous to think that Amtrak can save the $29 million they claim to need by closing the stations in Amsterdam, NY, Centralia, IL, Cheyenne, WY, Chillicothe, IL, Del Ray Beach, FL, Devil's Lake, ND, Forth Wayne, IN, Malta, MT, Matoon, IL, McComb, MS, Pocatello, ID, Southern Pines, NC, Temple, TX, Youngstown, OH, and Hattiesburg, MS.

Mr. Speaker, I am not sure if Amtrak is trying to send a message by taking these steps or what. However, I am appalled not only that Amtrak has taken the steps to close these stations during the debate on their appropriations bill, but also that they would take such a step without first notifying the Members of Congress that have stations that will be effected by these closures.

The very last thing a business would do when trying to get its' financial house in order would be to close the doors where the money comes in. It makes no sense—it is absurd. When you close these stations, you lose money. If a station is losing money, then there is an argument that it should be closed. If a station is making a profit, there is absolutely no—I repeat, no—reason to close it.

Finally, Mr. Speaker, this whole situation causes me to question the entirety of the funding for Amtrak. In the future if they do not get their way, what will they do?

AN ALTERNATIVE TO NAFTA: A CONTINENTAL AGREEMENT FOR DEVELOPMENT, EQUITY, AND EMPLOYMENT

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio [Ms. KAPTUR] is recognized for 5 minutes.

Ms. KAPTUR. Mr. Speaker, this evening I would like to read into the RECORD remarks of a woman leader from Mexico on the proposed North American Free-Trade Agreement. I will not give her name for the RECORD, because I do not want to jeopardize her personal safety in her own country, but when our women's delegation visited down there last May she pleaded with me to read this suggestion to our President of the United States, Bill Clinton, as an alternative to the proposed agreement that we will be voting on shortly here.

She says: "What we really need is an alternative to the NAFTA, a continental agreement for development, equity, and employment." She goes back many years and says,

> The forerunner of an Hemispheric policy is the Alliance for Progress, which, though an answer to the Cuban Revolution, was inspired in a framework of democracy and shared development on a continental level. On the other hand, NAFTA, the North American Trade Agreement, tries to use the countries of the South as cheap labor, raw material, and minor manufacturing supplies, and as a vast field for investments.

She calls upon the new Democratic administration of the United States to bring together the Organization of American States and other regional entities as well, where the finest experts of the hemisphere could lay out the foundations for a different agreement.

□ 2110

She says the lack of competitiveness in North America is not caused by barriers to trade, or by the lack of institutional stimuli to investment, but by

deep structural imbalances brought by the unregulated and predatory attitudes of the multinational corporations.

She says until the late 1970's the so-called Third World countries sought to implement formulas to establish a code of conduct for multinational conglomerates, but these enterprises have helped to develop an ideological climate that weakens national sovereignty in favor of the what she calls "globalizers." This rarefied atmosphere makes the rights of individuals and communities diluted in the face of these conglomerates.

It becomes increasingly clear that a handful of European, American, and Japanese corporations will direct what will be a new world economic order.

And she says NAFTA is just another version of trickle-down economics applied to all of North America that will only mean more corporate profits, and income concentration, and less jobs because of the intensive use of capital and automatized technology, and more pressure to occupy badly paid jobs.

She says NAFTA was negotiated with no other objective than giving transnationals more power and abandoning medium and small industries to their own fate. Besides the interest of wage earners, peasants, and other sectors of each country are ignored as well as the asymmetries between future partners.

She says NAFTA is the final thrust of a vertical integration process that began several years ago after the signing of the letter of intention with the International Monetary Fund in 1982. Since then, the IMF and other institutions linked with the interest of the United States has been able to exert an enormous influence in Mexico's macroeconomic policies, especially in the financial and public sectors.

And she says even though great volumes of capital have come in, they are mostly speculative and therefore force the monetary authorities to safekeeping a high amount of reserves to confront eventual instabilities in the external sector. The government, far from stimulating public investment from infrastructure, productive and social development, raises taxes and withdraws longly held social benefits.

She says NAFTA neglects the fact that Mexico has already taken advantage of its closeness to the world's largest market by selling 70 percent of its exports and buying from it 68 percent of its total imports. Factors like the strong reappearance of high deficits in the commercial and payments balances, which commanded no less than $20 billion in 1992, are spoken of in low whispers. Productive infrastructure is severely deteriorated in key sectors such as highways, railroads, water, and the oil industry.

And she says finally that we believe a visionary focus is needed, one of great perspective, not unlike the Alliance for Progress that President Kennedy envisioned, that failed because of the resistance and even sabotage of the Latino-American oligarchies, among others.

She says unlike NAFTA, this pact must recognize the differences in living standards, development and productivity of the various economies.

And she says continental integration implies stimulating the Central American Common Market, the Andean Pact, the Mercosur and similar associations, and adjusting them to the bases and principles of the Hemispheric Pact.

She says the realization of such an agreement is already in the minds of many organizations, among them the Latin American Parliament, and she says it is a big purpose, it is a high goal, but I suspect it should be America's purpose too, the shared purpose of millions of people from the whole continent, the continent that once upon a time called itself the New World.

And I would say to our President, if he is listening this evening, and others who are listening tonight, to hear from a women who is a human rights activist in Mexico bears repeating in this Chamber of our free people because, in fact, these words cannot be uttered on the floor of the Parliament of Mexico in Mexico City. In fact, I cannot even read into the RECORD the name of this woman this evening. But she has a vision of not just this continent, but of South America and our neighbors in the Caribbean that goes far beyond this particular treaty.

We need to give people who have this type of vision a chance to have their ideas enacted as we move into the 21st century.

Mr. Speaker, I submit for the RECORD this evening an alternative to NAFTA written by a leader in Mexico. God bless her.

TRANSFER OF SPECIAL ORDER TIME

Mr. BURTON of Indiana. Mr. Speaker, I ask unanimous consent to yield my 60-minute special order this evening to the gentleman from Colorado [Mr. MCINNIS].

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

There was no objection.

MULTIPLE USE OF PUBLIC LANDS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Colorado [Mr. MCINNIS] is recognized for 60 minutes.

Mr. MCINNIS. Mr. Speaker, I would like to take the opportunity this evening, I know we have had a lot of discussions in the last few days in regards to grazing on public lands, and I think it is necessary tonight for us to take a little time, sit back and get a picture of what the history looks like in regards to the public lands.

I, of course, am elected from the Third Congressional District of the State of Colorado. That particular district contains about 90 percent of the public lands in the State of Colorado. In Colorado we have about 20 million acres, 20 million acres of public lands.

Let us start back more or less at the beginning of the country and talk about how public lands came about. Many of my colleagues recall the saying, "Go West, young man." That all started when the United States decided that it wanted to expand this Nation, this newly conceived Nation from the Atlantic Ocean to the Pacific Ocean. And in carrying out that manifest destiny, so to speak, they decided, the government decided at that point that they wanted to give incentives so that the settlers would move toward the Pacific Ocean.

That occurred. There were a lot of incentives. You may remember some of the Gold Rush days, the land giveaways and so on. But what occurred in the early days of that wave of people going from the Atlantic Ocean to the Pacific Ocean is that not a lot of them stopped in the mountains. They did not stop in the Colorados, and they did not stop in the Wyomings, and they did not stop in the Oklahomas or the Utahs. They went through that area and went to the Pacific.

The Federal Government wanted communities in the mountain States. The Federal Government wanted settlements in the mountain States. They wanted grazing, they wanted harvesting of the beautiful natural resources that we have, the timber. So what they did was they offered special incentives under the Homestead Act, or the Desert Lands Entry Act or some of the other acts our history books would show us to try and get the people that were going to the West, these bold, young, tough settlers to go ahead and stay in some of these mountain States and to try and to develop that community as a part of a growing nation. And a lot of people did so.

In fact, in the mountains of Colorado it has often been assumed that the first people to settle there were the cattlemen. That is not true. It was the mining community and the miners. The cattlemen came later to provide food for the miners. Then, of course, we had the railroads and so on.

As part of the incentives the U.S. Government gave away land, and during the first part of the last century that is how they gave the incentives, and really the energy for these people to go out, and that is to give land to these settlers so that they went to these Mountain States they could get a start, they could have a head start, and hopefully they could develop communities. It worked very well. In fact,

many small communities began popping up all over the mountains.

It is interesting. I am sure a lot of you vacation in the State of Colorado and you have been up in that very high country. You can get very high in the Mountains and you will see the remains of old settler camps. You can imagine how hard the life must have been back then.

But as the turn of the century came, the Federal Government began to change its policy. The Federal Government decided that it should adopt the policy of instead of giving away the land that the Government would no longer dispose of the land but keep its land within its own ownership. That was the policy, that while there was some disagreement, most people agreed with it.

But the basic ingredient, and probably the most critical ingredient that we need to discuss today, was the incentive that the Government kept in the program in order that these communities, which by then had been underway for many many years, and the traditions of the Western life, which was the dream of most of the people in this fine young country, the policy was to allow those people to continue multiple use, multiple use of the public lands. No longer would this Federal Government dispense with the Federal lands. Instead it would keep the Federal lands, but allow multiple use of those Federal lands, and that is the policy that is in effect today.

But sadly, I must report to all of my colleagues, I think it is under serious threat by people who I think have very little knowledge of the history of how these public lands came about, by people who are more concerned about their own personal agendas than they are about the tradition and the generations of families that settled back in the Colorado Rockies, or the Wyomings, or the Oklahomas, or the Kansases.

□ 2120

What is multiple use? What is multiple use? Let us talk about multiple use.

Multiple use on public lands means that while the Government owns the land, it has the philosophy that that land should be used for many different purposes.

Let us take an example: the environment. There are a lot of people in this country, and in fact I am proud to say I think the majority of people in this country, who want a beautiful environment.

So one of the things that the Government first did with its lands was to begin to name parks, set aside things like the Yellowstone National Park up in Wyoming, like the Rocky Mountain Flat Park in Colorado. They began to set aside forests, like the White River National Forest in the State of Colorado; beautiful areas were to be preserved for the future.

But they did not put all of these areas in a park. They did not put all of these areas in a national forest. They sat down and, I think, through very long studies said a portion of this should be used as protection—they did not use the word "environment" back then, but that is the word we use today—protection of those resources in its primitive form so that people can see what this country was like many, many years ago.

A portion of these public lands need to be used to support agricultural communities. A portion of these lands needs to be used for recreation. Back then they never even heard of skiing. They did not hear of some of the things, rafting of the rivers, at least not rafting the rivers for recreation. Of course, they were rafting the river with primitive rafts, nothing like we are using. But their recreation was hunting, so they preserved a part of that for hunting. They preserved a part of the Federal lands for transportation of water because in States like Colorado. Colorado is the only State of the Union where all of our water runs out of the State, none of the water comes into the State. And the very finest and purest water, of course, falls like snow on the top of the mountains and it is necessary to store water, necessary to move water by ditch, by canal, by pipeline. The Federal Government knew that was going to be necessary, and they preserved lands for that.

In fact, that policy became so strongly embedded—that is, the policy of multiple use—so strongly embedded in the Government's agenda that still today you can travel into these Federal lands and you will see a big sign that says, "You are now entering the White River National Forest," and underneath the sign it says, "A land of many uses."

A land of many uses: Well, I think there is a strong attempt to ignore that history, to ignore the traditions of the ranching families, the families who for generations have worked with the land, who love the land, who care for the land, who made the land productive.

They want to take that sign that says, "The land of many uses," and replace it with a sign that says, "No trespassing."

What are some other multiple uses that a lot of us do not even think about? You know, in the big cities like Washington, DC, and so on, you have cellular telephones, you have all kinds of the ability for communications. But, of course, in the mountain country, in the remote rural of America, it is necessary for us to use satellites, microwave beams; just the same as it is necessary for us to transport water in canals and in ditches across large areas of land, it is also necessary for us to put on the high mountain peaks radio antennas, microwave equipment, so that we too in the mountain areas and the rural areas of America can share in the great communication accomplishments that our country has.

So the location of towers, as I mentioned earlier, water storage on Federal lands. Recreation, there are probably not many of you in this room who have not enjoyed recreation on public lands, whether it is a nature walk through Yellowstone, rafting down the Colorado River, or going through Dinosaur National Park in the northeast corner of Colorado and Utah, or whether it is skiing at one of the fine ski areas in one of those States.

It could be hunting, it could be hiking, it could be taking a mountain bike and enjoying the public lands in that sense. All of that is recreation.

Some of you will have heard in the last few weeks that the multiple use of the Federal lands is draining the Federal budget, that that is the cause of the Federal deficit, that it is not carrying its own load. Let us look and see which industries are the heaviest subsidized. Recreation is, of course, the heaviest subsidized multiple use on Federal lands. But does that mean they are not carrying their fair share? To an extent, it does. But to an extent it does not, because a lot of these people helped watch that land, they were kind of chaperones of the lands. What is really happening back here, in my opinion, is that there is a strong effort for people to mask their own agenda with very pretty words, "Cheese"; pro-environment means you want single use of the environment; pro-environment means there is no room for ranchers, generations of families that have worked on that land, depended on that land, raised their families on that land. They put all kinds of buzzwords to put a pretty face on their own personal agenda. And it cannot work. They are going to ruin, they are going to ruin the history of this country and a very proud tradition; they are going to ruin many, many families and lives; they are going to wipe out agriculture on the public lands.

We need to maintain a balance, that commonsense ingredient that sometimes is very difficult to find amongst politicians and bureaucrats.

How do we do that? I think what we have to do is to study very carefully each of these uses and the importance that they have in those communities. We have to give heavy weight to the history and to the families that live on those particular areas that are going to be affected.

It is somewhat discouraging to hear, especially as you come back here to the Nation's Capital, that there seems to be more weight given to people who do not make a living off those lands, who do not live on the lands that are being affected, but yet their opinion

and their pushing of non-use of these lands, pushing these lands to single use, seems to carry the day.

So we need to slow that down. The best way we can slow that down, in my opinion, is to begin to try and educate the importance of multiple use. There is plenty of room for everyone on those public lands. You need to have timber harvests, it needs to be managed carefully. If you have somebody who violates it, they need to be punished severely. We need to have national parks, we need to have wilderness areas, such as the one we just put into the 3d Congressional District in the State of Colorado; we need to allow for exploration, some exploration of minerals; we need to allow people who want to ski; we need to allow the mountain bikes up there; we need to allow the people who would like to hike or people who maybe are too elderly to hike who love to drive up and enjoy the mountains and that country.

Those are some of the things that I think are going to be very, very important to us.

Mr. Speaker, I yield to the gentleman from California, [Mr. HUNTER].

Mr. HUNTER. I thank the gentleman for yielding.

I just wanted to add, as I have listened to his discussion about the need for multiple use of property, public property, and the need to allow Americans to use this land, I have a lot of this property in my district also. You know, we have a series of legislative issues coming before us, bills coming before us that basically lock out the public. There is a definite difference between preserving the public lands, protecting the public lands, and protecting the public lands from public use; that is, letting the American people use that land.

I listened to the gentleman and appreciate very, very much his articulate statements. I hope we can work together to help maintain, preserve America for American use and allow all our kids to do all the things on public lands that they enjoy: hunting, fishing, trailbiking, also our commercial interests, those people who mine and graze cattle and do all the other things that good stewards of our land do.

So I thank the gentleman and I look forward to listening to the rest of his remarks.

□ 2130

Mr. McINNIS. Mr. Speaker, I thank the gentleman from California for his contribution.

I think it is important to the gentleman from California and to all my colleagues and, of course, the people who are able to observe some of the comments that we are able to make, that we keep a very, very close eye on one of the most important ingredients that made this country great, and that is the opportunity to enjoy the ownership of land. I can remember as a small child it was always my dream someday to own some acreage, to have a horse, to have the opportunity to have a home.

As we move into this next decade, I am very concerned that the strength of private property is being weakened under the guise of the language of the public good.

I think any kind of infringement on private property ownership must be watched with the same kind of scrutiny that our government watches some of the dissidents and some of those policies over the last 20 or 30 years that took place.

So for the gentleman from California, I look forward in the next few days, hopefully we can have a discussion on this floor about private property and some of the threats that we see occurring.

But before we can continue on with private property, we need to maintain or update, excuse me, an understanding of why it is so important that we keep multiple use on public lands.

Let me tell you a short story. I have a ranching friend in Colorado. He told me that an activist who was not really too excited about ranchers being on public lands came to the rancher and said, "You know, we think we could reach an agreement with some of the ranching community if we could come on to your ranch and see a baby growth, just a beginning growth of some vegetation, a middle-age growth and an old growth of vegetation."

And the rancher told me that he looked at this very young person and said, "I completely agree with you, but you have forgotten one ingredient. I want to be able to come on to this land and see what you have asked for, but I also want to see a baby rancher, a middle-aged rancher and an old rancher."

In other words, there is room for both.

So to my colleagues this evening, I hope that as we continue our debates on grazing and some of these other issues that we look at the long-term impact of what some of the changes are that are being proposed here in this U.S. Congress.

Let me tell you that in the last couple months the Secretary of the Interior, Mr. Babbitt, has proposed not only a hike in the grazing fees, but a very, very significant change in the management of public lands.

What has discouraged me the most about Mr. Babbitt's motives is that it appears his own personal agenda is moving ahead of the agenda of the interests of the people of this country.

Let me tell you that we recently have gotten our hands on an internal memo, a memo from Mr. Babbitt's right-hand people to the Secretary of the Interior, Mr. Babbitt. In that memo, the language says:

> Mr. Secretary, we know that it is your intent to use the grazing fee increase as a straw man to divert attention away from these other management issues.

These are the management issues, Mr. Speaker, that I was talking about just a few minutes ago that are so critical to the future management of those lands.

So you can see what is happening here is to divert everybody's attention to grazing fees and then let us sneak in, grab the water, let us sneak in and put in management changes that will be the most dramatic changes, negative changes that we have seen in this century.

The memo goes on even further from that, and the gentleman from California will be interested in this. The memo goes on to say that their own records, the Department of the Interior's own records show that the riparian areas in this country are the best they have been in this entire century.

The memo says further:

> So we must make deliberate attempts to show the bad riparian areas. We must be able to manage the comments that are coming in from the public so that it looks like these management changes—

which by the way narrow the opportunity for multiple use—

> so that it makes the changes look like they are reasonable.

I have to say to the people of this country, the frontiers of the mountains and the western states and the plains of Kansas, it still exists. It exists with people on it.

In fact, I think it has been made better by the good and fine people who have spent generations out there; but slowly and surely, if we continue to let the U.S. Congress in Washington, DC, chip away at those rights, chip away at those traditions, we are going to be reading about ranching communities and multiple uses on federal lands in our history books.

Mr. Speaker, I yield to the gentleman from California [Mr. HUNTER].

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

Mr. Speaker, once again I thank the gentleman for his good words. I just wanted to say one thing about what I consider to be one of the most important American ideals, and that is the American conservation ethic.

The gentleman mentioned that the riparian areas are just as good as they have been for the last 40 or 50 years right now.

I might add something to that. If you look at our wild game species, there are more white-tailed deer in America than there have been for several hundred years. There are more white-tailed deer in America now than since when Lewis and Clark came through the great Northwest.

Our restocking programs for game animals have been tremendously successful. We have more elk than we have had in the last 30 or 40 years, more antelope on the Great Plains in Wyoming

and Idaho and Montana and, of course, in the great State of Colorado we have enormous game herds, because Americans are good stewards of the land, and because they are good stewards of the land without a government bureaucrat looking over them and making them do things, the American conservation ethic that is a private ethic is what keeps this land in good shape.

I look forward to working with the gentleman toward expanding that conservation, that private ethic, and pulling the bureaucracy out of land use and land control.

Mr. McINNIS. Mr. Speaker, the comments of the gentleman from California are well-taken.

I am very excited about what we have done in Colorado, in the Mountain States and some of the States surrounding in our environment. We are learning a lot about how to protect that environment; but do you know what, we are able to protect that environment without running off the ranching communities, without destroying the skiing opportunities, without forcing us to tell the people who are riding mountain bikes, you can no longer ride your mountain bikes or ride your horses, but you can still have access to some of the most beautiful country in the world. We can do both of them. They are not opposite, they do not run opposite courses.

The opportunity for multiple use and the opportunity for protection of the environment has been proved in Colorado; but that is not the agenda, unfortunately, of some of our colleagues and of some of the bureaucrats in Washington, DC. They think they know best.

Let me conclude this by simply saying that I am looking forward to next week. I would like to talk a little about the water and the issues of water in the West and how important it is.

I can say that I am very proud to be from the West. I think we have a wonderful, wonderful time ahead of us if we could just maintain that balance.

Mr. Speaker, I ask unanimous consent that the balance of my time be allotted to the gentleman from Arizona [Mr. KOLBE].

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

There was no objection.

NAFTA AS IT RELATES TO THE STATES

Mr. KOLBE. Mr. Speaker, may I inquire how much time is remaining in the gentleman's hour?

The SPEAKER pro tempore. The gentleman has 40 minutes.

Mr. KOLBE. Mr. Speaker, I appreciate the gentleman yielding his time to us on this issue.

I would just say before I get into discussion on the other issue, I think it really does tie into the issue that the gentleman from Colorado was discussing a moment ago, and that is the issue of the rights of Federal land use. Those of us who come from the West and have lived out there understand the need to be able to be competitive in our world economy.

As a matter of fact, the cattle ranching business, and I represent a fair number of cattle ranchers, has been enormously successful in competing in what is a very tough environment today. In fact, with our neighbor to the south of us, the cattle industry has been very successful. We have taken a very large share of the Mexican cattle market, because our cattle are produced more cheaply, because we are more productive in our management techniques, because we are able to produce a better quality of beef.

So I think all these things lead very nicely into the issue that I want to take the remaining time to discuss, and that is this evening to focus on the North American Free-Trade Agreement, and specifically how it relates to the States, how do States gain from the North American Free-Trade Agreement, how important is trade with Mexico on a State level.

□ 2140

Well, the very simple answer to this, and the broad answer, is that Mexico is our faster growing export market in the world. It is the second most common destination for our manufactured goods that are in export, and State-by-State export data show the continued importance of trade with Mexico.

I say to my colleagues, "If you were to underscore the importance of this, it would be with these words: Virtually every State has benefited from the rapid growth in United States exports to Mexico from 1987 to 1992."

Now, first question, I think, that has to be addressed is: Why is this the case? How is this so?

And the simple answer to that is that Mexico joined the General Agreement on Trade and Tariffs in 1986, and, when they did that, they began a systematic reduction in their tariff structure, and the result is that the United States, with our more productive processes, with our tremendous manufacturing techniques, we have been able to sell more and more of our goods to Mexico.

Mr. DREIER. Mr. Speaker, would the gentleman yield on that point?

Mr. KOLBE. And each and every State has gained from that, and I would like to yield to the gentleman from California, and, as I do that, I would point out that his State, the State of California, has seen an increase in the last 5 years. This is not the total amount, but an increase of $47.3 billion in additional sales of goods to Mexico on an annualized basis in the last 5 years, and with that I would like to yield to the gentleman from California.

Mr. DREIER. Mr. Speaker, I thank my friend, the gentleman from Arizona [Mr. KOLBE], for yielding to me, and I would like to congratulate him for all of the effort that he has put into passage of what I clearly believe to be the most important domestic and international policy vote we are going to be facing here, and I would also like to compliment him for his stellar performance on the Cable News Network's "Crossfire" program which was on a couple of hours ago.

Let me just say, following on the one point that my friend made, he said virtually every State has seen a tremendous increase in the level of exports to Mexico over the past 6 or 7 years, and the fact of the matter is, with the exception of only two States, we have seen an increase in the level of exports to Mexico that has ranged from a 100- to a 300-percent increase in the level of exports, and it has come about not only because of the fact that the Mexican Government joined in 1985, as they did, the General Agreement on Tariffs and Trade which is designed to decrease trade barriers, but also due to the tremendous level of privatization which has taken place in Mexico in that same period of time as we watched the Mexican Government move from Socialist policies toward a bold free-market system. And I think it is very important for us to realize that, and we are gratified by the fact that so many Members of Congress are finally beginning to get the message that there are tremendous benefits to both sides of the border on this issue, and I thank my friend for yielding.

Mr. KOLBE. Certainly, and I hope that we will continue this dialog.

As the gentleman said, the stakes have increased so tremendously. Again let me emphasize the figures for the gentleman's State:

In 1987 California sold $2.3 billion of goods and services to Mexico. Now, even in the midst of the recession that the gentleman's State has been suffering from, last year they sold $6.6 billion of goods and services to Mexico. They are the second highest; no other State except Texas sells more to Mexico than does the State of California.

Mr. DREIER. The gentleman from Arizona [Mr. KOLBE] has convinced me to support NAFTA.

Mr. KOLBE. So, it is almost a threefold increase right there, and I think that is one of the really significant aspects of this, and I see that my colleague, my friend, from Arizona, is over on the other side there, and I would be happy to yield to the gentleman from Arizona [Mr. COPPERSMITH].

Mr. COPPERSMITH. Mr. Speaker, I do not want to leave my colleague from the Copper State quoting only California statistics, and I have some Arizona statistics from the State that we share, and the point is that it is not just big States that have benefited. It is also some of the smaller States such as Arizona, and in Arizona we have seen total

Arizona exports from Mexico in 1987 were about a little under $650 million, are now $1.8 billion, and the most significant fact, I think, to emphasize is the growth that we have seen are in exactly those sectors of the economy that we want to encourage. Some of the areas where we have seen the greatest increase are in fabricated metal products which is up over 2,800 percent in that period. Electric and electronic equipment, which exports from Arizona, grew. This is the growth of over $350 million and transportation equipment where the absolute dollar change was about $300,000.

Mr. Speaker, these numbers show that the types of businesses that have benefited from access to the rapidly growing Mexican market are generally exactly those types of high-growth, high-value-added businesses that we need to encourage.

Whatever the cause has been, Mexico is growing, and exactly those businesses we need to encourage to be competitive have benefited thereby.

Mr. KOLBE. Mr. Speaker, I appreciate the gentleman's comments, and the gentleman is absolutely correct when he talks about the different types of products that would benefit so tremendously from having a North American Free Trade Agreement, and I am sure that my friend from slightly north of me in Arizona, from the Valley of the Sun, is aware of the fact that even with the tremendous reductions in tariffs that has taken place in Mexico they continue to have a tariff that is 2½ times on average, 2½ times greater than ours——

Mr. COPPERSMITH. And that is just an average tariff if the——

Mr. KOLBE. That is an average tariff.

If the NAFTA were, and I am going to cover a few that are not so average, but if NAFTA were to be implemented, more than 50 percent of all products would go to zero the first day of implementation.

Now that means that basically there is going to be a complete reduction in taxes by Mexicans on our products. Now I cannot understand why somebody is against having the Mexicans reduce taxes on our products being sold in Mexico. That is what the North American Free Trade Agreement is all about.

And as the gentleman pointed out, some of these products have a much higher tariff. For example, our tariff on chemicals that come in from Mexico are at 4 percent. The tariffs that the Mexican applies to our chemicals, and it is a huge industry in the United States, the chemical industry, is 20 percent, so the ration is 5 to 1, and there is some that is even more than that.

For example, household appliances. Now here is an area where Mexico's economy, with the growth in disposable income, people have more money to buy refrigerators, to buy stoves, to buy other things, and yet Mexico continues to apply a 17-percent tariff to household appliances, and we apply a 1-percent tariff, a ratio of 17 to 1.

I guess we could take the one that is the most of all, and that is flat glass where there is a 20-percent Mexican tariff and there is a three-tenths of a percent U.S. tariff, and I see that the gentleman from California down there in the well has some of these statistics shown in a very graphic fashion, and I would like to yield to him for a moment to describe some of these.

Mr. DREIER. Well, I have set it up in such a way that I cannot see it, but I know that computers are on here first. It has an average tariff of 10 percent. Actually it is as high as 20 percent for computers, for U.S.-manufactured computers, going into Mexico, whereas the tariff on Mexican computers coming into the United States is only 2 percent, 2.2 percent, so, as my friend from Phoenix has said very accurately, that 2½ times disparity is only an average, but it is much greater, and the President of IBM has said that if we do not pass the North American Free Trade Agreement he will have no choice but to move more operations to Mexico.

Why? Because that 10- to 20-percent tariff will remain, and unfortunately he will have to gain access to the Mexican consumer market by moving there rather than doing what he would rather do, and that is manufacturing in the United States.

Mr. KOLBE. And, as that chart goes on to show, that we have no tariffs whatever on computer chips, for example, while the Mexicans apply a 10-percent tariff. So, we would have a tremendous advantage when the Mexican tariff was reduced.

Mr. COPPERSMITH. Mr. Speaker, if the gentleman will yield——

Mr. KOLBE. I yield to the gentleman from Arizona.

Mr. COPPERSMITH. I think that it is important to note that the charts in front of us show only the relative tariffs between the United States and Mexico, what happens now, what happens after NAFTA. But what many people may not realize is that after NAFTA the Mexican tariff goes to zero only for goods from the United States. That 20-percent tariff for computer products and 10-percent tariff for computer chips remains in place for the Japanese and for the Western Europeans. What NAFTA does are two things. First, it requires far more of the Mexicans than it does of us in the tariff structure. They have to lower their tariffs far more than we need to. The second thing it does is ensure preferential access to the rapidly growing Mexican market for American workers and American products.

Mr. KOLBE. Mr. Speaker, I appreciate the comments that the gentleman from Arizona [Mr. COPPERSMITH] has made because I think they very accurately reflect the realities of the gains we are going to make with this kind of trade agreement.

I am going to yield in just one moment to the gentleman from Arkansas who has been a real stalwart on this issue. Before we do and before we leave these charts, the next one deals with cars, and light trucks and auto parts, and I cannot help but make a comment about that because we have seen the opposition that has come from labor unions representing the automobile industry on this agreement.

□ 2150

The irony is that automobiles and auto parts and truck manufacturers in the United States will be among the biggest beneficiaries of the Free Trade Agreement. To understand why that is the case you have to understand what the situation is today. There is a law in Mexico, very simply put, called the Pact, the Auto Pact, which says that if you want to ship a car to Mexico, if you want to import a car into Mexico and sell it, that is, if General Motors wants to send a light truck down there and sell it, you first have to export two trucks or two automobiles from Mexico to the United States. So that has forced manufacturers to establish plants in Mexico and to get into the export business.

With NAFTA, over the course of the next 10 years, all of that will change and there will be no such limitation. It will be possible for manufacturers to rationalize their production, do their production of automobiles here in the United States and ship them to Mexico without having the tariffs on them.

Indeed, even with the initial reduction in tariffs that are expected at the beginning of this agreement, the big three auto makers estimate that their exports of automobiles to Mexico will increase from 1,000, which is almost nothing, to 66,000 the first year. By the end of the 10 years, with full implementation, they expect that they will have exports to Mexico of several hundred thousand cars per year. That means literally tens of thousands of auto manufacturing workers in the United States are going to be employed because of the sales that we are going to be making in Mexico. That is the tremendous advantage that this agreement has for the United States and for workers in the automobile industry.

With that, let me yield to my good friend from Arkansas [Mr. DICKEY], a close friend, who has really been one of the individuals who has worked so hard on this to understand what this is about. His State is one of our major agricultural producers in this country and stands also to benefit from selling more agricultural products in Mexico.

Mr. DICKEY. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I would like to add to this discussion the definition of market share. I own two Taco Bells in Pine Bluff, AR. We started out in 1985 with the idea that we were going to try to get all of the market share of Mexican food, and we did it. We got as much as we could possibly get.

We then had to move forward, and we did it with quality, low cost, cleanliness, and speed.

We then moved into what we called the hamburger market share, and we went after the hamburger market share. We have now started competing with the value menu and so forth like that, and we now have the market share. We are gaining market share in that particular industry in the hamburger business.

What does that mean as far as this NAFTA discussion is concerned? Market and market availability is the most important thing that you can have in this business. You can do the best job in every way, with quality, with speed, with cost, with cleanliness, or whatever, and you can only get your share of the market.

When you can find other markets that are available, it is imperative that you move forward, if in fact you want to gain jobs and have your economy grow.

Our United States has hit the ceiling. The market share has been cut down. It is dwindling. Our global competition and our efforts in that direction have reached a limit, and we must have market share.

Here on our border to the south are 90 million people who are trying to raise their standard of living, trying to find ways to buy more products, and we have a chance to get that market share. What is limiting us right now is the tax, or the tariff. We cannot get to those people as well as we could without the tax.

The 10,000 jobs we are losing a month are an indication of what the market share is doing and how our particular economy is going. We cannot blame that on Mexico. We can blame it on the fact we are not competing worldwide, and we need to gain more of the market globally.

We have got 90 million people, as I mentioned, 700 million people in all of South America. This, businesswise, is a bonanza, a place where we can go and sell our goods and export. And when we export, we export with salaries and jobs that are higher paying than ordinary.

This is something we should have ambition for. We should want the middle class to grow in Mexico, for a lot of reasons. One is so they can buy more American products.

But we have this tax standing in our way. What was mentioned about the light trucks and the cars, we have 25 percent on trucks, 20 percent on cars. This is what happens in business. If we have got that tax on all of the things that we are selling down there, it limits our competition.

If someone wants to move a plant to Mexico and they are paying that tax, they can finance the construction of manufacturing a Mexico building there and avoid that tax, which means that the 20 or 25 percent that they would have to pay is no longer necessary for them to pay. It compels plants to look at moving to Mexico, even when they do not want to.

It is not even necessary for plants to locate there. We have the finest workers in the world in the United States. There is no question about it. We are acting as if we do not. We are acting as if somebody in Mexico could give a better quality product, better productivity, and they cannot.

So what we are having to do is we are having to get our plants and our manufacturing units, particularly automobiles, to consider moving down there to reach this market.

We cannot deny that we need market. We cannot deny that there is a market down there. So what we do, if we vote for NAFTA, we knock those barriers down. The people can live in the United States, plants can service that market share with products from America, and we can have our goods sent there value-added.

An indication of that, of the productivity of the American worker, recently a European manufacturer moved to South Carolina from Europe. They had a choice to move to Mexico, but they chose not to, because we have the best workers. We have the cheapest productivity, because our workers can do better than anybody else.

Lee Iacocca said today we can build a car in America cheaper than anywhere in the world. So why force people to consider moving down there with this tariff and this tax?

Speaking of moving, our Arkansas assets are tied to the land. We have timber and we have agriculture, and these are assets that cannot be moved. So we are pretty secure. We also are in close proximity to the border.

I am puzzled why anybody from Arkansas would ever consider NAFTA a bad deal. I would consider that Arkansas would get a boon in economics and in development of our economy. We cannot deny that. But we also have to look at America's problems, not just those of Arkansas.

So we hear people say "no" to NAFTA from other parts of the country. Historically we have sent our raw materials up North and we have gotten their value-added sent back to us, where we buy it.

To give an illustration, historically we have our workers at $2.50 an hour trying to buy cars being built by workers who are getting $10 an hour. That is the status quo. But what is happening is we can get in the same position, accept the same role in our looking at Mexico and South America. Here the people who are wanting the status quo, who want things to stay the same, do they want to keep us in that position? I do not think so. Heaven forbid, they may consider the fact that they have to move to the lower States in the South to relocate when the jobs are really brought to our area of the country.

It has been hard struggling like that in Arkansas, but we are ready to step up and take our position.

We also have other reasons for the opposition. One is political, and it is hard to figure. It is hard to figure how jobs, higher paying jobs, can actually be any harm to anybody. But it is this failure to want to relocate, to adjust, to get away from the status quo, that is causing this.

We either can look back, or we can look forward, and we are asking you as proponents of NAFTA to look forward. If we do not pass NAFTA, what happens? Well, we then have the progress that Mexico has brought upon itself by reducing the tariff, we have that progress halted. We have further need for immigration, further need to burden our system with health care costs, schooling costs, welfare, and unemployment. We also have enforcement problems that come from this.

So what we are saying is you say "no" to NAFTA and you increase the chances of that happening. You say "yes" to NAFTA and we decrease the chances of that happening. So we not only make more money on our exports, pay more tax revenues, but we have to do less as far as defending our borders.

The other thing that might happen is that Japan and Germany are sitting wanting us to turn NAFTA down.

□ 2200

They want to come in there and build these markets. They cannot do it now because of our competition, and that goes back to market share. But if they start building their system of delivery and their infrastructure so that they can deliver goods to Mexico and Mexico has to turn to them and say, here is no tariff to you, then we are going to lose this market. And it is going to be all but impossible to get it back.

We are going to have trouble explaining that to our Nation, to our children, and to our grandchildren.

What we have to do is to look at what the status quo will do. It will suffocate Mexico. It will suffocate us. We can look back to nothing. We look forward to market share, more jobs, more tax revenues, more help for our labor, more help for our economy and better bargaining power in the global market.

I say "yes" to NAFTA for these reasons, and I think these reasons are compelling.

Mr. KOLBE. Mr. Speaker, I thank the gentleman from Arkansas for his contribution, and I think he is absolutely

right when he talks about market share and how we build that.

When we speak about market share, one of the States that has done so well in that regard is the State of Washington, which in the last 5 years, with Mexico alone, has increased its exports by $482 million, a rather substantial figure, one of the top 10 States, as a matter of fact, in terms of the increases of exports to the country of Mexico.

I yield to the gentleman from Selah, WA [Mr. INSLEE], on this issue.

Mr. INSLEE. Mr. Speaker, I appreciate that, and the gentleman is correct. The State of Washington has paved the way to show the importance of free and fair trade with Mexico. And as you have pointed out, the State of Washington has created over 2,000 new jobs in the last 5 years because we have had a certain medicine we have used for this problem of jobs and job loss in this country.

The people we represent, they want job creation. They want better wages. And in the State of Washington, we have had some medicine we have taken. And that is fair trade with Mexico.

That medicine has been that we have got Mexico to bring down, to knock down their tariff barriers half of what they used to be 5 years ago, and the result of taking that medicine is that we have created over 2,000 new jobs in my State alone.

The problem is, we have not solved that sickness down in Mexico, as previous speakers have alluded to. We still have a 10-percent tariff sickness that we have got to cure in Mexico so that we can create more jobs.

Americans who may be watching this debate this evening wonder whether this is going to be a job creator or, as the opponents argue, it is a job loser. It is kind of like, it seems to me, as if we have a sickness. Who would we trust to decide what medicine to take. It seems to me if we had pneumonia, we would trust a doctor. We would not trust someone who is a bus driver or a lawyer. We would trust a doctor.

In this case, look what people who have studied this issue say. They have awarded, in the international community, 12 Nobel Prizes to economists who are American in the past 30 years, and what do these Nobel Prize-winning economists say? Every single one of them says this is going to be a job creator and a wage enhancer in this country. And it seems to me that we need to give some credence to the people who have studied this, including all six Presidents who have said this is a job creator. And we know that because in the State of Washington it has been exactly that.

Let me just close by saying one thing: More importantly than the Nobel Prize winners, more importantly than the Presidents, let me tell you who else believes NAFTA is a good deal for America. That is the people I meet, who are working people.

I went back and met with some working people last week in my district. I said, "Folks, if I could knock down a Mexican trade barrier that is twice as high as ours, take theirs from 10 to 0 or ours goes to 4 to 0 so you will not have to pay that unconscionable tax that you are now paying, do you think I should do that?" And to a person, they said, "You're darn right. Not only do we want you to do that, we expect you to do that."

I said, "Fellows, that is NAFTA." And when the American people, who are the most important, more important than the Nobel Prize winners, more important than Presidents, when they learn that this evens the playing field with Mexico, they support NAFTA. That is why we ought to pass it.

Mr. KOLBE. Mr. Speaker, I appreciate the gentleman's comments. I think he has put his finger right on it, when he talks about NAFTA is really a tax issue. It is an issue of Mexicans taxing our exports to their country. And when that happens, when they tax it, we cannot sell as much product or as much services. When we take that tax off, we will sell more and that, of course, means jobs here in the United States. I appreciate the gentleman's contribution.

I yield to the gentleman from Michigan [Mr. KNOLLENBERG], who comes from a State which, because of the automobile industry, will be certainly very much affected by NAFTA.

Mr. KNOLLENBERG. Mr. Speaker, I thank the gentleman for yielding to me. I appreciate the time to participate in this special order. I have watched with some humor as the debate over NAFTA has escalated in the past year.

It has often been said that truth is the first casualty of war.

Well, in this war of words, the first casualty has been our sense of perspective.

Just look at what we listen to day after day. On one side, we have people like Ross Perot claiming that passage of NAFTA will throw millions of people out of work, cause a full blown depression—and I guess, turn us into nomadic bands of economic refugees hunting for nuts and berries.

Admittedly, we also have naive freetraders who tout the NAFTA as the cure for all America's economic ills.

In reality, NAFTA is not that big of a deal. While there is nearly universal consensus among economists and business analysts that NAFTA will create jobs and spur export-driven economic growth, its overall impact on the U.S. economy will be small compared to other factors like interest rates, taxes, and Government regulation and mandates.

But there are notable exceptions—take Michigan for example. Michigan is home to arguably the biggest winner under NAFTA—the U.S. auto industry.

It's true, the U.S. auto industry probably stands to gain more from NAFTA than any other sector of the American economy—and not just for the guys in the boardroom.

This agreement will create new jobs at every level: Blue collar and white collar, on the line and in the office, designers, assemblers, engineers, marketers, suppliers—you name it.

Ironically however, the very State that stands to benefit most, has become the epicenter of NAFTA opposition.

I personally believe this opposition emanates not so much from the details of the agreement, but from an unfocused fear that America is losing its competitive edge.

After all, Michigan watched for 20 years as the Big Three's grip over the American market dissolved into ruthless international competition, and many workers lost their jobs during this transition, as plants were moved elsewhere and became increasingly automated.

Because of their experience, I can see how some people make the leap and believe that open trade costs jobs.

But I am here tonight to tell you that past experiences do not apply to NAFTA. Here's why.

NAFTA is about lowering Mexican tariffs. Presently, Mexico's tariff on United States built cars is 20 percent, eight times higher than the 2.5-percent tariff the United States levies on Mexican-built autos. By eliminating them all together, the United States obviously comes out ahead.

But the untold story lies with Mexico's nontariff barriers. Right now, they essentially say, "If you want to sell cars and trucks here, you have to make them here."

Specifically, the Mexican Government requires that American car companies maintain an import/export ratio of 1.75 to 1 with Mexico.

That means, if GM or Ford wanted to export a $10,000 car to Mexico, it would have to import $17,500 worth of vehicles and parts from their plants in Mexico into the United States.

Because of these restrictions, American carmakers are left with no choice but to locate plants in Mexico.

Consider the most recent example: Chrysler will soon introduce its Neon subcompact in North America. The company plans on selling 300,000 Neons in America next year, and 75,000 in Mexico. While the main Neon plant is located in Illinois, Mexican rules have forced Chrysler to build an additional plant in Mexico to produce those 75,000 cars destined for the Mexican market.

As Chrysler president Bob Lutz stated recently, "If we had NAFTA, we wouldn't have had the expense of putting in the Mexican facility."

Under NAFTA, the import/export ratio would be halved immediately and eliminated altogether over 10 years.

You will also notice that Chrysler did not choose simply to build all of its Neons in Mexico. And I doubt they opted for U.S. production out of pity for the American worker. They located here because American workers are second to none.

And, believe it or not, it is actually cheaper to build a car here in America than it is in Mexico. The Congressional Office of Technology Assessment did a study on auto production in Mexico. They found that because of higher parts, shipping, and inventory costs, it costs over $400 more to build a car in Mexico, regardless of its cheaper wages.

Yet, because of prohibitive tariffs and quotas on United States-built cars, we only ship 1,000 cars into Mexico each year. If NAFTA is implemented, the Big Three plan to increase that number to 60,000 in the first year alone. And as Mexico's restrictions are phased out, that number is sure to grow.

Taken together, lower tariffs and more access to the Mexican market means more sales, more profits, and more jobs for American auto companies and their workers.

Now, let's take a look the three most common myths about NAFTA as it relates to the auto industry—

Myth No. 1. NAFTA will accelerate the movement of car plants to Mexico. As I just explained, United States carmakers have moved to Mexico because they are forced to by the status quo trade policy. But I ask you, if it were the intention of the Big Three to move their plants south of the border, wouldn't they have done so already? It makes absolutely no sense that an agreement that makes it easier to export cars from the United States would somehow act as an incentive for U.S. companies to move across the border.

Myth No. 2. The Mexican people are too poor to afford our cars. Trade statistics don't lie. According to the International Trade Commission, "Mexico has the fastest growing market for motor vehicle cars in North America, and the market in the year 2000 is expected to be as large as the Canadian market."

In fact, Mexico's need for light and heavy trucks is so great, that people are actually smuggling them over the border and selling them on the black market.

What's more, NAFTA will allow financing companies like GMAC to do business in Mexico, thus making cars more affordable to the average consumer.

Myth No. 3. Under NAFTA, Mexico will become a giant export platform into the United States. In fact, NAFTA prevents foreign automakers from dodging tariffs by assembling cars in Mexico with imported parts, then shipping them to the United States. Under NAFTA, cars built in North America must have at least a 62.5 percent local part content—local meaning United States, Canada, or Mexico—to receive duty-free treatment.

Let me make one final point. There is one common theme that runs through the arguments of NAFTA's opponents—that somehow, Mexican workers are dollar for dollar, better than their American counterparts.

I happen to disagree. Like anything else, you get what you pay for. Sure, Mexican wages are cheaper, but so is the workmanship.

The other day, I was looking through the latest issue of "Car and Driver" and I was struck by the comments of staff writer Frank Markus on the Mexican-built Volkswagen Jetta. He writes, and I quote:

> The Big Three have been praised for putting new models in rental fleets to get real-world feedback on quality control before they sell the cars to the public.
>
> VW expanded this idea by selling a full year's production of the Mexican-built Jetta and Golf in Mexico before bringing the cars here. So our test car can be assumed to represent normal series production quality.
>
> Unfortunately, the four cylinder engine was reluctant to start, the reasonably styled dash buzzed, and the manual windows required incredibly high effort plus a zillion cranks. Can we pllleeease have all our Jettas built in Germany?

Again, you get what you pay for.

On average, the wages of American manufacturing workers are paid 4.6 times more than their Mexican counterparts, but they are also 4.5 times more productive, making the so-called wage differential is really is nonissue.

The State of Michigan and the U.S. auto industry needs NAFTA now.

We need the lower tariffs; we need to be rid of onerous quotas and import restrictions; we need to use our extra production capacity, now going to waste, to serve Mexico's burgeoning market; and above all, the world needs the quality automotive products that only American men and women can build.

It's time to put the rhetoric aside and do the right thing: pass NAFTA.

□ 2210

Mr. KOLBE. I think the gentleman from Michigan for his comments. I cannot think of a more lucid explanation of what this really means.

I note in my list where it states rank, that Michigan is the fourth ranking State in terms of total exports to Mexico, despite its distance from the border. It is interesting, the first three are Texas, then California, and now, I might add, Arizona. We used to be fourth, behind the gentleman, but now we are third. We passed him up just last year.

Mr. Speaker, it is still indicative of the importance of this trade, the fact that Michigan has such a tremendous trade with Mexico. Of course, it is very largely in the area of auto parts.

Another individual, if I might, who has very recently been talking about this issue, I know in his own State, is an individual for whom I have the greatest respect. I yield to the gentleman from Rhode Island [Mr. MACHTLEY].

Mr. MACHTLEY. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I want to talk about a few issues surrounding NAFTA. Today a Mr. Charles Reid and his son, Charles Reid, came at their own expense to Washington to try and talk to us in Congress about the real world, what happens beyond the beltway. They are in the import-export business. They have been dealing with Mexico for many years. They are in the gallery at this moment, because they care about making sure that the truth of NAFTA is promoted, and not many of the falsehoods and exaggerations which the opponents of NAFTA have tried to perpetrate on the American people.

The truth is that the Mexican economy is really one-twelfth the size of the United States economy. They have less than 5 percent of our gross domestic product. There is no question that they are not in the same economic league as the United States. They are going to reduce their tariffs by an average of about 10 percent. We are going to reduce our tariffs by an average of 2.8 percent.

We, as the major manufacturer of consumer products in the world, are going to have an enormous benefit, much greater than Mexico. Despite what some may say about this great sucking sound which will occur in Mexico, the reality is that if businesses wanted to go to Mexico, they would already be there.

Clearly there is a differential in wages. As Michael Porter has indicated in his research from Harvard, wages is a very small factor in business decisions. The factors which affect companies moving are quality of work, education of workers, productivity, and the ability to use technology.

Many companies have already gone to Mexico, and they have come back because, while the wages of the Mexican worker are very low, their educational structure is very inadequate, their training of their workers is at the moment very inadequate, their productivity is much less than what we have in the United States right now.

That is not to say that in the future they will not be a better society and have a better educated work force, but today the American worker is still the most productive worker in the world.

If we are willing to understand the realities of what we are dealing with today, then we are not afraid of competition. We will understand that this is the beginning of a worldwide trade, making sure that we open up this

hemisphere and that we are, even more importantly, going to tell all of the countries in Latin America and South America that we are going to help our hemisphere.

President Salinas has done a great deal for his country. He has moved it towards a more productive and more democratic nation. If we turn our backs on President Salinas it will send the message to all of Latin America that we do not care about their progress towards democracy. If we turn our backs on this agreement, it is my opinion that the peso will be devalued, that the wages will drop in Mexico, that we will have even more people migrating into this country, and that the problems associated with not passing NAFTA are going to be far greater.

In fact, if we do not pass NAFTA, as many companies have told me, from large international auto makers to small companies who are manufacturing goods and sending them into Mexico, they will have to go to Mexico because of the content limits on goods which are currently in existence in Mexico, to open up their plants, to build their goods in Mexico.

It is essential, Mr. Speaker, for this country to recognize that if we are going to deal in a global marketplace, we have to be competitive. That means that we have to get rid of these trade barriers that we can see. The chemicals have a 10 percent to a 20 percent trade barrier that Mexico is willing to drop, 15 percent for pharmaceuticals, and in my State of Rhode Island, they have a tariff on textiles of 14 to 20 percent. In my State, which does a lot of textiles, we are actually going to benefit.

Mr. Speaker, we have a lot of labor in our State. We have a lot of people who are concerned about jobs. Unfortunately, this NAFTA agreement has, I think, crystallized the fears of American workers who have lost their jobs, thinking that this is the reason, or that it will precipitate more losses of jobs in the future.

My view is, frankly, it is going to help our economy. In my State, which has created the industrial revolution with the creation of the Slater mill in the early 1700's, we increased our exports to Mexico this last year alone from $21 to $44 million, a 77-percent increase. NAFTA is good for jobs in America. It is good for our leadership. With that, I would like to turn it back to the distinguished gentleman from Arizona [Mr. KOLBE].

Mr. KOLBE. Mr. Speaker, I thank the gentleman for his contribution. We have heard here tonight representatives from six States, from Arizona, from California, from Michigan, from Washington, from Arkansas, from Rhode Island, talk about how NAFTA is going to increase jobs in their State. During the course of the next several weeks we will have an opportunity to continue this discussion about why NAFTA is good for jobs, is good for America, is good for the American worker.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF HOUSE JOINT RESOLUTION 281, FURTHER CONTINUING APPROPRIATIONS, FISCAL YEAR 1994

Mr. MOAKLEY, from the Committee on Rules, submitted a privileged report (Rept. No. 103-304) on the resolution (H. Res. 282) providing for consideration of the joint resolution (H.J. Res. 281) making further continuing appropriations for the fiscal year 1994, and for other purposes, which was referred to the House Calendar and ordered to be printed.

THE NORTH AMERICAN FREE TRADE AGREEMENT

The SPEAKER pro tempore (Mr. JOHNSON of Georgia). Under a previous order of the House, the gentleman from Michigan [Mr. BONIOR] is recognized for 60 minutes.

Mr. BONIOR. Mr. Speaker, I am here once again this evening with my colleagues, the gentleman from Michigan [Mr. STUPAK], the gentleman from Ohio [Mr. BROWN], the gentlewoman from Ohio [Ms. KAPTUR], and the gentleman from Pennsylvania [Mr. KLINK], to talk about the North American Free Trade Agreement.

To be honest, Mr. Speaker, the longer this debate goes on, and the more I listen to the arguments of the people in favor of this treaty, once again I cannot help but think of that story about those two brothers who went up to the wilds of Canada to hunt moose.

They hunted for a week, and each of them had bagged a huge moose.

When their pilot landed to take them home, he saw all their gear and the two moose and said, "I can't fly you two out of here with all that stuff. The load will be too heavy."

One of the brothers said: "I don't understand. Last year, each of us had a moose, and the pilot loaded everything."

"Well," said the pilot. "I guess if you did it last year, I can do it, too."

So they loaded the plane. It moved slowly across the lake, over the trees, and toward the mountain. but it was too heavy and it crashed into the mountain.

Luckily, no one was hurt, and as they crawled out of the wreckage, one brother asked, "where are we?"

The other brother looked around and said, "Oh, about a mile farther than we got last year."

The point, is, the brothers didn't give the pilot all the information he needed, and the plane crashed.

NAFTA supporters have been trying to keep some information about NAFTA from going public because they know if the truth comes out NAFTA will crash.

As I said last week, since this debate began, there has been a deep, dark secret hidden within NAFTA.

It is something NAFTA supporters wouldn't talk about.

They did their best to hide it.

And they acted like it didn't exist.

But the public is catching on.

The truth is coming out.

And the more it does, the closer NAFTA comes to crashing.

Mr. Speaker, the deep, dark truth behind NAFTA is that it is going to cost more than $50 billion to implement.

$50 billion that we don't have.

And if NAFTA supporters have their way, we're going to be asked to raise taxes to pay for it.

NAFTA supporters want us to raise taxes in order to send our jobs to Mexico.

And make no mistake about it, Mr. Speaker. NAFTA will send our jobs to Mexico.

We have lost 500,000 jobs to Mexico the past 12 years, and NAFTA will send another 500,000 jobs to Mexico.

How do we know? Because business leaders told us so.

Do not take my word for it. Listen to their own words.

□ 2220

Mr. Speaker, I put these charts up because I think they make my points better than I personally could make them.

Last year, the Wall Street Journal asked business leaders what impact NAFTA would have on their business decisions.

I think the headline just about says it all. It reads, "Heading South: U.S. Companies Plan Major Moves Into Mexico".

The study found that, "in a sign of American eagerness to expand in Mexico, 40 percent of respondents say it's very likely or somewhat likely that they will shift some production to Mexico in the next few years. That share is, even higher—55 percent—for executives at companies with $1 billion a year in sales."

Let me say that again: If NAFTA passes, 55 percent of America's largest businesses said they'd move manufacturing to Mexico the next few years.

And what's more damning is what they said about wages.

Even if they don't move directly to Mexico, the poll found that "about one-quarter of executives surveyed say they are very likely or somewhat likely to use the trade accord as a "bargaining chip" to try to hold down wages in the U.S."

Again, one out of every four business executives said they'd use NAFTA to force down our standard of living.

And this is just what they'd admit. When you look at their track record the past 10 years, you know the reality has got to be a lot worse.

And on top of all that, we are going to be asked to raise taxes to make it all happen.

Now you have American business suggesting to us that they will move down to Mexico once NAFTA is passed in huge numbers, 40 percent in one instance, 55 percent in the other. Twenty-five percent say they are going to lower wages.

Now what does the Mexican Government have to say about all of this? Well they say very clearly, very clearly, Mr. Speaker, in this chart right here that we have been showing for the last few months that you can come down to Mexico if you have a business and you can pay workers, with benefits, less than a dollar an hour. You can save $15,000 per worker, and you and your plant manager can live very well.

So we have the government inviting, the Mexican Government inviting business down, and business in this country saying we are going.

I do not have to make the case, BART STUPAK does not have to make the case, SHERROD BROWN, MARCY KAPTUR, RON KLINK, and my independent friend from Vermont, BERNIE SANDERS, we do not have to make the case. The business communities in this country as well as the Government of Mexico have made the case, and they want us to use your taxes to send our jobs there.

If that doesn't sound like the straw that broke the camel's back, I don't know what is.

Mr. Speaker, we have come to this floor once a week for the past 5 months to talk about NAFTA.

We have talked about the high cost of implementing NAFTA.

We have talked about the fact that the European Community took 40 years and spent over $100 billion the past 4 years to integrate economies much closer than ours and Mexicos.

And in all that time, we have not been able to find one NAFTA supporter who would come forward and tell us how they were going to pay for this treaty.

Not one person could tell us how, in these tight budgetary times, we were going to make up the $2.5 billion we'll lose in tariff revenue under NAFTA, every year.

Or how we'll pay the $21 billion it will cost to clean up the environmental cesspool on the border.

Or how we'll pay the $15 to $20 billion the Secretary of Commerce has told us it will cost to rebuild roads, bridges, and sewer systems along the border.

Not one person has come forward to tell us where we're going to find the $10 billion that Texas alone has requested to implement NAFTA.

Or where we'll find the $5 billion-plus it will cost to replace workers whose jobs leave for Mexico.

Or where we'll find the money to pay increased unemployment benefits expected, or increased agriculture price supports that NAFTA will force, or extra customs inspectors to stop drugs from coming over the border.

Not one person could tell us how we'll make up the loss of revenue and dislocation costs we experience when 500,000 workers lose their jobs.

Like I said earlier, all told, even conservative estimates of the cost of implementing NAFTA say that it will cost the United States somewhere between $40 -$50 billion.

That is $50 billion.

That's the $50 billion question NAFTA supporters have been ducking for 5 months.

That's the $50 billion question that not a single NAFTA supporter would come forward to answer, only because the answer is one of two things.

You cut existing entitlement programs or programs you raise taxes.

Two weeks ago, the New York Times reported that the administration is planning to double customs, immigration, and agricultural fees in order to pay for the tariff revenue loss from NAFTA.

It also says that the administration has been looking at imposing border crossing fees on trains, trucks, and individuals who cross the border.

And that's just the beginning.

According to the story, U.S. Trade Representative Mickey Kantor said that "there are a number of different alternatives" under consideration. He says: "Higher customs fees are only one of them. We've looked at 15 or 20" different alternatives.

And when an aide was asked to cite what areas they were looking at as alternatives, he said, "Medicare, disability, and Social Security."

Now, Mr. Speaker, are they really considering taking money from Social Security in order to pay for NAFTA?

Are they really thinking about taking money from Medicare in order to pay for this treaty?

Are they really considering ways to use money from disability payments to come up with the money for NAFTA?

Well, if they are, they better think again. We're not touching Social Security or Medicare to pay for this fatally flawed treaty.

Of course, after this report came out, some of NAFTA's strongest supporters sent a letter to the White House saying they could not support a NAFTA which includes tax increases."

And if NAFTA's strongest supporters say that, you know it's got to be bad.

But even still, today Budget Director Leon Panetta came out of a meeting on NAFTA financing and said that NAFTA would have to be paid for by either increasing taxes or cutting entitlement programs.

And he added, that cutting Social Security, and Medicare, and disability payments "to pay for the trade agreement would be even more controversial" than tax increases.

But, he said, he is willing to listen to possible entitlement cut suggestions, but so far he has not heard any.

Keep in mind, Mr. Speaker, right now we're not talking about the $50 billion price tag of implementing NAFTA.

We're just talking about how to make up the $2.5 billion that we'll lose in tariff revenue under NAFTA.

Earlier today, the Senate Finance Committee in the other body voted to extend the proposed NAFTA dislocation program from 18 months to 5 years. By doing that, they added $47 million to the price tag. And they couldn't even come up with a way to finance that.

If we can't even find $47 million—that's with an m—how are we supposed to find $50 billion—with a b—to pay for NAFTA?

Are we going to be asked to raise taxes in order to send our jobs to Mexico?

Are laid-off autoworkers in Michigan going to have their taxes raised to clean up environmental waste coming from Mexican factories that took their jobs?

Are garment workers in North Carolina going to have their taxes go up to pay for new bridges carrying products from Mexico that used to be made in North Carolina?

Are laid-off furniture workers in California going to have their tax bill go up to rebuild the roads that carried the trucks that took their jobs and their factories to Tijuana?

Are workers in the Northeast and the Midwest who lose jobs going to be asked to pay extra taxes out of their unemployment checks to help with economic development in border States that have taken their jobs?

Where does it end, Mr. Speaker?

Well, I say it's got to end here.

The buck has got to stop here.

We have got to defeat this treaty here.

There's no question who will pay the costs of NAFTA.

The American people will pay the costs.

In lost jobs.

In a lower standard of living.

In higher taxes.

In uprooted families.

In decimated communities.

And the years spent wondering how we will put the lives of our families and our neighbors back together after NAFTA will be extremely difficult.

□ 2230

America's business leaders themselves told us they will use NAFTA to send our jobs south and force wages down. They told us that. We cannot afford these social costs, we cannot afford these human costs, we cannot afford these economic costs, and we cannot afford to raise taxes in order to send our jobs to Mexico. This charade has gone on long enough. We have got

to stand up and when we vote on this on the 17th or whenever they call it up under the administration, we have got to say "no" to this NAFTA.

I would be happy at this time to yield to my distinguished colleague, the gentleman from Michigan [Mr. STUPAK] and then to the gentleman from Ohio and others so that they may contribute to this dialog. I thank them for staying so late tonight to inform the American people and our colleagues about their deep concern over this issue.

Mr. Speaker, I yield to the gentleman from Michigan [Mr. STUPAK].

Mr. STUPAK. I thank the gentleman for yielding and for organizing this special order on NAFTA tonight.

You know, the gentleman mentioned the Wall Street Journal article which over a year ago, September 24, 1992, was that poll in which they indicated 55 percent of the major companies would be moving their plants to Mexico if NAFTA passes. Probably a more disgusting statistic is that 25 percent are already using the threat of NAFTA, moving their jobs, moving our jobs to Mexico, if our employees do not take lesser wages. They have been beating them over the head with this North American Free-Trade Agreement.

We could go on and on about how bad NAFTA is and how terrible it would be for our country.

I would like to read a letter from a constituent of mine, Adolph Kratt. Mr. Kratt is a retiree. He lives up in Hubbell, MI. Hubbell is the copper country of Michigan, where the snow has already fallen. The copper country was the home of the first mining boom in this country. Copper was the ore that they mined.

Today on this floor I argued for some money to create the Keew National Park to honor the labor of those first miners which gave birth to the U.S. labor movement. But more than money for the national park honoring his labor, Mr. Kratt asked a more fundamental question that I think we should all be asking ourselves. I will start with the second paragraph of this letter.

It says:

> I am going to tell you a true story and ask you what you think. My wife and I went uptown, we bought a new car, one of the most popular makes. I then went to the K-Mart, we needed house slippers and a mason trowel and home light switch, my wife needed a saucepan. When washing the saucepan, my wife said this pan is made in Mexico. I looked at the switch, and it said, "GE. Made in Mexico." The slippers, made in China; the trowel made in Japan; and our candy made in Germany; our car made in Canada with European tires on it. We paid about $20,000 for all, and not $1 went for American labor. Bart, what is wrong with our good old party and our Government? Please give me an answer.

Well, Mr. Kratt, what do I think? What has happened to our country? I think we forgot you, Mr. Kratt, we forgot American pride. With NAFTA, we forget, we forgot an American way of life, which was our pride in manufacturing, our pride in mining. Some people want to ship everything we stand for to Mexico. Our textiles, our apparel. They want to ship that to Mexico. Our auto industry, they want to ship that to Mexico; our electrical components, they want to ship that to Mexico.

I said Mr. Kratt is a retiree, and I am proud of the labor that he performed that helped create the high standard of living that we enjoy today in the United States. Mr. Kratt and his wife Irene are retired, but can still go out and buy an American car, while maybe not made here, certainly sold here in the United States. But the point is he can buy one. Why? Because of his pension, because of his labors, because of his labor union, because of the labor movement.

What is wrong, Mr. Kratt? Mr. Kratt hit it on the head: Not $1 went to an American worker or to an American plant. Yet Mr. Kratt, as his letter stated, he spent $20,000 and not $1 was here in this country for our people.

What will become of our consumers when we do not put any money back into our plants or back into our American workers? Mr. Kratt, we are all here tonight to fight for you, to fight against NAFTA, to fight for American workers, put money back into our American plants, into our American products.

We must defeat NAFTA, and maybe we will not have some more letters such as those we have been receiving from people like Mr. Kratt who are concerned with American jobs, who are concerned with American labor, who are concerned about the American economy and who want to protect our standard of living.

Mr. Kratt knows what we all here know tonight: We must defeat NAFTA to protect the American worker, to preserve the American workers, our American pride, but most importantly our American standard of living.

I thank Mr. Kratt for writing me that letter. I thank him for being so concerned, as I know so many Americans listening to us tonight are.

Mr. BONIOR. I thank my colleague for his comments and for bringing to our attention the concern of his constituent.

It is obviously not something that we are not familiar with. We receive these letters on a constant basis all year round, but they have been particularly heavy as a result of this debate that is now raging in the country and certainly in this body.

I think every one of us here can point to letters like that that we have received. People are tired of having our jobs shipped overseas or to Mexico, and they certainly want us to do something about it. We have a wonderful opportunity to do just that.

Mr. Speaker, I yield to my friend, the gentleman from Ohio [Mr. BROWN].

Mr. BROWN of Ohio. I thank the gentleman [Mr. BONIOR]. I echo the words of my friend, BART STUPAK from Michigan, that there are Mr. Kratts all over this country whom you know are not economists, they are not newspaper editors or newspaper publishers or newspaper owners, not corporate executives with Fortune 500 companies. But they very much feel the fear of NAFTA. When 55 percent of American executives of large companies say they are going south, they are going to move a lot of their production to Mexico if NAFTA passes, they sense that fear. It is a real visceral kind of thing for most Americans that the jobs are going to go south if NAFTA passes and if jobs do not go south corporations in this country are going to use NAFTA, use the threat of NAFTA going to Mexico as a threat to keep wages down, or wage givebacks, loss of health care benefits and all those kinds of things.

I want to talk, as Mr. BONIOR did earlier, about this whole cost issue.

There are so many reasons to oppose NAFTA, as BART STUPAK and MARCY KAPTUR, RON KLINK and BERNIE SANDERS and DAVID BONIOR and others who said the issues such as food safety, truck safety, job loss, depression of wages, environmental issues, and all of those reasons that NAFTA is a bad deal for all of us Americans. The one issue, though, as the gentleman from Michigan [Mr. BONIOR] and others have said in the last couple of weeks, the proponents do not want to talk about is is this a $50 billion new Government program, $50 billion that this Government has to come up with either through an increase in taxes or cutting social programs or cutting programs of some sort to make up for this money. That is a $50 billion new program.

The problem with that, in addition to the overall cost, is the speed with which all of this has happened. The European Community took 30 years to put together some sort of economic unit so it would help all the countries in Europe—Greece, Spain, Portugal, the poorer countries, and Germany, at least in central western Europe, Germany, Sweden, France, and England—the wealthier countries. They took 30 years to do this. George Bush, 3 years ago, set off with fast track on NAFTA to try to rush this agreement through as a self-imposed deadline. Then when Bush wanted to make that announcement prior to the election in 1992 to help his campaign, and right after the election they had the signing real quick of the agreement by Mulroney of Canada and Bush and Salinas of Mexico. Two of the three leaders are out, and the third one is soon to be out in Mexico.

The speed with which this administration wants us to get a vote on NAFTA, hurrying up to the side agreements, hurrying up with this November

17 vote, hurrying up so that on December 31 or January 1 the agreement will go into effect. They have rushed and rushed and rushed through this process, and then all of a sudden, when Mr. BONIOR comes forward and says, "How are you going to pay for this $50 billion program," they do not have any answers.

They have rushed through this, one issue after another issue, and never figured out how to tell the American people what they are going to do because they do not have the answers as to how they are going to pay the $50 billion.

Some people want us to see a tax increase, the Republicans have said we are not for tax increases, we are for cuts, but they will not tell us what the cuts are. They just say, OK, "Pass NAFTA and then we will figure out what the cuts are and how much they are going to hurt the American people."

□ 2240

The fact is that it is a bad idea. It is bad to rush this through. They are not being honest. They had a closed hearing in the Ways and Means Committee today to figure out how they are going to raise this revenue, to figure out how they are going to make the cuts, how to make up this $50 billion one way or another.

It is just one more reason, almost as good a reason as the others we have cited, why it is a bad idea. Clearly, a $50 billion new Government program is not what the people want, especially when that new program costs jobs, depresses wages, and does all the other things that NAFTA hurts us as a country.

Mr. BONIOR. Mr. Speaker, I thank my colleague for his contribution. I just want to underline and underscore again the choices that we are facing here.

Assuming we are going to go ahead and do this NAFTA thing, which I fervently believe that we will not do, we will defeat it, but let us assume it is going ahead. The choice the people who support it will have to make is that they are going to have to raise taxes. They are going to have to waive the Budget Act, get the votes to do that, so that we can add it to the deficit, or they are going to have to cut some entitlement programs to make up the horrendous dollar costs of this thing. That is it.

The payback on that, even if you believe the rosiest of scenarios is down the line, a decade or a generation away.

So the question that supporters of this have to face is are they willing to raise taxes on the American people to send their jobs south to Mexico. Are they willing to cut Social Security, Medicare, disability insurance, what are they willing to do to pay for this program that the American people do not want. Every poll that I have seen now shows a widening margin of people disagreeing, despite the $25 million or $30 million that the administration is putting into ads in the campaign. Every poll is showing the American people sense this is a bad deal.

The Canadians will probably throw out their government over this issue of trade.

The latest polls in Mexico, the ones taken in Mexico City show a huge drop, down to 32 percent that support this treaty. The rest do not feel this treaty is worth it or worth going through on.

So the support is eroding and it is eroding simply because people try to do this at the top. The elites try to do it, the corporate leaders, the political leaders, without consulting the people who actually do the work and will pay the costs on this thing. That is why the bottom is falling out on this.

Mr. Speaker, I yield to my friend, the gentlewomen from Ohio [Ms. KAPTUR] who has been so staunch and strong in her disagreement with this, and then I will move to my friends from Vermont and Pennsylvania.

Ms. KAPTUR. Mr. Speaker, I thank the gentleman from Michigan [Mr. BONIOR] so very much for his strong and continuing leadership in this important effort to take the case against NAFTA to the American people. It is a real pleasure to be here with my colleagues this evening in the closing hours of today's work to perhaps give a bit of history to the important information that the gentleman from Michigan has brought forward this evening.

America has only signed two other free trade agreements in our entire history. The first was back in 1985 with Israel, a nation that has a work force of a little over a million people and an average income of about $11,000 a year.

In 1989 we find a second free trade agreement with Canada, a work force about 14 times that much, 14 million workers up in Canada, with an average income, GDP divided over their work force of about $14,000 a year.

Now we are being asked to sign a free trade agreement with a country that has a work force of 37 million people and an average earned income of about $3,000 year.

Never before in America's history have we signed a free trade agreement with a nation whose standard of living is as low as Mexico's, and certainly we have never signed a free trade agreement with a nation that is not free and is not a functioning democracy.

This is an historic proposal and the first post-cold-war trade agreement this Nation has been asked to approve, so this is very, very serious business.

For the life of me, I cannot understand why as we are moving into the 21st century, not the 20th or the 19th, we cannot try to link trade, as we must, to democracy building around the world and to deal with some of the related issues that go beyond the simple issue of moving goods or money across borders, but rather ways of life, standards and benefits, environmental improvement, and at the base of all of it, true democracy building.

Mr. BONIOR. Mr. Speaker, if the gentlewoman will allow me to comment, because it all relates, I mean, it is all interrelated. The Europeans were very wise. They understood the interrelationship between free labor unions, free elections, the empowerment of the people in terms of making sure that people would have the resources to trade freely and to produce well.

What we have failed to understand here in this agreement is that if you do not have free labor unions, independent unions, which they do not have in Mexico, if you do not have free and fair elections, which they obviously have had some difficulty proving over the last many years, if you are not free from human rights abuses, those things are going to inhibit countries from trading with you, No. 1, and they are going to inhibit your people from developing a standard of living which will allow them to purchase products from us so that we can produce jobs here.

It is fundamental in the mix, that is why the Europeans before they allowed Greece, Portugal, Spain, and now Turkey to enter into the common economic community of Europe, required them to raise those standards, and with those standards wages automatically rose and people were able to engage in free and fair trade.

Ms. KAPTUR. I think the gentleman brings up a very good point, because trade without freedom cannot possibly be free. Trade without democracy cannot be free, and even after World War II we recognized that to bring Turkey into the Common Market, certain internal changes had to occur within that nation.

After the Korean war when we attempted as a free nation to help South Korea move up its standard of living, we just did not cash out our corporations to South Korea, but in fact we worked with South Korea in order to link any investment to democracy building as well as to the acceptance of a high-wage policy as a part of that development activity.

We should have learned a lot from that. It is amazing to me that we are going to a throw-back approach which really is so very short-sighted.

I just wanted to say that this week in the Wall Street Journal there was a very interesting set of figures, that in this country which we are elected to represent, in the last year over half of the jobs that were created, over 60 percent have been in three areas; first of all, and not surprising to me, temporary work.

Mr. BONIOR. That is the big thing in the country, temporary work. You do

not have to deal with benefits if you do not want to.

Ms. KAPTUR. That is right.

Mr. BONIOR. You have got flexibility, and everybody out there knows who have families in the neighborhoods that that is what is going on. They are just hiring temporary workers, and the other two categories are interesting as well, and I will yield further to my colleague, the gentlewoman from Ohio.

Ms. KAPTUR. Restaurant work.

Mr. BONIOR. Restaurant work.

Ms. KAPTUR. Not exactly the highest paying work, and finally health and health care, all service-related activities that do not go to the heart of value-added production in manufacturing and agriculture in our country.

I just want to thank the gentleman this evening for bringing up this information, because in fact what we have here is the inability of a political body, in fact the Government of the United States, to take control of its own economy in a way that it can raise the standard of living of its own citizens as we move into the 21st century and help bring up the standard of living of our neighbors to the South, East, and West, but in fact we are going down a very narrow path here, and what a tragedy if this agreement is approved as it is, because it will be a precedent-setting agreement for the 21st century for the entire developing world. If we cannot do better than this and if the President of the United States cannot do better than this, then we do not deserve to be elected.

Mr. BONIOR. The gentlewoman is absolutely right, in terms of this precedent-setting pattern that we are doing here.

I will yield to my friend, the gentleman from Vermont, on that issue in a moment; but what we are setting here is a pattern for the rest of Latin America, certainly.

We are saying to Mexico, "It was OK for you to have fraudulent elections. It was OK for you to throw people like Agapito Gonzalez in jail because he wanted to organize free and independent labor unions in Matamoras for the workers who were so pitifully treated.

□ 2250

It was OK for you to allow 60-some journalists to be killed in the last decade or 58 opposition leaders in the last few years. It was OK to do all of those things and keep the wages of your workers lower today than they were in 1979, and that's OK. I mean you do what you want, but we are going to engage in a free-trade agreement so our corporations and companies can have access to cheap labor."

We are sanctioning this, Mr. Speaker, if we agree with this NAFTA agreement, and we are telling Chile, Argentina, Brazil, Colombia, and all the other Latin American companies that this is the standard in which we want to engage them in future trade relations.

What a tragedy. How unconscionable.

What did we fight human rights abuses in Nicaragua and El Salvador for, for the last 12 years; to do this? I mean what did Reuther, what did Phillip Randolph and all our great labor leaders, what did they go through such pain and agony for, for human decency and worker rights, King and all the great civil rights leaders in our country? What did they struggle for if we are just going to kind of throw it all away here in the last weeks of this session by OK'ing this agreement?

My colleagues, it is not as if we do not know any better. I mean the Mexicans are inviting us down. They brag about, "You come down and pay less than a dollar an hour, say $15,000 a year per worker," and our American business folks in a poll done by the Wall Street Journal, commissioned by them, done by Roper, say that, "Yeah, if it goes through, we are taking our production down there," 40 percent to 55 percent big corporations, "We are going." They are telling us that, and 25 percent of them are telling us, "Well, we are going to use the NAFTA to drive down our standard of living and bargaining."

Mr. Speaker, it is quite clear. I do not know how much more clear it can be made, and unbelievable, and yet we keep inexorably moving toward the point where this might happen.

We have a chance to stop this. People ought to let their legislators know about their total anger and frustration over this as we move into the last 4 weeks, and I yield to my friend, the gentleman from Vermont [Mr. SANDERS] on this issue.

Mr. SANDERS. I say to the gentleman, "Thank you very much, Mr. BONIOR."

I would imagine that for the viewers, people who are watching this debate, the issues are pretty complicated. In the last hour we had people on the floor, our colleagues, who are saying NAFTA is going to create more jobs, going to increase production in Mexico, going to raise our wages, and we are here saying something different.

I would ask the viewers as they try to form an opinion on this debate, and that is to understand who is on whose side:

> If you have confidence and if you believe that the multinational corporations in America, and virtually every one of them, is fighting for the NAFTA agreement, if you think they are on the side of the average American worker and if you think that their track record in the last 20 years is in terms of lifting up the wages and benefits of the average American worker, then you might want to support the NAFTA agreement. And if you think that the Mexican government, which is dominated by a handful of billionaire families, and that government is putting some $30 million into this campaign to persuade this body to vote for NAFTA, if you think they are on the side of the American worker, well then you may want to support NAFTA. But if you believe that virtually every trade union in Canada and in the United States, people who have been fighting for the rights of working people for decades, if you believe that they are on the side of the American and Canadian workers, then you might want to be in opposition to NAFTA.

Mr. Speaker, I say to my colleague, the gentleman from Michigan [Mr. BONIOR], "As I heard the discussion here last hour by those people who are supporting NAFTA, it reminded me of a song that was played in this body about 11 or 12 years ago, and that was the beginning of Reaganomics, and you remember what that song was about. What that mantra was about was, they said, if you give tax breaks to the wealthy and if you give tax breaks to large corporations, what they are going to do is reinvest in America and create new jobs. That's all you got to do: Trust those people, trust the multinationals, trust the wealthy. They are on the side of the American worker, and they want to create new jobs. That's all they really want to do. They don't want to make more money."

Well, we know what happened in Reaganomics. We know that the wealthiest 1 and 2 percent saw a tremendous increase in their incomes while the vast majority of working people sort of declined in their standard of living. Well, after a massive transfer of wealth in the 1980's from the working people and the poor to the rich, well, these guys got a new song, brandnew tune, and the tune is free trade with Mexico, and how the song goes is:

> Trust us. We, the multinationals, are on your side, and allow us free access to Mexico. We are not going to throw you out on the streets; oh, no. We are going to create new jobs because we love the American worker. Just trust us.

Let me say, if I might, Mr. Speaker, "If you believe that, that's fine. I think most sane Americans do not believe that. Let me give you a little bit of a context for what I believe the NAFTA discussion is about."

Twenty years ago in the United States of America we led the world. We were No. 1 in wages and benefits that our workers had. Today we are 12th. That is the trend. Since 1973 the real wages of American production workers have declined by 20 percent. We are becoming a poorer nation.

This is important because I think this is really what the whole NAFTA discussion is about:

In 1965, Mr. Speaker, 27 percent of the jobs in America were in manufacturing. In 1991, 17 percent of the jobs were in manufacturing. That means we are hemorrhaging manufacturing jobs, we are in the process of deindustrialization, and that is what this whole debate is about.

Some of us believe that the only way we can turn that trend about is to reindustrialize America, say to the multinationals, "You can't build your

shiny new state-of-the-art plants in Mexico or in the Far East where you're hiring slave labor for a buck an hour or a buck fifty an hour. We want you to come back home and reinvest in America."

That is what the debate is about, and, as the gentleman indicated quite properly, and I have that same poll right here, our friends, the chief executive officers of the major corporations, they have already said it. What they have said is, "If NAFTA goes through, we are taking our plants to Mexico," and it is common sense that they will. Why are they going to pay an American worker $10 or $15 an hour when you got hard-working people in Mexico for a buck, a buck fifty an hour?

I say to the gentleman from Michigan [Mr. BONIOR], let me mention something that I did today which I think is relevant. I get a kick out of many of our pro-NAFTA friends here who are saying to the American workers, "Hey, we can do it, American workers, We can be competitive with the workers in Mexico. So what if they are making 58 cents an hour, minimum wage, or a buck an hour. We can take them on; don't worry about the loss of your jobs."

So, today I introduced a very simple piece of legislation, and what the legislation says is that for the Members of Congress, if they believe that our truck drivers, and our dairy farmers in Vermont and the people in the automobile plants, if they believe that it is OK for our workers to compete against the desperate and impoverished workers of Mexico, if that is what they want to see, then I have got a simple suggestion: "Why doesn't the U.S. Congress take a leadership role and show how courageous we are, say that we will place our salaries on the line and we will earn the same salaries as Mexicans who are in the House of Representatives there?"

And, as the gentleman may know, the Mexican Chamber of Deputies, their equivalent to the House of Representatives, they earn $35,000 a year.

So, Mr. Speaker, I say, if the Congress wants farmers and workers to be competitive with Mexicans, support my legislation, Members of Congress, so that we can lower, if NAFTA is passed, our salaries to the same level as our Mexican Members of Congress, and the Mexican President and the Mexican Senate receive. Let us take a leadership role and show the American people that we are not afraid to compete. We will cut our salaries by 75 percent.

I yield back.

Mr. BONIOR. Mr. Speaker, I thank my colleague, the gentleman from Vermont [Mr. SANDERS] for his comments, and let me just, before I yield to my friend, the gentleman from Pennsylvania [Mr. KLINK], talk a little bit about the NAFTA math. I call it NAFTA math because we are going to hear a lot of figures thrown around in the last month about how we have increased our exports to Mexico.

□ 2300

We have now a $6.5 billion surplus. But what they will not tell you is 21 percent of that surplus to Mexico is for factory parts and buildings. In other words, drills, presses, and construction material for factories. That other 64 percent is for parts that are manufactured here, some of them in maquiladoras on the border and brought back here. Fully 85 percent never touch the Mexican consumer markets. They never buy it at all.

Basically what we are doing is shipping our factories down there, and our jobs are certainly following that.

Another NAFTA math lesson here is how they compute the fact that we are creating jobs by trade with Mexico. Let me give you a good example: Smith Corona, 850 workers in their plant in New York. They decided to go to Mexico.

They go down to Mexico, shut the plant up in New York. That plant in New York was also being fed by about 2,000 jobs with smaller suppliers in the New York area. Now, the plant goes down to Mexico, takes the 850 jobs. The way they figure it out with NAFTA math is not that we lost 850 jobs to Mexico, but that we gained 2,000 jobs, because the suppliers in New York now are supplying Mexico. It is absolutely crazy, and it is fraudulent and deceptive, and it is not right.

It sort of reminds me a little bit of the University of Maryland football team. The University of Maryland football team scored about 24 points a game. They may have 450 yards a game. You think, well, that is a pretty impressive record, until you understand that they give up 42 points a game and give up 500 yards a game and their record is 1 and 6 or something like that.

It is the difference between net product and gross product. They do not tell you the full story.

So as we move into this debate, people ought to be very conscious of the figures.

Now I yield to my friend from Pennsylvania, who has been so patiently waiting this evening to talk about this issue, the gentleman from Pennsylvania [Mr. KLINK].

Mr. KLINK. I thank my friend from Michigan. I came here tonight really to take part in this and came without notes because I wanted to speak from my heart about this NAFTA debate and what some of my concerns are.

Mr. BROWN from Ohio and myself were talking, Mr. STUPAK, the three of us are new Members. We realized that as we came into this 103d Congress as new Members that we would take on this NAFTA issue, and we may never in our minds, if we are here 40 or 50 years, take on a battle that is more important to the people who we represent and to the people of this country.

I have to tell you that I am not here at 11 o'clock at night eastern time, nor Mr. BONIOR, nor the rest of the speakers, because we enjoy being on television and because we want to bore people with details about something that is not important. We are here because, just as those workers that Mr. SANDERS talked about from the labor unions who fought, and in some cases died, to get those wages up, to get certain working conditions for the working people of this area. Those battles took place in Homestead, PA, in Flint, MI, in the coalfields of southern Ohio, Kentucky, western Pennsylvania, southern Pennsylvania, in the textile mills and steel mills of the east coast. Everything that those people have fought for we stand to lose by one vote in this 103d Congress, and the people have to understand that.

You talked about NAFTA math. It is true. My previous life was as a news reporter. I was a very young reporter, and I stood on a line one time. They were picketing. They were on strike.

I talked to an old-time labor organizer who was there and said, "How can you be on strike? The company said that they have their books and they can show us figures that they cannot afford to pay you a dime more."

The fellow told me something that stuck with me a long time, and it sticks with me in this NAFTA debate, and that is that figures don't lie, but liars sure know how to figure. And there is an unusual way of figuring out all of these different math equations that have to do with NAFTA.

But let us just ask one thing, and that is if NAFTA is so good, if there is such a great market in Mexico, the people that are proponents of NAFTA will agree that even without NAFTA we are losing jobs, General Motors, all the electronic firms, the car firms, Volkswagen in my own area that was in New Stanton, PA. They took 5,000 jobs out of Pennsylvania that are now outside of Mexico City. So those jobs are going there without the NAFTA agreement.

They will point to that and say, "What is your answer to that?"

My answer is this: Why, from 1980 to 1992, when productivity in Mexico went up 30 percent, did the real wages of the Mexicans go down 30 percent? If you say we want to get into that period after the problems in the oil market, then we will say fine. Why since 1987, after those problems, did the productivity go up 24 percent, yet the real wages went up less than half that?

So that is the real math. The Mexican people, quite frankly, cannot afford to buy our goods. They cannot buy the things that we have to sell them.

The gentleman is absolutely correct. What originally happened, and I do believe this part from the NAFTA proponents, companies went down there

for the opportunity, General Motors and other corporations, for the opportunity to be able to manufacture in Mexico so that they could acquire a portion of that market. But they found out once they got there, my goodness, we have struck the mother lode. We have got more free labor here, or nearly free labor, than we could ever imagine. And now we have to figure out a way to be able to take advantage of this labor and ship not across an ocean, not across a continent, but across the Rio Grande ditch, to the largest consumer market in the entire world.

That, ladies and gentlemen, is what this NAFTA agreement is about, pure and simple.

Mr. BONIOR. And that consumer market is the United States. It is shipping back here. The market is here. It is not in Mexico. Mexico is a country of 80 million people. They have basically 70 million people that cannot afford to purchase our American products. Mexico will be used as a platform by Japan and by European countries to ship into this country. It is absolutely the wrong solution for a very serious problem.

Mr. KLINK. If I can continue, the gentleman from Michigan made a point just before I started to talk, and I just want to go back on that again.

We hear all these figures. You talk about NAFTA math, about the $450 to $500 the average Mexican family spends. And the gentleman is right, that is if the Mexican family is buying factories and equipment. That is if they are buying all the parts for our automobiles that are then turned around and shipped back here, if they are buying all the parts for our television sets and our stereo equipment, when those parts are shipped down to Mexico, assembled into final products, and brought here.

The other thing they scare us with is the fact if we do not do this, then Japan will do it. The only interest that Japan has in Mexico is it is an import platform. They can import to the United States from that platform that is created in Mexico. That is the only reason that Japan has any interest, because they understand that those same poor Mexicans down there that are not making even a dollar an hour in most cases are not going to be able to buy goods and services that are manufactured in Japan. So that is just ludicrous.

I just want to end, my good friend, Mr. BONIOR, by saying this: I spent the last 14 years, as I said, in my previous career in Pittsburgh, PA, as a television newscaster. During that time I was the one who was standing outside the factories while they closed, while workers walked out with stunned looks on their faces, in many cases with tears running down their eyes, knowing that thousands of them were going to be displaced.

That experience is what moved me to run for Congress. In one town in my district 13,000 people worked at a factory, a steelmill that covered 7½ miles along the Ohio River. There are less than 700 people that work there today.

That is why at 10 minutes after 11 o'clock, RON KLINK is here talking about NAFTA and the ill effects, and Mr. BONIOR from Michigan is here, and our other good friend from California, and our good friend from Wisconsin, who I think is going to join us.

We know that this is going to be the most important vote that we will ever take.

I wish the gentleman good luck and Godspeed.

Mr. BONIOR. I thank my colleague for his comments and for his concern for the workers of the State of Pennsylvania in his district. He is absolutely correct.

I yield now to my friend from California [Mr. HUNTER].

Mr. HUNTER. I thank the gentleman for yielding. I appreciate the effort that he is making in this debate.

I wanted to offer, having heard a number of concerns, and I think well-placed concerns about NAFTA, from my colleagues on the Democrat side of the aisle, I thought I would offer the conservative Republican perspective on this issue.

First, I want to verify and restate what the whip has said, what Mr. BONIOR has said, over and over again, and that is the fact that the math that is being used, the numbers that are being used to support the pro-NAFTA argument, are smoke and mirrors. In fact, they give smoke and mirrors a bad name.

□ 2310

I have participated now on our side of the aisle in about eight debates on NAFTA. A number of Republicans are very concerned about it. A number of conservative Republicans feel that it goes against our basic principles.

And the $40 billion figure that is still being used by the Clinton administration and by Trade Ambassador Mickey Kantor has been totally refuted by the facts.

The facts are, as the Whip said, that that includes what we call "U-turn exports." That means that if this podium right here that I am standing in front of was made here in Washington, DC, by American workers, put on a bus, driven down through my district near San Diego, CA, and taken to Juarez to be sanded and varnished for say $10, let us say it is made in America for $100, when it crosses the line on the bus, Mickey Kantor will count that as an export to Mexico, sanded and varnished, put back on the bus and sent back to be sold to the United States in Washington, DC. So it is mostly made by Americans, sold to Americans, and that will be counted as a $110 export to the United States. So the $40 billion figure that then is used to extrapolate 700,000 jobs created by NAFTA is a phony figure, and I hope that the proponents on the other side, since they, in at least the debates that I participated in and the debates that I have seen, none of them have been able to challenge that fact, that about 30 percent of this is U-turn exports that are not real exports. I hope they will stop using the $40 billion figure. I think that has been fairly well, that point has been made. It has been raised. I think that that has been revealed to be fake.

I think the American people are entitled to just some basic facts about NAFTA.

Let me just offer to my friend and colleague that the NAFTA debate should not be a labor versus business debate. There are a lot of great businesses in America who do not want to go south, who are fighting NAFTA.

Mr. BONIOR. The gentleman is absolutely right. There are some businesses in this country who understand inherently how negatively they will be impacted in this country. A number in the agriculture industry are concerned about it; the flat glass industry is another industry. I could go on and on and name other businesses, especially small businesses. Small businesses understand that once a community dries up, once the jobs are gone, the grocer, the hardware store, the dentist, the doctor, all of these people are affected negatively.

I can take the gentleman through towns in Pennsylvania and Ohio and Michigan and Illinois and other places that have been devastated over the last 12 years because of the movement of jobs and plants and facilities to Mexico and show how those communities have been uprooted and people's lives have been destroyed, including a lot of decent, good business people.

When large plants go, of course, feeder plants follow as well. So I understand the gentleman's point well.

Mr. HUNTER. The gentleman is absolutely right. I would offer something else, that a lot of American business men and women want to keep their companies in the United States and do not want NAFTA to pass for another reason. And that is because they feel a loyalty and a kinship and a bond with the working people that work in their companies and factories.

The gentleman has shown that, and that comity between business people and labor and working people in this country has been one of our great national assets. Many of our people who take capital and create factories and create employment and have companies feel a great loyalty to the people that work in those companies, and those people do not want to see NAFTA happen.

My father falls in that category. As a businessman who built houses for many years and could have bought foreign steel, for example, and once you

drive a nail in a framing job into a stud, nobody knows where it came from, but he always said that it was important for people to make good paychecks in this country because that enabled them to maintain a standard of living and buy houses and cars and all the things that make America such a wonderful place.

Mr. BONIOR. That was the secret, as the gentleman well knows, of Ford Motor Co. Henry Ford decided at some point that his workers were not being paid enough. He went into the $5 a day pay, which was extraordinarily high at that point. His workers were able to purchase automobiles. And things took off from there. Unlike the situation in Mexico today, where real wages for workers are 32 percent below what they were in 1979.

Mr. HUNTER. The gentleman is right on point. The reason Henry Ford said, "I pay my people good wages so they will be able to buy my cars," is a point that is not shared by many entrepreneurs in Mexico, because those entrepreneurs do not rely on their people ever acquiring the capability to buy consumer items. They rely on exports to somebody else's market to make their money. And keeping labor low means that they are going to make a bigger profit and a bigger delta between costs and sales price.

Mr. BONIOR. I might say to my friend from California, here is where labor comes in.

If the people in Mexico were able to organize free and independent labor unions to challenge that, they would have an avenue to increase their own standard of living and at least be competitive in the labor market. But if you try to do that in Mexico, you are liable to end up in jail, as Mr. Gonzales, as I have indicated, was thrown in jail for 6 months for trying to organize in Matamoras. And there are examples after examples of this occurrence.

Mr. HUNTER. I thank the gentleman for his comments. He is right on point.

Let me leave him with one idea from a conservative Republican who is a supply sider and believes that freeing up capital is good for workers and for management.

Basically, NAFTA is shaped to make Mexico investment friendly so that our production will move south. I agree totally that the market remains in the United States, meaning that we are moving good blue collar jobs south. We should work to make American investment friendly. Labor and management, Democrats and Republicans, liberals and conservatives all have a stake in making America investment friendly to the point where people free up capital, where they build factories instead of moving factories, where they build housing development tracts instead of taking their money and putting it in government bonds, and where America's economy grows and people feel good about investing in this country. That is a job that is an unfinished job before this House.

Mr. BONIOR. I thank my colleague for staying this late and joining us. We had Republicans, Independents, Democrats, all talking about the importance of this issue.

I just want to repeat one more time, before I yield back my time, Mr. Speaker, that it is quite unbelievable that we have a situation in which the Mexican Government has invited our corporations to come down, to pay less than a dollar an hour to save $15,000 a year per worker, and our corporate leaders in this country, at least in a poll, suggest that they, in fact, many of them suggest that they will go. So the question is quite clear. We have got to resolve this issue legislatively and do this carefully, thoughtfully, over a period of time and not rush to it over a 2- or 3-year period.

I thank my colleagues for joining me this evening.

MORE ON NAFTA

The SPEAKER pro tempore (Mr. JOHNSON of Georgia). Under a previous order of the House, the gentleman from California [Mr. HUNTER] is recognized for 15 minutes.)

Mr. HUNTER. Mr. Speaker, I wanted to say just a couple of things that I think are important to come from the Republican side of the aisle with respect to NAFTA. I enjoyed having a discussion with the majority whip about the need to make American investment friendly.

Let me just give a couple of reasons for Republicans to be against NAFTA. First, Republicans believe in good business deals. We have often been called the party of business. I like to think that we are the party of working people also.

I would like to think that our tradition is with Theodore Roosevelt, that great protectionist, who told Henry Cabot Lodge, in a letter in 1904, when we were putting our party's platform together, we must see to it that we have tariffs that represent the difference in pay between American working men and their foreign counterparts, because the standard of living of American working men is a centerpiece of the Republican Party.

□ 2320

I would like to see a time when that is once again a part of the Republican platform. Let me tell the Members just about a couple of myths that free traders, professors and philosophers have discovered in the real world, and are discovering particularly with respect to NAFTA.

First, Mr. Speaker, the idea of NAFTA is that somehow we are going to have open trade with Mexico, that we are going to make Mexico investment friendly, which we are doing, NAFTA or no NAFTA, and even as business moves south that Mexican workers are going, perhaps, to increase productivity.

The theory is that as they increase productivity they are going to see their wages go up from $2,500 a year per capita to something much greater than that, and they are going to end up buying American goods. Let me tell the Members what has really happened. The philosophers, as we have found out so many times in the real world, with respect to armed services, for example, that we are often surprised by what happens in the real world, and that things do not seem to work out according to the book.

We saw that when the war started in the Falklands, and we are seeing it now, as we are dragged into a quagmire in Somalia that nobody would have predicted a few months ago. We also see it in economics.

The philosophers have said, with respect to NAFTA, that Mexican wages will rise, and that as those wages rise, a so-called rising tide lifts all boats, and that they will be buying products from the United States of America. That has not happened.

When the maquiladoras were founded about 20 years ago, or about 13 years ago, in 1980, the philosophers told us and the academicians and the theorists who tell us now that NAFTA will work, they told us that when the maquiladoras were well under way two things would happen. First, they said Mexican wages would go up, and then they said illegal immigration will be cut dramatically, because Mexican workers will be making good wages in their own country.

We now have 500,000 Mexican workers working in maquiladoras, the twin plants on the south side of the border. What has really happened is that wages have actually gone down since 1980. They have gone down about 30 percent in real buying power. Illegal immigration has skyrocketed.

The professors, the academicians, the theorists are back at their table. They say, "This time we really think we are right." One professor, Harley Shakin, of the University of California, formerly at San Diego, has punctured another error in their formula. That error is this. Harley Shakin has discovered that Mexican workers are increasing productivity, and not only are they increasing productivity, but they are acquiring the productivity to do high technology work.

The theory under NAFTA, the whole free trade theory, is that we are going to have a division of labor. That means Americans are going to do the high technology things, the good paying jobs, and the Mexican workers are going to make brooms and make ceramics and make other things that are low technology, and they are going to have the low technology jobs.

What has really happened is this. American companies have gone to Mexico, and they have undertaken experiments. One experiment is the Ford plant in Hermosillo, Mexico. At the Ford plant in Hermosillo, Mexico, where Mexican workers make 168,000 cars a year to sell to American consumers, none of them are sold in Mexico. The workers make about $2.38 an hour. Interestingly, however, these workers are excellent, productive workers.

That Ford plant in Hermosillo just got fifth place in the very prestigious J.D. Power Quality Award for having the fifth ranking plant in terms of quality of the 46 automobile plants in North America. They beat out a host of American companies, and they beat out five Japanese companies in this quality competition.

In machine yield, which is one of the best measures of productivity, the Mexican workers did a very, very fine job. They came very close to the productivity level of the American workers. These experiments showed this. They showed that while Mexican workers historically have had a low productivity level, when they are well equipped, when they have the best equipment, and when they are well trained, they have a very high productivity level.

Didn't we Americans always know that? Aren't we the people who realize that when we give people what it takes in terms of equipment and opportunity, that they will produce? We are not elitists. People come to America from all over the world and become productive, working in the American infrastructure, in American manufacturing.

When these companies go south, and they provide the equipment and the training for their workers in Mexico, they are going to be very productive. What does that mean to an American worker? That means to an American worker that you have on the other side of the border, from your perspective, the worst of all worlds. You have a counterpart in the Mexican worker who is able to take your job from a quality standpoint, and yet he is not making enough money to buy your products.

This incredible situation was illustrated a couple of days ago in a story in the Union Tribune in San Diego. When they did a story about Mexican workers at the twin plants in Tijuana, just south of my district, who walk out of huts with dirt floors and they walk into so-called clean rooms, sterile rooms at the Hughes electronic plant, and they make high technology electronics equipment for $1.20 an hour, all the professors hopping around saying, "Those people should be getting more wages, the wages will rise and they will be able to buy large numbers of American consumer items, thereby stimulating the American market," have been proven wrong.

The average worker in the twin plants in Tijuana works about 3 hours a day doing a high-technology job to be able to buy a pound of meat for his family. The average worker at the television plant there, at the Sony plant, could work for an entire year and not feed his family and not pay rent. He could not buy a single television.

The world, just like in the military and in national security policy, the world is a lot more complicated and very much a different world from that which the theorists and the philosophers and the academicians paint.

What are we getting with NAFTA? What we are getting is very plainly a bad business deal. We are getting access to a market that is a very small market. The entire nation of Mexico has a smaller consumer market than the city of San Diego in real terms. We have exposed the U-turn exports, we have exposed the fact that when Briggs & Stratton takes $2 million worth of equipment south, Bill Clinton, President Clinton, calls that a job creating export, when the flatbed truck carrying our machine tools crosses the border after we have fired our workers.

That is the theory, if all of American industry went south, Bill Clinton would register a giant surge in American exports. The plant going south he counts as exports. It is quite remarkable.

What are we getting? We are getting a very small consumer market that is not going to grow any time soon, because President Salinas cannot allow it to grow. He is telling international investors, "Come on in. I will give you cheap labor." He cannot turn to us and say, "The labor is not going to be cheap any more, because I want to give them enough money, make sure they make enough money so they can buy your products." He cannot make his workers rich and poor at the same time. He cannot have the wages low and high at the same time.

What he should do is make America investment-friendly. Democrats and Republicans, labor and management and business, should come together and put together a plan for America to pass a capital gains tax cut that will spur investment in the United States. We should pass investment tax credits, and we should deregulate the industries that are saddled with many regulations that have no real beneficial effect on the environment, but have become, nonetheless, bureaucratic messes.

In San Diego, California, it takes about 4 years to subdivide 10 acres of land, just to do the paper work, before you can move. We have a workmen's compensation system where you can get money if you say that you are stressed, and you get a doctor to confirm that you have been stressed. You can then pick up a nice pay check.

We have clean air regulations that are driving our businesses out of the State, going to other States. That is a microcosm of the United States. The United States has become unfriendly to business. I think labor and people who are concerned about business, conservatives and liberals, Democrats and Republicans, understand that now. Companies are voting with their feet.

We want to defeat NAFTA, but on the heels of defeating NAFTA we want to create an investment-friendly America, where people are incentivized to build plants, but not in Hermosillo and not in Tijuana, but in San Diego, CA; in Buffalo, NY; in Des Moines, IA; and across this Nation, where American working people, in the vision of Theodore Roosevelt, make a good enough wage to have a high standard of living in this country.

□ 2320

GENERAL LEAVE

Mr. THORNTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the subject of my special order this evening.

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

There was no objection.

SATURDAY NIGHT MASSACRE ANNIVERSARY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arkansas [Mr. THORNTON] is recognized for 60 minutes.

Mr. THORNTON. Mr. Speaker, in the early 1970's, this country faced complicated issues—energy shortages held us hostage; our economy was distressed by inflation; and there were doubts whether Government could resolve these issues. There were serious problems associated with trade and the security of our Nation both at home and abroad. Few people were concerned about who was to blame for the breakin at the Democratic headquarters during the summer of 1972.

I have taken this special order this evening to remember that 20 years ago today, on October 20, 1973, events occurred which awakened the Congress and the nation to the Watergate crisis. Those events, which culminated in the dismissal of the Attorney General, a Deputy Attorney General, and the special prosecutor investigating the Watergate burglary, became known as the Saturday Night Massacre.

People who had not been concerned much about the Watergate breakin were stunned when President Nixon, demanding that someone dismiss Special Prosecutor Archibald Cox, began dismissing Justice Department officials who refused to cooperate. Elliot Richardson and William Ruckelshaus

were expelled from the Nixon administration before the President found someone willing to remove Mr. Cox.

As Mr. BROOKS of Texas says:

Mr. Speaker, I am pleased to join my colleagues in recognition of the twentieth anniversary of the infamous "Saturday Night Massacre." As Members will recall, President Nixon was determined to block Independent Counsel Archibald's Cox's investigation into the Watergate affair and directed his attorney general to remove Mr. Cox from office. To his credit, Attorney General Elliott Richardson refused to honor such an outrageous suggestion and honorably resigned his cabinet position. This act was followed by Deputy Attorney General William D. Ruckelshaus' refusal to remove Cox from office and his subsequent resignation.

Mr. Speaker, I include the balance of Mr. BROOKS' statement at this point in the RECORD, as follows:

So twenty years ago, our Nation found itself in the midst of a national crisis that threatened the foundation of our constitutional system. This crisis, most thoughtful Americans then agreed, was brought on almost singlehandedly by President Richard Nixon's disregard for the American constitutional process. It was a critical juncture in American history and future generations will be forever grateful for the integrity, determination, and courage of men like Elliot Richardson and William Ruckelshaus who refused to knuckle under to the demands of a presidency out of control. When we needed it most, we had leaders in the Justice Department who had profound respect for the Constitution of the United States and an intense commitment to the democratic process.

As events would have it, Archibald Cox was, in fact, removed from office, but a new independent counsel, Leon Jaworski, followed in his footsteps and brought the Nixon Presidency to justice. Today, Congress is once again debating the merits of an independent counsel statute. I believe we should move forthrightly to reauthorize the Office of the Independent Counsel for five more years. In our constitutional system of government, the American people need the protection of an office dedicated to an objective and independent investigation of wrongdoing at the highest levels of government. I believe the Office of Independent Counsel, if reauthorized, would satisfy this requirement. Meanwhile, let us hope that we never again confront the constitutional crisis of twenty year ago that we know as the "Saturday Night Massacre."

Mr. THORTON. Mr. Speaker, the Saturday Night Massacre prompted the beginning of the Judiciary Committee's inquiry on whether impeachment articles should be brought against President Nixon. It also marked the onset of one of the gravest constitutional crises this Nation has ever faced—as well as a crisis of confidence in the integrity of our system of governance.

Some of my colleagues and I who participated in those proceedings believe that this event is remarkable, not only for its historical importance, but because it also reminds us of lessons we could apply to our work today.

Virtually, every member of that Judiciary Committee recognized that this decision required their best efforts to reach a conclusion that was in the interest of preserving the constitutional system of governing. There were, of course, differences—mainly procedural—which divided our committee on party lines, but again and again, on issues of substance, there was bipartisan accord.

My friend, the gentleman from New York [Mr. FISH] has asked me to insert his remarks at this point in the RECORD.

My colleague was here earlier this evening and had to leave, but I include his remarks with regard to the Saturday Night Massacre at this point in the RECORD, as follows:

I congratulate my friend and colleague for remembering events of October 20, 1973.

The events 20 years ago were viewed by many as a constitutional crisis.

What followed—the thorough, deliberate, and fair consideration by the Judiciary Committee of impeachment resolutions did much to dispel the crisis atmosphere and restore public confidence in the institutions of Government.

I recall months after October 20, Archibald Cox wrote that our committee's approval must have a moral and legal basis acceptable to the American people.

I think history will judge that our committee's approach was faithful to this charge.

Mr. THORNTON. Mr. Speaker, each member of the Judiciary Committee probably remembers the significance of that Saturday night. My own recollections were reflected in a speech given to the Grant County Chamber of Commerce in Arkansas within a few days of the "Saturday Night Massacre." My topic was "Our Wounded Nation: What Is Needed to Recover."

Up until that time, my own work in Congress had related largely to efforts to address the energy crisis and to improve the economy of my area. But that night in Arkansas, I told my constituents that the events of a few days earlier had changed all of that.

I told the people I represented that it was my sworn duty to support and defend the Constitution and public laws of the United States and to faithfully perform the task referred to the Judiciary Committee. I advised them that I would not shrink from that duty.

Then I added, "I will not hesitate to vote my conviction after hearing evidence whether the President supports the Constitution and the laws of our Nation * * * The preservation of our system of government is more important to me than any person's continuation in office, including my own * * *"

Mr. Speaker, I ask to include the text of my 1973 speech in the RECORD at this point.

The statement referred to is as follows:

GRANT COUNTY CHAMBER OF COMMERCE
ANNUAL BANQUET, AUTUMN, 1973

It is always good to be back home in Sheridan, there is always something special about coming home and I want you to know how much I appreciate each one of you. Your friendship, your confidence, and your example of how to meet life's challenges with courage and enthusiasm lifts me up and makes me glad to be here.

We seem to be living today in an era of declining respect for society's institutions. The government of the people seems to lack human qualities, and appears to many of our citizens as impersonal, unresponsive, or even deceitful. The relevance of religious faith, and acceptance of standards of moral and ethical conduct, are being questioned and challenged. In my book, "Everyone Else Is Doing It" still doesn't make it right.

Our public schools are caught in cross currents of forces which question methods, direction, and purpose of education while imposing greater demands for preparing our youth to accept responsibilities of life.

The military is seen not only as a defender of the nation, but as a bureaucracy interested in preserving its own establishment and prerogatives.

Even private institutions are sometimes thought to be heartless and selfish and the worthwhile purpose of providing services in order to make a profit is challenged by those who would substitute governmental regulation for a free enterprise system.

And finally, the structure and integrity of our government itself is being tested. I realize that I have just described a rather dark picture, and I'm also aware of the tendency to remember the past as being somehow better than it was. But who can escape the realization of the changing conditions of our country during the last few years. Our Nation today is not as solid and secure as it was during the days of President Eisenhower. It is not as full of spunk as it was under Truman, nor as full of hope and promise as it was under President Kennedy.

The intervening years have left us deeply divided—a nation beset with problems, both of the pocketbook and of the spirit.

So tonight, for a moment, I would like to talk with you about Our Wounded Nation: What Is Needed to Recover.

There are, I believe, two levels of concern. First, there are those things which affect our material well-being, things such as our economy and balance of payments, the security of our Nation and the energy crises, and second, those affecting the functioning of the system itself, divisions, strife, dishonesty in government, mistrust of government, even the basic question whether everyone must abide by the rule of law.

It is most appropriate that we discuss these problems here tonight, because in this room are gathered community leaders, who have demonstrated their ability to meet challenges and accept the increased responsibilities which accompany success. And in a very real sense, the same resources which are useful in solving our community problems will be called forth to forge constructive change for our Nation.

We cannot afford to indulge ourselves in a fantasy world. We cannot dream and hope to return to some earlier imagined state of well-being. Material shortages and economic reality will not permit us to return to a world of wild, unchecked use and waste of our resources, that world no longer is available. And we should not seek to return to what no longer exists.

Much of my own work in Congress has related to an effort to meet the energy crisis. On April 19, 1973, I made a speech to the House of Representatives in which I outlined the gravity of the energy crisis which our Nation faces. This was, as you may recall, the same day on which the President said there was no energy crisis and that voluntary reductions in energy consumption

would be adequate to solve our Nation's problems. In my speech I called attention to the developing crises * * * then, just a few weeks ago, I was flattered that remarks which I made concerning our need to conserve our energy resources were published on the editorial page of the Washington Post.

The energy crisis, like the economic crisis of inflation eroding the value of the dollar will not be quickly or easily solved, but both are subject to the same ultimate solution—we must bring into balance our needs and our supplies, our expenditures and our revenues.

All of these problems—energy shortages, inflation, our balance of trade with foreign countries, and our resources for defense of our country are vital, and have taken up the greatest part of my own time in Congress, and have been the focus of virtually all of the committee work and legislation in the House of Representatives. As I mentioned during August, less than 2 percent of all congressional work has been concerned with the Watergate matter.

Then, a few days ago, all of that changed.

The House Judiciary Committee found itself faced with decisions and recommendations on the confirmation of Gerald Ford as Vice-President. This was not thought up by Congress but was required by Mr. Agnew's resignation. We should proceed promptly to investigate and report on the confirmation of Gerald Ford as Vice-President.

To our committee have also been referred proposals to create a special prosecutor independent of the executive branch of government, and the duty of inquiring whether the House should bring charges against the President of the United States. Again, these were not thought up by Congress but followed the dismissal and resignations of the Special Prosecutor, Mr. Archibald Cox, the Attorney General, Mr. Elliot Richardson, and Deputy Attorney General William Ruckelshaus.

I did not seek—nor could anybody have expected—the task of judging these extraordinary questions, but I am in that position because of my membership on the Judiciary Committee, which has the duty and responsibility of reviewing these matters, and making its recommendations. I have publicly stated my belief that it is time to begin our inquiry.

It is my sworn duty to support and defend the Constitution and public laws of the United States, and to faithfully perform the task referred to this committee, and I will not shrink from that duty.

Because the last of these questions is similar to those which are presented to a grand jury, it would be inappropriate for me to discuss the proceedings, or make comments upon the evidence or allegations before the committee.

But I believe you should know what considerations will guide me in these deliberations. I truly appreciate the many expressions of confidence which I have received. Again and again, I have received expressions of concern and support, expressing confidence that we will find the right course to heal our Nation's wounds.

Other letters have been received praising and condemning the President, and calling for his removal or to leave him alone.

Many thoughtful people have the impression that the question is whether or not the President is doing a good job. To me, the question is not whether he is doing a good job or a bad job, but simply whether he will perform his sworn duty to preserve, protect and defend the Constitution of the United States and to follow its laws.

I have responded to those letters by expressing my hope that it will not be necessary to bring charges against the President because of the effect such proceedings would have upon our country. However, I will not hesitate to vote my conviction after hearing evidence whether our President supports the Constitution and laws of this great free land.

The preservation of our system of government is more important to me than any person's continuation in office, including my own, and my own prayer is that I may clearly see the right course in our Nation's interest . . . we must always remember our country's strength is in the character and faith of its people.

President Kennedy sounded a clear call for such faith when he said: "In the long history of the world only a few governments have been granted the role of defending freedom in its hour of greatest danger. I do not shrink from that responsibility. I welcome it."

Tonight that call to Americans must be sounded again.

Let us remember that this country of ours—great and powerful though it may be because of natural resources—is important in the stream of world history because of the principles of integrity, liberty and honor in which each of you believes. We must not forget that these principles and our material well-being have been gained because men of character, strength, and courage have in the past squeezed them out of a hostile world one small step at a time.

In looking around this room, into the faces of friends from early childhood years and those of later years as well, I am confident that we have the strength of character and of will, and of faith, to ensure that this land will long remain both strong and free.

Mr. Speaker, each member of the Judiciary Committee probably had similar thoughts about the gravity of the situation which faced us.

We faced a constitutional crisis as to whether the Constitution and the rule of law applied to everyone. We faced an institutional crisis as to whether we could conduct a full and fair inquiry without being fragmented along partisan lines. We were at a crossroads, with only one of the paths keeping us on course. We had to choose the right new path.

Congress responded to these challenges, and weathered a crisis of confidence in Government itself by taking the high ground and acting carefully and deliberately. The system worked.

People throughout the Nation recognized that a Congress, made up of individual Members from various backgrounds, could take on tough problems and resolve them in a firm, fair, and responsible way. Having restored confidence in Government, the Congress moved boldly toward congressional reform.

Again today, confidence in Government has faltered. Our institutions are seen as unresponsive and uncaring.

During the 1970's, Congress met the challenge of correcting abuses in another branch of government. Now, the task is more difficult. Congress must set out to improve itself.

The American people are frustrated and see Congress as part of the problem rather than part of the solution. Its seems clear that our efforts must be both procedural and substantive.

Procedurally, it is important that recommendations, such as those being considered by the Joint Committee on the Organization of Congress, be taken seriously and that changes which will improve efficiency be adopted.

We should, however, keep in mind the distinction between efficiency and effectiveness. Even more important than the efficiency of doing things right is the substantive question of doing right things.

For example, serious questions about minority and majority rights should be addressed in a consistent and fair way throughout the legislative branch.

In the months following the Watergate decisions. I remember one reform, which was considered by Speaker Carl Albert, that a two-thirds vote of the House be required to approve nongermane amendments added by the other body. We were quickly advised by Members of the other body that such a super-majority should not be approved.

Believing in the democratic principle that a majority should have a right to bring an issue forward to a vote, the House has recently adopted a discharge procedure to advance that principle. If such a process is a sound expressive of majority rights, should it not be uniformly applied throughout the legislative branch of Government?

In addition to changes within the legislative branch as an institution, reform is needed in assuring that elections provide a level playing field on which challengers can compete with incumbents. Campaign finance reform is one means to enhance this objective.

But more basic than procedural and substantive reform of laws and institutions, is the need for individual dedication to the people's business.

Just as members of the Judiciary Committee rose above themselves to perform their duty to the principles of justice and accountability that were central to the Watergate matter, we should now reaffirm that the purpose of debate is to inform and persuade Members, not television audiences.

We should assure that decisions be made on principle rather than expediency, that the institution of Congress as well as the privilege of representing the people be respected and accorded dignity.

It is time, once again, to take the high road. The American people will notice, and they will approve.

□ 2340

DEPOSITORY INSTITUTION RETAIL INVESTMENT SALES AND DISCLOSURE

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

Mr. GONZALEZ. Mr. Speaker, I am pleased to introduce today the Depository Institution Retail Investment Sales and Disclosure Act with my colleague from New York, Congressman CHUCK SCHUMER. This legislation is prompted by our great concern over the retail sales of nondeposit investment products by insured depository institutions. The timing of this bill is critical. In the past few years, mutual funds have exploded into a $2.1 trillion market—from $135 billion in 1980 to $2.1 trillion in 1993. Assets of mutual funds have exceeded that of deposits for the first time in our history. More than one-third of the banking industry now sells mutual funds. The purpose of this legislation is to prevent consumers from buying an uninsured product such as a mutual fund or annuity, mistakenly believing that the product is federally insured. We don't need another Lincoln Savings and Loan debacle where thousands of customers bought bonds thinking they were as safe as CD's, only to learn they were really worthless junk bonds.

Although some Federal banking agencies have issued guidelines regarding sales of uninsured products, this legislation would go further to protect consumers from misleading and deceptive sales practices. Our bill would ensure that not only will banks be required to follow the SEC's rules for brokers and dealers, but also that they take into account the special rules of unsophisticated customers. This bill is designed to protect the vulnerable customer from unsafe and unsound tactics we have seen used in previous scandals.

We cannot trust that banks' self-policing practices will avert another tragedy like the Lincoln Savings and Loan debacle of the 1980s when thousands of mostly elderly customers bought uninsured bonds from the California savings and loan believing they were federally insured. No one told them these bonds were uninsured—if anything, Lincoln employees contributed to the problem by disabusing the customers of any notion that the bonds might be uninsured. When Lincoln was taken over by the Government in April 1989, more than 23,000 customers were left with $255 million of worthless bonds. Many people lost their life's savings. Our legislation will keep bank customers fully apprised of all of the risks of purchasing investment products.

This bill is critical, because, unfortunately, many people still think that anything they get from a bank is federally insured. We need to make sure that tellers and customer representatives—who deal most frequently with customers—clarify the uninsured nature of these products.

This legislation requires full disclosure that the product is not insured by the Government and that the consumer is aware that money may be lost on the investment. In addition, the customer must sign a form acknowledging the disclosure before any initial purchase.

The legislation also addresses the scenario where a customer, understandably, is confused over the association between a bank, which is federally insured, or name of the uninsured products offered by or through the bank. For example, how can a consumer be expected to immediately make the distinction between the federally insured American Bank or its uninsured so-called American Bank mutual funds? The Office of the Comptroller of the Currency [OCC] says that banks may not use their name in the labeling of uninsured bank products. The Gonzalez-Schumer bill specifically prohibits banks from using similar names or logos. This bill will help avoid such confusion in the future. It also allows banks a transition period in recognition of existing arrangements.

To further prevent customer confusion, the legislation regulates the setting and circumstances of investment sales by physically isolating the area where uninsured mutual funds or annuities are sold, from the area where a customer engages in everyday banking services such as making deposits. Thus, the customer will have to seek out the services on his or her initiative. This bill serves to deter methods used in the Lincoln Savings and Loan crisis, where tellers were receiving bonuses for pushing uninsured bonds and meeting quotas established by each branch.

Currently, Federal banking agencies only require "to the extent permitted by space and personnel considerations," that banks take steps to separate the retail deposit-taking and retail nondeposit sales functions of banks. Clearly, this is not enough. Under our legislation, even the smallest depository institution must figure out a way to physically separate its noninsured businesses from its insured. While this may cause some inconvenience at first, the payback in greater customer protection is worth it.

Tellers must also refer customers to the area of the bank where they can purchase uninsured financial instruments. Under our legislation, the teller is not even allowed to comment on customer requests for information on uninsured products but must refer them to the employee or employees responsible for selling the product. As it stands today, customers may be misled by the teller who deposits their federally insured money and then turns around and sells them an uninsured investment product.

Currently, banks provide names and addresses of their customers, along with CD balances and maturity dates, to affiliated brokers who sell uninsured products. The Federal banking agencies do not address issues of confidentiality in this situation. This bill would require written customer consent prior to the disclosure of any confidential information.

The reforms in this bill are needed because they exceed those of Federal banking agencies which emphasize, recommend, or advise requirements of the banks they oversee. This legislation mandates reforms.

The Lincoln Savings and Loan scandal serves to remind us that consumers who are not informed about the risks involved with their investments, can lose big. I urge all members to support passage of this bill to protect those who may not have all the information they need. It is my intention to bring this bill to a committee vote this year since the sooner the consumer is protected, the better.

DEPOSITORY INSTITUTION RETAIL INVESTMENT SALES AND DISCLOSURE ACT—SECTION-BY-SECTION ANALYSIS

Section 1. Short title. "Depository Institution Retail Investment Sales and Disclosure Act."

Section 2. Regulation of retail sales of nondeposit investment products by insured depository institutions.

The Act amends the Federal Deposit Insurance Act (FDI Act) by adding a new section 44, "Regulation of Retail Sales of Nondeposit Investment Products by Insured Depository Institutions".

Definitions. Section 449(a)(1) defines "banking office" as any office or part of any office of an insured depository institution that is commonly accessible to the general public for the purpose of accepting or withdrawing deposits.

"Nondeposit investment product" is defined in section 44(a)(2) broadly to include any shares issues by a registered investment company. It does not include any deposit, loan or extension or credit, letter of credit, or any other instrument or investment product specifically excluded from the definition by regulations prescribed jointly by the Federal banking agencies.

Scope of Application. Section 44(b)(1) provides that the Act applies only to retail sales of nondeposit investment products. It does not apply to transactions between any insured depository institution, any affiliate, or any other person subject to section 44 and any other insured depository institution, any affiliate, any registered broker or dealer, any accredited investor (as defined in section 2(15)(i) of the Securities Act of 1933), or any other class of customers which the Federal banking agency determines, on the basis of the customer's financial sophistication, does not need the protections of the Act.

Section 44(b)(2) provides that the Act should not be construed as limiting or otherwise affecting any authority of the SEC, any self-regulatory organization (SRO), the Municipal Securities Rulemaking Board (MSRB), or the Secretary of the Treasury under any Federal securities law or the applicability of any Federal securities law or regulation. The Act does impose requirements on insured depository institutions who must ensure compliance by certain SEC registered and regulated persons who operate on behalf of or upon the premises of the insured depository institution. Some of these requirements are in addition to those imposed by the Federal securities laws and regulations issued thereunder. However, the requirements of, and the regulatory and enforcement authority of the Federal banking agencies under, the Act are not intended to diminish the regulatory and enforcement authority of the SEC, any SRO, the MSRB, or the Secretary of the Treasury over persons registered with or otherwise regulated by them.

Prohibition on Misleading and Deceptive Practices. Section 44(c) of the FDI Act prohibits any insured depository institutions from permitting any person from engaging in any practice or using advertising which could mislead a customer as to: (1) the uninsured nature of any nondeposit investment product offered or sold by the institution, any affiliate, or any other person at or on behalf of the institution, or (2) the investment risk associated with such product.

The Federal banking agencies are required to jointly prescribe rules of fair practice governing such sales. The regulators are to take into account the National Association of Securities Dealers (NASD) Rules of Fair Practice when prescribing such regulations and any other applicable regulations which the agencies determine to be appropriate.

Disclosure. Under section 44(d), an insured depository institution shall require any person who offers or sells any nondeposit investment product to disclose to any potential customer the following information: (1) the nondeposit investment product is not insured by the FDIC, the U.S. Government, or

the institution; (2) the product poses some investment risk and may involve the loss of principal; (3) a description of the relationship between the insured depository institution and any other person which originated the product or underwrites, sells or distributes the product; and (4) in the case of sales of shares of a registered investment company, the relationship between the institution, any affiliate, and the investment company.

At the time of the initial purchase of a nondeposit investment product, the insured depository institution must obtain a separate statement signed and dated by the purchaser which contains the declaration that the purchaser has received, read and understood the required disclosures. The declaration must be prominently placed on a sheet of paper separate from any application or other paper which the person signs or obtains in connection with the initial purchase. Signed declarations must be obtained for the initial purchase of each type of nondeposit product, i.e. mutual fund, annuity, or shares of stock. Signed declarations are not required for subsequent purchases of the same type of nondeposit product.

With respect to a purchase of a nondeposit investment products (other than an initial purchase described above) which takes place through an electronic funds transfer, the visual or oral disclosure described above must be provided through the device used by the purchaser to carry out the transfer.

The Federal banking agencies must jointly establish model forms for disclosure and signed declarations.

The disclosures required under section 44(d)(1) must be contained in any advertisement, solicitation, or promotional or sales material of any insured depository institution regarding any nondeposit investment product, as well as in any sale confirmation notice or periodic statement issued in connection with such product.

Location. An insured depository institution may not permit any part of any banking office of the institution to be used for offers of, sales of, or offers of opinions or investment advice regarding, any nondeposit investment product. Such activity may be conducted in an area physically segregated from the banking office.

A notice must be posted in any area in which nondeposit investment products are offered or sold or in which investment advice regarding such products is given stating that such part of the office is devoted to the sale of nondeposit investment products that are not insured by the FDIC or the U.S. government and that deposits are not accepted at that location.

Employee Sales, Training, and Compensation. An insured depository institution may not allow any person who accepts deposits to sell or offer investment advice regarding any nondeposit investment product. Such person may refer a customer to a person who does sell such products or offers such advice if the customer explicitly requests the referral and if the person who accepts deposits does not solicit such requests, discloses to the customer the uninsured nature of such products, and does not receive any referral based compensation.

In order to sell any nondeposit investment product at or on behalf of an insured depository institution, a person must either be registered with the SEC as a broker or dealer, registered representative, or an investment adviser or the person must meet qualification and training requirements which the Federal banking agencies jointly determine to be equivalent to the training and qualification requirements applicable to a registered broker or dealer, registered representative, or registered investment adviser. Such training must include training regarding suitability of investments.

Generally, the Federal banking agencies are instructed to prescribe regulations establishing minimum requirements for insured depository institution compensation programs designed to ensure that the programs do not provide an incentive for the sale of nondeposit investment products to any customer in lieu of a more suitable investment.

Common Names. No insured depository institution and no affiliate may use the name, title or logo of the institution or any word or design which the same as or similar to, or a variation of, the name, title, or logo of such institution in connection with the name of any investment company for which the institution or affiliate acts as investment adviser, or any nondeposit investment products which is sold by the institution or affiliate or with respect to which the institution or affiliate provides an opinion or investment advice. This prohibition shall not apply to any institution currently using such name, title, logo, word or design until 6 months after the date of enactment of this Act if the use of such name, title, logo, word or design began prior to the date of enactment. The appropriate Federal banking agency may permit such use to continue after the expiration of the 6 month period if the agency determines, in writing and on a case by case basis, that such use is unlikely to mislead any person as to the uninsured nature of the nondeposit investment product.

Confidential Customer information. Section 44(g) prohibits the disclosure of any confidential customer information by an insured depository institution to any person, including any affiliate of the institution, without the prior written consent of the customer. "Customer" is defined as any person who after the date of enactment of this Act establishes a deposit, trust, or credit relationship with an insured depository institution. A renewal of an account or rollover of a deposit is treated as the establishment of a new deposit relationship. "Confidential customer information" is defined as financial information regarding any specific individual which has been derived from any record of the institution and pertains to the individual's relationship to the institution. Specific exceptions from the definition are provided. The Federal banking agencies may prescribe additional regulations limiting disclosures of nonpublic customer information.

Compliance. Section 44(i) requires each Federal banking agency to review the institution's record of compliance with section 44 when conducting any examination. The insured depository institution which permits third parties to offer, sell, or provide investment advice regarding, nondeposit investment products must establish procedures to ensure that such third parties adhere to the requirements of section 44.

Seciton 44(i)(3) states the sense of the Congress that the Federal banking agencies use testers to monitor compliance with the requirements of this section.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. HASTERT (at the request of Mr. MICHEL), from 4:30 p.m. and for the balance of the day, on account of illness.

Mr. ENGEL (at the request of Mr. GEPHARDT), for today until 6:50 p.m., on account of personal business.

SPECIAL ORDERS GRANTED

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

Mr. HUNTER, for 15 minutes, today.

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

Mr. GILLMOR, for 60 minutes each day, on October 22, 25, and 26.

Mr. SMITH of New Jersey, for 5 minutes, today.

Mr. DORNAN, for 5 minutes, today, and for 60 minutes, on October 21.

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

Mr. PARKER, for 5 minutes, today.

Mr. TOWNS, for 5 minutes, today.

Mr. SANDERS, for 5 minutes each day, October 20 and 21.

Mrs. MEEK, for 5 minutes, on October 21.

Ms. MCKINNEY, for 5 minutes, on October 21.

Ms. BROWN of Florida, for 5 minutes, on October 21.

Mr. SANDERS, for 60 minutes each day, on October 26 and 27.

Mr. FINGERHUT, for 60 minutes each day, on October 20 and 21.

Mr. HINCHEY, for 10 minutes, on October 21.

EXTENSION OF REMARKS

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

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

Mr. MICHEL.

Mr. KYL.

Mr. ROHRABACHER.

Mr. CAMP.

Mr. REGULA.

Mr. FIELDS of Texas.

Mrs. MEYERS of Kansas.

Mr. KOLBE.

Mr. SMITH of New Jersey.

Mr. KNOLLENBERG.

Mr. LEWIS of California in two instances.

Mr. TALENT in three instances.

Ms. MOLINARI.

Mrs. MORELLA.

Mr. HEFLEY.

Mr. COLLINS of Georgia in three instances.

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

Mr. DINGELL.

Mr. HOLDEN.

Mr. MINETA.

Mr. MANTON.

Mr. SWETT in two instances.
Mr. RUSH in three instances.
Mr. ENGEL.
Mr. HILLIARD.
Mr. HINCHEY.
Mr. SANDERS.
Mr. LIPINSKI.
Mr. JEFFERSON.
Mr. COYNE.
Mr. FOGLIETTA.
Mr. BARCIA.
Mr. SERRANO in four instances.
Mrs. SCHROEDER.
Mr. EDWARDS of Texas.
Mr. BLACKWELL.
Mr. HOCHBRUECKNER in two instances.
Mr. LEHMAN.
Mr. TRAFICANT in two instances.
Ms. ENGLISH of Arizona.
Mr. LANTOS.
Ms. HASTINGS.
Mr. CONDIT.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 11 o'clock and 44 minutes p.m.), the House adjourned until tomorrow, Thursday, October 21, 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:

2045. A letter from the Department of Energy, transmitting the first interim report of the Federal Fleet Conversion Task Force; to the Committee on Energy and Commerce.

2046. A letter from the Chief Financial Officer, Nuclear Regulatory Commission, transmitting the Commission's report on mixed waste streams, pursuant to 42 U.S.C. 6965; to the Committee on Energy and Commerce.

2047. A letter from the Assistant Secretary of State for Legislative Affairs, transmitting notification of a proposed transfer of defense articles or defense services valued at $50 million or more reexported from Canada to Australia, pursuant to 22 U.S.C. 2753(d)(3); to the Committee on Foreign Affairs.

2048. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of a proposed license for the export of defense equipment sold commercially to Japan (Transmittal No. DTC-38-93), pursuant to 22 U.S.C. 2776(d); to the Committee on Foreign Affairs.

2049. A letter from the Railroad Retirement Board, transmitting the Board's report on the Program Fraud Civil Remedies Act for Fiscal Year 1993, pursuant to 31 U.S.C. 3810; to the Committee on Government Operations.

2050. A letter from the Chairman, Board of Directors, Tennessee Valley Authority, transmitting a report of activities under the Freedom of Information Act for calendar year 1992, pursuant to 5 U.S.C. 552(e); to the Committee on Government Operations.

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. DIXON: Committee on conference. Conference report on H.R. 2492. A bill making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1994, and for other purposes (Rept. 103-303). Ordered to be printed.

Mr. MOAKLEY: Committee on Rules. House Resolution 282. Resolution providing for consideration of the joint resolution (H.J. Res. 281) making further continuing appropriations for the fiscal year 1994, and for other purposes (Rept. 103-304). Referred to the House Calendar.

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 Ms. NORTON (for herself, Mrs. MORELLA, Mr. ACKERMAN, Mr. YOUNG of Alaska, Ms. BYRNE, Mr. MORAN, Mr. HOYER, Mrs. UNSOELD, Mr. BATEMAN, Mr. GILCHREST, and Mr. CARDIN):

H.R. 3318. A bill to amend title 5, United States Code, to provide for the establishment of programs to encourage Federal employees to commute by means other than single-occupancy motor vehicles; to the Committees on Post Office and Civil Service, House Administration, and the Judiciary.

By Mr. BARRETT of Nebraska:

H.R. 3319. A bill to impose limitations on the placing of U.S. Armed Forces under the operational control of a foreign national acting on behalf of the United Nations; jointly, to the Committees on Armed Services and Foreign Affairs.

By Mr. BILBRAY (for himself, Mr. GOODLATTE, Mr. HUNTER, Mr. LEHMAN, and Mr. TRAFICANT):

H.R. 3320. A bill to curb criminal activity by aliens, to defend against acts of international terrorism, to protect American workers from unfair labor competition, and to relieve pressure on public services by strengthening border security and stabilizing immigration into the United States; to the Committee on the Judiciary.

By Mr. FRANK of Massachusetts:

H.R. 3321. A bill to provide increased flexibility to States in carrying out the Low-Income Home Energy Assistance Program; jointly, to the Committees on Banking, Finance and Urban Affairs, Education and Labor, and Energy and Commerce.

By Mr. JEFFERSON (for himself, Mr. RANGEL, Mr. FORD of Tennessee, Mr. LEWIS of Georgia, Mr. REYNOLDS, Mr. FROST, Mr. WASHINGTON, Mr. TOWNS, Mr. MURPHY, and Mr. KLEIN):

H.R. 3322. A bill to amend the Internal Revenue Code of 1986 to provide tax incentives to encourage the preservation of low-income housing; to the Committee on Ways and Means.

By Mr. SANDERS:

H.R. 3323. A bill to provide that rates of pay for the President and Members of Congress shall be made equivalent to the rates of pay for their counterparts in the United Mexican States if legislation implementing the North American Free-Trade Agreement is enacted; jointly, to the Committees on Post Office and Civil Service and House Administration.

By Mrs. SCHROEDER:

H.R. 3324. A bill to amend the Public Health Service Act to establish a program of providing information and education to the public on the prevention and treatment of eating disorders; to the Committee on Energy and Commerce.

By Mr. SHAYS (for himself, Mr. ANDREWS of Texas, Mr. WALSH, Mr. KOLBE, Mr. SMITH of Texas, Mr. BOEHNER, Mr. FRANK of Massachusetts, and Mr. BALLENGER):

H.R. 3325. A bill to amend certain provisions of title 5, United States Code, relating to the age and service requirements for entitlement to an immediate annuity under the Civil Service Retirement System or the Federal Employees' Retirement System, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. KLINK (for himself and Mr. COYNE):

H.R. 3326. A bill to delay the effective date of regulations issued by the Secretary of Housing and Urban Development governing the admission of single persons into public and assisted housing for the elderly; to the Committee on Banking, Finance and Urban Affairs.

By Mr. NATCHER:

H.J. Res. 281. Joint resolution making further continuing appropriations for the fiscal year 1994, and for other purposes; to the Committee on Appropriations.

By Mr. STUDDS (for himself, Mr. MANTON, Mr. YOUNG of Alaska, Mr. PALLONE, Mr. SAXTON, and Ms. SNOWE):

H. Con. Res. 169. Concurrent resolution to express the sense of the Congress that the United States should seek compliance by all countries with the conservation and management recommendations for Atlantic bluefin tuna adopted by the International Commission for the Conservation of Atlantic Tunas, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. SMITH of New Jersey (for himself, Mr. DOOLITTLE, Mr. MCMILLAN, Mr. PARKER, Mr. HYDE, Mr. SOLOMON, Mr. BARRETT of Nebraska, Mr. DELAY, Mr. FIELDS of Texas, Mr. BUYER, Mr. CANADY, Mr. WOLF, Mr. HUTCHINSON, Mr. RAHALL, Mr. DICKEY, Mr. GILCHREST, Mr. HEFLEY, Mr. SENSENBRENNER, Mr. PORTER, Mr. BACHUS of Alabama, Mr. LINDER, Mr. HOEKSTRA, Mr. LEWIS of Florida, Mr. BAKER of California, Mr. COX, Mr. RAVENEL, Mr. DORNAN, Mr. ROYCE, Mr. CAMP, Mr. CUNNINGHAM, Mr. SUNDQUIST, Mr. BAKER of Louisiana, Mr. ROTH, Mr. TALENT, Mr. HERGER, Mr. STUMP, Mr. BATEMAN, Mr. QUILLEN, Mr. RIDGE, Mr. HANCOCK, Mr. SANTORUM, Mr. HORN, Mr. LIPINSKI, Mrs. ROUKEMA, Mr. TAYLOR of North Carolina, Mr. BARTLETT of Maryland, Mr. CALLAHAN, Mr. SAXTON, Mr. HUTTO, Mr. FALEOMAVAEGA, Mr. WALSH, Mr. INGLIS of South Carolina, Mr. HUNTER, Mr. ZELIFF, Mr. GINGRICH, Mr. GEKAS, Mr. MCCOLLUM, and Mr. KYL):

H. Res. 281. Resolution respecting child pornography; to the Committee on the Judiciary.

MEMORIALS

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

251. By the SPEAKER: Memorial of the Legislature of the State of California, relative to pest containment and quarantine facilities; to the Committee on Agriculture.

252. Also, memorial of the Legislature of the State of California, relative to Mare Island Naval Shipyard; to the Committee on Armed Services.

253. Also, memorial of the Legislature of the State of California, relative to the aircraft carrier *Midway*; to the Committee on Armed Services.

254. Also, memorial of the Legislature of the State of California, relative to community development financial institutions; to the Committee on Banking, Finance and Urban Affairs.

255. Also, memorial of the Senate of the State of California, relative to establishing a model for career pathways for youth programs; to the Committee on Education and Labor.

256. Also, memorial of the Legislature of the State of California, relative to long-term care; to the Committee on Energy and Commerce.

257. Also, memorial of the Legislature of the State of California, relative to cannabis/marijuana; to the Committee on Energy and Commerce.

258. Also, memorial of the Senate of the State of California, relative to the range livestock industry; to the Committee on Natural Resources.

259. Also, memorial of the Legislature of the State of California, relative to military airspace; to the Committee on Public Works and Transportation.

260. Also, memorial of the Legislature of the State of California, relative to tax refund liability; to the Committee on Ways and Means.

261. Also, memorial of the Legislature of the State of California, relative to American prisoners of war or missing in action; jointly, to the Committee on Foreign Affairs and Ways and Means.

262. Also, memorial of the Legislature of the State of California, relative to sustainable development; jointly, to the Committees on Foreign Affairs, Energy and Commerce, Public Works and Transportation, and Merchant Marine and Fisheries.

ADDITIONAL SPONSORS

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

H.R. 14: Mr. BARCA of Wisconsin.

H.R. 140: Mr. HANSEN, Mr. BAESLER, Mr. FAZIO, Mr. DEAL, Mr. SCHIFF, Mr. WHITTEN, and Mr. BACHUS of Alabama.

H.R. 250: Mr. DORNAN.

H.R. 323: Mr. BALLENGER, Mr. SENSENBRENNER, Mr. ROHRABACHER, Mr. PETE GEREN of Texas, Mr. MCHUGH, Mr. LINDER, Mr. PENNY, Mr. ANDREWS of New Jersey, Mr. STENHOLM, Mr. CONDIT, Mr. ALLARD, Mr. ARCHER, Mr. ARMEY, Mr. BAKER of Louisiana, Mr. BATEMAN, Mr. BILIRAKIS, Mr. BLUTE, Mr. BOEHNER, Mr. BUNNING, Mr. CALLAHAN, Mr. CALVERT, Mr. CAMP, Mr. CANADY, Mr. CLINGER, Mr. COBLE, Mr. COLLINS of Georgia, Mr. CUNNINGHAM, Mr. DIAZ-BALART, Mr. DICKEY, Mr. DOOLITTLE, Mr. DORNAN, Mr. DREIER, Ms. DUNN, Mr. EMERSON, Mr. FIELDS of Texas, Mr. GALLO, Mr. GEKAS, Mr. HANCOCK, Mr. HASTERT, Mr. HEFLEY, Mr. HOUGHTON, Mr. HUNTER, Mr. HYDE, Mr. INHOFE, Mr. ISTOOK, Mr. KING, Mr. KLUG, Mr. KYL, Mr. LAZIO, Mr. LEWIS of California, Mr. LIGHTFOOT, Mr. LIVINGSTON, Mr. MCCOLLUM, Mr. MICA, Mr. MILLER of Florida, Mr. MOORHEAD, Mr. MYERS of Indiana, Mr. PACKARD, Mr. PAXON, Mr. PETRI, Mr. POMBO, Mr. PORTMAN, Mr. QUINN, Mr. REGULA, Mr. ROBERTS, Ms. ROS-LEHTINEN, Mr. SANTORUM, Mr. SAXTON, Mr. SKEEN, Mr. SMITH of New Jersey, Mr. SPENCE, Mr. STEARNS, Mr. STUMP, Mr. THOMAS of California, Mr. TORKILDSEN, Mr. WALKER, Mr. WALSH, Mr. WELDON, Mr. YOUNG of Florida, Mr. YOUNG of Alaska, Mr. ZELIFF, Mr. HORN, Mr. BARTLETT of Maryland, Mr. OXLEY, Mr. FISH, Mr. GALLEGLY, Mr. DELAY, Mr. NUSSLE, Mr. KNOLLENBERG, and Mr. BONILLA.

H.R. 339: Mr. STENHOLM.

H.R. 411: Mr. KINGSTON and Mr. BAKER of Louisiana.

H.R. 417: Mr. HOKE.

H.R. 455: Ms. NORTON.

H.R. 509: Mr. ROHRABACHER and Mr. ARCHER.

H.R. 635: Mr. MCCRERY.

H.R. 794: Mr. ALLARD.

H.R. 796: Mr. COOPER.

H.R. 799: Mrs. LLOYD.

H.R. 878: Mr. KILDEE and Miss COLLINS of Michigan.

H.R. 1012: Mr. KNOLLENBERG.

H.R. 1504: Mr. JACOBS.

H.R. 1552: Mr. BROWN of Ohio.

H.R. 1583: Mr. WYNN, Mrs. THURMAN, and Ms. FURSE.

H.R. 1627: Mr. ISTOOK and Mr. COSTELLO.

H.R. 1749: Mr. GREENWOOD.

H.R. 1801: Mr. TORKILDSEN.

H.R. 1968: Ms. FURSE.

H.R. 2076: Mr. NEAL of North Carolina, Mr. OLVER, Mr. FORD of Michigan, and Ms. BYRNE.

H.R. 2173: Mr. KLEIN.

H.R. 2326: Mr. HINCHEY, Mr. CALVERT, Mr. CAMP, Mr. JOHNSTON of Florida, Mr. EWING, Mr. PAXON, Mr. VENTO, Mr. HOAGLAND, Mr. BUYER, Mr. SUNDQUIST, Mr. BROWN of Ohio, Mr. GORDON, and Mr. BAKER of Louisiana.

H.R. 2341: Mr. ORTIZ, and Mr. SOLOMON.

H.R. 2417: Mr. DUNCAN, Mr. SWIFT, Mr. HOLDEN, and Mr. CRANE.

H.R. 2425: Mr. GRAMS.

H.R. 2467: Mr. BOUCHER, Ms. BROWN of Florida, Mr. PETE GEREN of Texas, Mr. HALL of Ohio, Mr. LINDER, Mr. MANTON, Mr. MANZULLO, Mr. OLVER, Mr. SARPALIUS, Mr. SKEEN, and Mr. WILSON.

H.R. 2521: Mrs. THURMAN, Mr. UPTON, Mr. POMBO, Mr. HOLDEN, Mr. TORRES, Mr. TORKILDSEN, Mr. MCCRERY, Mr. WOLF, and Ms. SNOWE.

H.R. 2556: Mr. HOKE.

H.R. 2572: Mr. KLEIN.

H.R. 2612: Mr. THOMAS of California and Mr. HERGER.

H.R. 2623: Mr. KLEIN and Mr. MYERS of Indiana.

H.R. 2758: Mr. MILLER of Florida and Mr. BROWN of Ohio.

H.R. 2787: Ms. VELAZQUEZ.

H.R. 2814: Mr. VALENTINE.

H.R. 2866: Mr. KLEIN, Ms. ENGLISH of Arizona, Mr. THOMPSON, Mr. PETERSON OF MINNESOTA, Mr. BECERRA, Mr. TOWNS, Mr. LEWIS of Georgia, Mr. FINGERHUT, and Mr. FOGLIETTA.

H.R. 2896: Mr. ROHRABACHER and Mr. DEAL.

H.R. 2898: Mr. PALLONE.

H.R. 2950: Mr. BAESLER.

H.R. 2959: Mr. GALLEGLY, Mr. DORNAN, Mr. EWING, Mrs. VUCANOVICH, Mr. BALLENGER, Mr. SENSENBRENNER, and Mr. HEFLEY.

H.R. 3030: Mr. KINGSTON and Mr. WELDON.

H.R. 3039: Mr. BROWDER and Mr. SAM JOHNSON.

H.R. 3041: Mr. APPLEGATE.

H.R. 3088: Ms. NORTON, Mr. OBERSTAR, Mr. GALLEGLY, Mr. FOGLIETTA, and Mr. FALEOMAVAEGA.

H.R. 3109: Mr. FISH.

H.R. 3121: Mr. BOUCHER, Mr. ACKERMAN, Mr. SKEEN, and Mr. MCDADE.

H.R. 3132: Ms. PELOSI, and Mr. ROMERO-BARCELÓ.

H.R. 3173: Mr. LIGHTFOOT.

H.R. 3194: Mr. MYERS of Indiana, Mr. SCHUMER, and Mr. FROST.

H.R. 3195: Mr. SCHUMER, Mr. LEVY, and Mr. GENE GREEN of Texas.

H.R. 3205: Mrs. MALONEY, Mr. ROYCE, Mr. MANN, Mr. POSHARD, Mr. DEFAZIO, Mr. BYRANT, Mr. FINGERHUT, Mr. COOPERSMITH, Mr. MEEHAN, Mr. JOHNSON of South Dakota, Mr. BROWN of Ohio, Mr. BARRETT of Wisconsin, Mr. INSLEE, Mr. JOHNSON of Georgia, Mr. DEAL, Mr. TANNER, and Mr. PENNY.

H.R. 3212: Mr. BACHUS of Alabama.

H.R. 3213: Mr. STUMP and Mr. LIGHTFOOT.

H.J. Res. 79: Mr. CHAPMAN.

H.J. Res. 113: Mr. JOHNSON of Georgia.

H.J. Res. 274: Mr. GREENWOOD.

H. Con. Res. 91: Mr. BAESLER, Mr. CUNNINGHAM, Mr. COOPER, Ms. KAPTUR, Mr. BOEHNER, Mr. BLUTE, Ms. FURSE, and Mr. ROEMER.

H. Con. Res. 141: Mr. MCCRERY and Ms. CANTWELL.

H. Con. Res. 154: Mr. GILMAN, Mr. MORAN, Mr. ROYCE, Mr. FRANK of Massachusetts, Mr. MARKEY, Mr. BARTLETT of Maryland, Mr. LIPINSKI, Mr. SOLOMON, Mr. SERRANO, Mr. GUNDERSON, Mr. BERMAN, Mr. BONIOR, Mr. FISH, Mr. SMITH of New Jersey, Ms. BYRNE, Mr. SENSENBRENNER, Mr. MANZULLO, Mr. LAZIO.

H. Res. 127: Mr. SANTORUM.

H. Res. 227: Mr. KLUG, Mr. MAZZOLI, Ms. BYRNE, Mr. BILIRAKIS, and Mr. THOMAS of Wyoming.

H. Res. 234: Ms. BYRNE, Mr. TAYLOR of Mississippi, Mr. SHARP, Mr. CRAMER, Mr. PAXON, Mr. DE LA GARZA, Miss COLLINS of Michigan, Mr. FRANKS of Connecticut, Mr. KING, and Mr. CALLAHAN.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

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

HR. 1627: Mr. GUTIERREZ.

H.R. 2862: Mr. LEWIS of Florida.

EXTENSIONS OF REMARKS

THE COMMON GOOD

HON. ROBERT H. MICHEL
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 20, 1993

Mr. MICHEL. Mr. Speaker, on Sunday, October 3, 1993, Joseph Cardinal Bernardin of Chicago delivered the homily for the "Red Mass," celebrated on the Sunday prior to the first Monday in October, which traditionally marks the opening of the Supreme Court's new term. Cardinal Bernardin's topic "Promoting the Common Good Through the Practice of Virtues" deals with the relationship between private virtues and the public good, a topic which, in my view, usually does not get the kind of serious attention it deserves in public policy debates. I commend the Cardinal's views to all our colleagues.

At this time I wish to insert in the RECORD the text of the homily "Promoting the Common Good Through the Practice of Virtues," by Joseph Cardinal Bernardin:

PROMOTING THE COMMON GOOD THROUGH THE PRACTICE OF VIRTUES

(By Joseph Cardinal Bernardin)

My dear brothers and sisters in the Lord:

I am grateful to Cardinal Hickey for the invitation to be the homilist for this year's Red Mass, sponsored by the John Carroll Society. This Mass on the Sunday prior to the first Monday in October, which traditionally marks the opening of the Supreme Court's new term, is an appropriate occasion for us to gather in prayer. We ask God's guidance and wisdom for the President, the Supreme Court, the Congress, the Judiciary, the Diplomatic Corps, and all who serve our nation.

The scriptural readings we have just heard give us the image of a vineyard. As described by the prophet Isaiah, this vineyard was very valuable property which symbolized the wealth of the land. However, his parable suggests that this wealth had not produced a just society. The threat that the vineyard would be turned into a ruir was fulfilled quite literally after the Assyrian invasions during the eighth century B.C.[1]

Isaiah used the song of the vineyard to establish why judgment was appropriate for God's people, and to show that their behavior was tantamount to a total failure to live up to the demands of their privileged position.[2] The song, therefore, is a sophisticated form of legal indictment of those who had broken the covenant of justice and love.

The Gospel of St. Matthew continues Isaiah's image of the vineyard. The interpretation of this gospel parable is made clear to us by its connection to Isaiah's song of the vineyard: God is the owner of the vineyard; the vineyard is the community; the vinedressers are the religious and political leaders who have been entrusted with the care of the community; the servants who were sent to the vineyard were the prophets, but they all met the same bad fate. The son is Jesus Christ. The owner expects that at least his son (Jesus) will be received with respect. In fact, he receives even worse treatment, to the point of being killed. His murder is the rejection of the gospel message by the vinedressers, the leaders.[3]

The threat that the vineyard would be taken away and given over to others, who live in accord with the dictates of justice, is a cogent reminder for us who exercise leadership positions in our religious and political communities. If we do not act as responsible stewards and servants of the communities in our care, our leadership will be taken away and given to those who will act responsibly and in accord with the demands of justice. (Those of you who face the prospect of a reelection campaign know all too well the reality of that challenge!)

As we look out across the nation, the vineyard in our care, we see a valuable community of people with a wealth of talents and resources. But it is threatened with destruction and ruin by the forces of violence and narrow self-interest. Perhaps now as never before, people in many of the communities of our nation live in fear of crime. Perhaps now as never before, human life cries out for dignity and respect at every stage and in all circumstances—from conception to natural death. Perhaps now as never before, our failings as individual citizens threaten the common good of the vineyard in our care, the vineyard of our nation.

May I suggest a way to address this threat, a way which will entail no new government programs, no new laws, and best of all, no new expenditures of funds! That is because the means I suggest are not political, legal, or financial, but spiritual. My suggestion is that, as a nation, we embark on a concerted effort to promote the common good through the practice of virtues. Although not requiring any new government programs, new laws, or new expenditures of funds, the promotion of the common good in this way does call for a change of focus, a change of emphasis, a change of direction, a change of attitudes, and, most of all, a change of heart.

When considering the common good, it is far too easy to fall into the trap of seeing the common good as somehow opposed to individual rights and freedoms. This is a false dichotomy since individual concerns are inherently contained in any consideration of the common good. The common good is not concerned with the good of the community in a way that sets itself in opposition to the rights and freedoms of individual persons. In fact, the common good of the community is harmed when individual rights and freedoms are not respected. On the other hand, the individual is harmed when narrow self-interests and the pursuit of purely private gain are pursued without reference to the needs and interests of the community as a whole.

As described by the Second Vatican Council in the *Pastoral Constitution on the Church in the Modern World*, "The common good * * * is the sum total of all conditions which allow people, either as groups or as individuals, to reach their fulfillment more fully and more easily."[4] Thus, there is a dynamic relationship between the individual and the rest of society in promoting the common good. This relationship is reflected in the law of the Catholic Church, which says that "in exercising their rights, individuals and social groups are bound by the moral law to have regard for the rights of others, their own duties to others and the common good."[5]

While the United States Constitution has no similar provision, the common good does have a special place in our nation's understanding of its laws and system of justice. The Constitutional Convention of 1787 voted unanimously against adding a Bill of Rights to the Constitution, considering it unnecessary. It was not that the delegates were against such rights; they simply considered the matter already covered inherently in the Constitution and its parameters for the governance of the nation.[6] As Alexander Hamilton said, an enumeration of rights "would sound much better in a treatise of ethics than in a constitution of government."[7]

As we all know, proponents for a specific listing of protected rights, led by Thomas Jefferson, prevailed within two years of the Constitution's ratification and amended the document to include the first ten amendments as the Bill of Rights. This listing has made us keenly aware of the individual rights which we enjoy in this country. May I suggest that, even though not mentioned specifically in the Constitution, the common good is a fundamental principle which serves as a basis pillar or our nation's understanding of its laws and system of justice.

Just as respect for individual rights is inherent in promoting the common good, so also, when individuals conduct their lives in accord with the virtues, the common good is promoted. Perhaps this is more easily seen by considering the opposite. When individuals fail to live their lives virtuously, that is, when their conduct is marked by a life of sin and vice, then society as a whole, and thus the common good, is harmed.

Let me give you an example. Some time ago, a philosophy professor wrote an article criticizing the way ethics is taught in U.S. higher education. She charged that social policy questions were being overemphasized with little or no attention being paid to private morality. A colleague of hers objected to the article and alleged that "You are not going to have moral people until you have moral institutions." Promoting "bourgeois virtues" instead of awakening the social conscience of students was a waste of time, she said. This colleague changed her mind, however, when she discovered that more than half of her students had cheated on a social justice final exam![8] In other words, it is a question of both personal morality and social justice. One without the other will not work.

Although it may be impossible to provide a list of virtues upon which everyone would agree, the ethics of virtue has certain common features which primarily involve a focus on individual character: Actions are important because they show a person's values and commitments. It is a person's good character that produces practical moral decisions "based on beliefs, experience, and

Footnotes at end of article.

sensitivity, more than on rules and principles."[9]

The new Catechism of the Catholic Church, reflecting our Catholic tradition, defines virtue as "a habitual and firm disposition to do good. It permits a person not only to do good deeds, but also to give the best of himself or herself."[10] We distinguish virtues as being human and theological.

Human virtues are attitudes, dispositions, and understandings by which we regulate our actions, control our passions, and guide our conduct in accord with reason and faith.[11] Four virtues are called cardinal, not because they apply only to Cardinals (!), but because, coming from the Latin word, cardo, which means "hinge," all other virtues depend on these: prudence, justice, fortitude, and temperance.

Prudence is the virtue which disposes practical reason to discern in every circumstance our true well-being and to choose the correct means to achieve it. St. Thomas Aquinas, following Aristotle, described prudence as the "right rule of action."[12] It is prudence which directly guides the judgments of conscience.[13]

Justice is the moral virtue which consists in the constant and firm willingness to give to God and neighbor that which is due. Justice disposes one to respect the rights of all and to establish in human relations that harmony which promotes the common good and fairness respecting all persons.[14]

Fortitude is the moral virtue which secures strength and constancy in the search for well-being when faced with difficulties. The virtue of fortitude is able to conquer fear, even fear of death, so that a person is willing to sacrifice his or her own life in order to defend a just cause.[15]

Temperance is the virtue which moderates the attraction of pleasures and provides a balance in the use of created things. Through temperance, persons are able to exercise control over the instincts and appetites of the senses and maintain their desires within appropriate limits.[16]

The human virtues are rooted in the theological virtues of faith, hope, and love. They are called theological virtues because their reference point is God himself, leading human beings to a participation in God's divine nature.[17]

Faith is the theological virtue by which we believe in God and all that he has said and revealed, and which the Church proposes, because God is the essence of Truth.[18]

Hope is the theological virtue by which we aspire to the kingdom of heaven and to the happiness of eternal life, placing our confidence in the promises of Christ and in the assistance of the grace of the Holy Spirit rather than in our own powers and abilities.[19]

Charity or love is the theological virtue by which we love God above all else and our neighbor as ourselves.[20] Loving one another, the disciples imitated the love of Jesus.[21] For this reason, Jesus said: "As the Father has loved me, so I have loved you; live on in my love" (John 15:12).

Charity is greater than all the other virtues.[22] The exercise of all the virtues is animated and inspired by charity.[23] As St. Paul wrote, "There are in the end three things that last: faith, hope, and love, and the greatest of these is love" (1 Cor. 13:13).

Although I am speaking to you as a pastor in the context of a Catholic celebration of the Eucharist, my message of promoting the common good through the practice of virtue is by no means limited only to Catholics. Indeed, we have the example of none other than St. Paul, who relied on the ethical teaching of the Stoics and not on any uniquely Christian doctrine when he wrote the words we heard in today's second reading from his Letter to the Philippians: "Your thoughts should be wholly directed to all that is true, all that deserves respect, all that is honest, pure, admirable, decent, virtuous, or worthy of praise. Live according to what you have learned and accepted, what you have heard me say and seen me do. Then will the peace of God be with you" (Phil. 4:8–9).

Just as St. Paul did not assert that there was anything distinctively Christian about this exhortation, neither do I contend that my call for promoting the common good through the practice of virtues is uniquely Catholic or even Christian. Nor is there really anything novel about the concepts of the common good and the virtues. However, we should not necessarily expect this message to have great popular appeal. As Mark Twain said, "Virtue has never been as respectable as money."[24] Nevertheless, I believe that this message has great timeliness and necessity for us at this point in our history.

This timeliness and necessity were recognized recently by three organizations representing some 100 million American Christians and Jews. A joint statement issued a few months ago by the United States Catholic Conference, the National Council of Churches, and the Synagogue Council of American said:

The common good is an old idea with a new urgency. It is an imperative to put the welfare of the whole ahead of our own narrow interests. It is an imperative which we fervently hope will guide our people and leaders at this new moment.

It is an imperative for a national embrace of responsibility and sacrifice, of compassion and caring as building blocks for meaningful lives and for a health society. We believe we can and must do better.[25]

I, too, believe that we can and must do better, and I echo the call of our Nation's religious leaders that our "faith communities must continue to strengthen our ongoing efforts to engage our constituencies in study, dialog and action in pursuit of the common good. Let then the leaders of our Nation pursue this call and pursue its direction with urgency and creativity."[26]

May God who has begun a good work in you bring it to fulfillment.

FOOTNOTES

[1] John J. Collins, "Isaiah" in *The Collegeville Biblical Commentary* (Collegeville, Minnesota: The Liturgical Press, 1989), p. 419.

[2] R.E. Clements, *Isaiah 1-39*, New Century Bible (Grand Rapids: Wm. B. Eerdmans, 1980), p. 57.

[3] Cf. Daniel J. Harrington, *The Gospel of Matthew*, Sacra Pagina (Collegeville, Minnesota: The Liturgical Press, 1991), pp. 301–305.

[4] Vatican Council II, Pastoral Constitution on the Church in the Modern World, *Gaudium et Spes*, 26.

[5] Vatican Council II, Declaration on Religious Liberty, *Dignitatis Humanae*, 7; see also canon 223 of the Revised Code of Canon Law (1983).

[6] Catherine Drinker Bowen, *Miracle at Philadelphia: The Story of the Constitution Convention—May to September 1787* (Boston: Little, Brown & Co., 1966), pp. 245–247.

[7] Alexander Hamilton, James Madison and John Jay [Publius, pseud.], *The Federalist Papers: A Collection of Essays Written in Support of the Constitution of the United States*, ed. Roy P. Fairfield (1788; reprint, Baltimore: The Johns Hopkins University Press, 1981), no. 84, p. 262.

[8] Christina Hoff Sommers, "Teaching the Virtues: a blueprint for moral education," *Chicago Tribune Magazine*, September 12, 1993, p. 14.

[9] William C. Spohn, S.J., "The Return of Virtue Ethics," *Theological Studies*, 53 (March, 1992), p. 61.

[10] *Catéchisme de l'Église Catholique*, unofficial translation (Paris: Mame-Libraire Editrice Vaticane, 1992), p. 381, Art. 7, par. 1803.

[11] *Ibid.*, par. 1804.

[12] *S. Th.* 2-2, 47, 2.

[13] *Catéchisme*, par. 1806.

[14] *Ibid.*, par. 1807.

[15] *Ibid.*, par. 1808.

[16] *Ibid.*, par. 1809.

[17] *Ibid.*, par. 1812.

[18] *Ibid.*, par. 1814.

[19] *Ibid.*, par. 1817.

[20] *Ibid.*, par. 1822.

[21] *Ibid.*, par. 1823.

[22] *Ibid.*, par. 1826.

[23] *Ibid.*, par. 1827.

[24] Quoted in Charles E. Bouchard, O.P., "Make Virtue Your Habit," *The Catholic Digest* (March, 1993), p. 110.

[25] "The Common Good: Old Idea, New Urgency," *Origins* 23 (June 24, 1993), p. 83.

[26] *Ibid.*, p. 85.

GOVERNORS ISLAND AGREEMENT MUST BE RESPECTED

HON. BOBBY L. RUSH

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 20, 1993

Mr. RUSH. Mr. Speaker, I rise today to express my utter dismay over the current state of affairs in Haiti.

Last June, when Gen. Raoul Cedras' military government signed the Governors Island Accord agreeing to cede power to the democratically elected President Aristide, I rejoiced. Today, it seems highly unlikely that Cedras or the other military leaders in Haiti will step down on October 30 and allow President Aristide to return.

I call upon Haiti's military leaders to agree to the terms of the Governors Island Agreement and cede power to the democratically elected President Aristide.

I call upon Haiti's military leaders to relinquish greed, totalitarianism, violence, and repression.

I call upon Haiti's military leaders to respect for basic human rights, justice and democracy which are due all peoples.

We must never forget that a nation and a government that has neither the support of its people nor the best interest of its people at heart can ever survive.

TRIBUTE TO THE 1993 INDUCTEES TO THE ENTREPRENEURSHIP HALL OF FAME

HON. WILLIAM O. LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 20, 1993

Mr. LIPINSKI. Mr. Speaker, I rise today to recognize the entrepreneurial achievements of 34 leaders of the Chicago metropolitan business community. I am proud to salute these chairmen and presidents of small and mid-sized businesses for their induction into "The Entrepreneurship Hall of Fame."

The Institute for Entrepreneurial Studies in the College of Business Administration at the University of Illinois at Chicago cofounded and continues to sponsor the Entrepreneurship Hall of Fame, honoring outstanding business leaders whose spirit and success help keep America's business community strong and

vital. This year's awards ceremony will be held Thursday evening, October 21, 1993, in Chicago, where these distinguished entrepreneurs from the Chicago area will be inducted into the Entrepreneurship Hall of Fame.

The program is exceptional because it creates an active partnership between academia and the business community. Students and entrepreneurs alike benefit from an exchange of knowledge, experience, and creativity. Cosponsors such as the Reliable Corp., LaSalle National Bank, William Blair & Co., and the Arthur Andersen Enterprise Group, have helped the university cement this partnership.

Today, I would like to congratulate these leaders for using their imagination and resources to foster an excellent program which enhances the quality of higher education and underscores the value of entrepreneurship in America. I am sure that my colleagues join me in recognizing these entrepreneurial leaders for their important contributions.

SALUTING ROBERT ONSTEAD ON HIS INDUCTION INTO THE TEXAS BUSINESS HALL OF FAME

HON. JACK FIELDS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 20, 1993

Mr. FIELDS of Texas. Mr. Speaker, Robert "Bob" Onstead—a distinguished Texan, a highly successful and hard-working businessman, a man who has given mightily to his community, a friend of mine, and just a heck of a nice guy—recently was inducted into the Texas Business Hall of Fame. I'd like to take this opportunity to salute him on this tremendous honor that has been accorded him.

Bob is chairman and chief executive officer of Randall's Food Markets, Inc., a chain of grocery stores in Houston, Dallas, Fort Worth, and Austin. Bob founded Randall's in 1966 when he and two partners bought two mom-and-pop grocery stores. Today, Randall's is a 110-store chain that holds the largest market share among retail groceries in Houston and Dallas, that benefits from the dedication and hard work of its more than 20,000 employees, and that boasts over $2.1 billion in sales annually.

On a personal note, I want to point out that Bob Onstead is not only a superb businessman, but is also an individual who cares deeply about his community, his family, and his church. I think it's fair to say that no one knows the retail grocery business better than Bob; his knowledge is reflected in each and every Randall's and Tom Thumb store located in Texas. Their unfailing cleanliness, high-quality merchandise, wide product selection, and low prices reflect Bob's personal commitment to providing his customers with value and variety in a pleasant shopping environment. But Bob's success in the retail grocery trade is the result of more than making correct decisions about shelf space or pricing.

Bob's success, and the high esteem in which he is held by his colleagues, his competitors and his fellow citizens alike, is the result of his work to help his neighbors and his long-time efforts to improve Houston.

Undoubtedly, Bob is one of the best and brightest business leaders in Texas today. But that alone is not why he was inducted into the Texas Business Hall of Fame. Indeed, when deciding whether or not to induct a prospective member into the Hall of Fame, the Texas Business Hall of Fame examines an individual's business success as well as that individual's record of community service. And on that measure, it is easy to see why Bob was inducted; his record of community service is long and legendary.

He serves on the board of trustees of Abilene Christian University. He serves on the board of directors of the Methodist Hospital System and on the board of the University Cancer Foundation.

His business expertise is much in demand, as well. Bob serves on the board of directors of the Greater Houston Partnership, of which he is a past chairman. He serves on the board of directors of the Food Marketing Institute, and Texas Commerce Bancshares, Inc. He is a past president of the Houston Economic Development Council, the Better Business Bureau of Houston, and the Houston Retail Grocers Association.

Bob's outstanding record of community service has been recognized by a host of organizations in the Houston area and throughout Texas.

Bob is the recipient of the 1986 Religious Heritage of America Business and Professional Award. He was honored with the 1987 Humanitarian Award from the Houston Chapter of the American Jewish Committee, the 1989 Brotherhood Award from the National Conference of Christians and Jews, the 1990 Father of the Year Award from the Community Partners of Houston, the 1990 People of Vision Award from the Texas Society to Prevent Blindness, and the 1992 Rotary Club of Houston Distinguished Citizen Award.

Knowing Bob as I do, I know he probably feels a little embarrassed at the accolades that have come his way since his induction into the Texas Business Hall of Fame. Nonetheless, Mr. Speaker, I would ask you to join with me in saluting Bob on this latest honor that has come his way, and in wishing Bob and his wife, Kay, the very best in the years ahead.

TRIBUTE TO BEVERLY NELSON

HON. CONSTANCE A. MORELLA

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 20, 1993

Mrs. MORELLA. Mr. Speaker, I rise to pay tribute to Mrs. Beverly Nelson, a constituent of mine from Rockville, MD, on her recent selection by the Secretary of the Navy to be the sponsor of the oceanographic ship, USNS *Pathfinder*. The *Pathfinder* was launched on October 7 at Halter Marine, Inc., Moss Point, MS, and is the first of a new line of ships capable of performing a wide range of ocean studies and surveys.

As the sponsor, Beverly Nelson christened the ship by breaking a ceremonial bottle of champagne against her bow. This honor recognizes Mrs. Nelson's leadership and courage as a "pathfinder" in her own right, helping others who are disabled to face the challenges of new frontiers. It also recognizes the accomplishments and contributions of her husband, Dr. Stuart Nelson, who is an oceanographer and noted historian.

Although she has been stricken with multiple sclerosis, Beverly Nelson has not allowed her confinement to a wheelchair to keep her from traveling throughout the United States and the world. She shares her experiences, her insights, and her expertise with others who are disabled through her newsletter "The Very Special Traveler." This publication, in her own words, "is dedicated to providing the disabled and the 'not-so-nimble' traveler with advice and reassurances needed for successfully planning and making a trip."

Beverly Nelson is a pioneer and an individualist, Mr. Speaker. She is a woman who believes in equal opportunity for all men and women and upholds the virtues of hard work and a positive approach as the best means to achieve a full and rewarding life. She has dared to challenge the barriers of discrimination against the disabled, and her tireless efforts have been an inspiration to others in her Montgomery County, MD, community, and beyond. I am proud that Beverly Nelson resides in the district that I represent in Congress, and I am honored to add my voice to the praises of friends, colleagues, and family who salute her on this momentous occasion.

EMPLOYEE STOCK OWNERSHIP PLANS [ESOP'S]

HON. DANA ROHRABACHER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 20, 1993

Mr. ROHRABACHER. Mr. Speaker, employee ownership has always represented a lucrative opportunity for companies, both large and small, and their employees. In the words of Senator Russell Long, "the wealth of our Nation should be more widely held." But as the Senator also pointed out, "broadened ownership will not be the result of a Robin Hood redistribution, but of enlightened, foresighted management which knows that most deals are better if employees share more fully the rewards." Employee stock ownership plans [ESOP's] in corporations and companies allow American employees opportunities to be included in the operations of their business, while simultaneously obtaining a stake in the company's success. As a result, employees become more an integral part of their companies and can amass the capital credit they need to form investments of their own.

The number of ESOP's in the United States is estimated to be approximately 12,000, involving over 12 million employees. Since the 1970's, ESOP's have undergone dramatic growth and expansion. The need for new information sources on ESOP's has never been greater.

A book with annual yearbook supplements, "Employee Stock Ownership Plans: Business Planning, Implementation, Law & Taxation," authored by Robert W. Smiley, Jr., and Ronald J. Gilbert, and published by Warren Gorham Lamont, offers the American entrepreneur a comprehensive text describing the

legal and practical ramifications of implementation and employee ownership.

Robert W. Smiley, Jr., is chairman of the Benefit Capital Companies Inc., headquartered in Los Angeles, CA, which he founded in 1984. Ronald J. Gilbert is the cofounder and president of ESOP Services, Inc., headquartered in Scottsville, VA. ESOP Services, Inc., also operates in central and eastern Europe and Latin America. Prior to founding ESOP Services, Inc., he was a vice president with Kelso & Co. in San Francisco. Their book, in short, is a monumental work.

Over 850 pages of text, supplemented annually by over 500 pages in the updated yearbook, illustrate practical, rather than theoretical, considerations. While the book is dedicated "To employees throughout the world * * *" it is written to appeal to everyone involved with ESOP's whether one seeks guidance as part of a management team wrestling with one of the many complex issues that deal with the feasibility of an ESOP or whether one is acting as legal or tax counsel. It would also be helpful to Members of Congress that want more information on the benefits of employee ownership.

Smiley and Gilbert's book is more complete than anything published before on the subject of ESOP's. It combines the best of both general and technical information. I urge members of the business community and Members of Congress to study the ESOP alternative. "Employee Stock Ownership Plans" by Smiley and Gilbert offers businessmen and Congressmen a great place to start studying.

EMERGENCY PROCESSING OF APPLICANTS FROM GEORGIA

HON. MAURICE D. HINCHEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 20, 1993

Mr. HINCHEY. Mr. Speaker, the collapse of communism in Russia has been a welcome development for the Jews of that country. While the future there remains uncertain, the climate has changed, and the fear of persecution has at least diminished if it has not disappeared. But our focus on events in Russia should not deflect our attention from what is happening in some of the other former Soviet republics, now torn by strife and civil war. In some of those places, the Jewish minority continues to be a target. In Georgia, the threat is immediate, and it is not only a threat to their rights, but to their lives.

The Caucasus Network, an organization dedicated to assisting the Jews of the Caucasian and Central Asian republics of the former Soviet Union, has contacted the State Department's Washington Processing Center for refugees to ask it to expedite processing of applicants from Georgia. I ask that the letter be printed in the RECORD to let my colleagues know of the terror that Georgian Jews are facing and of their urgent need for assistance in emigrating. The letter follows:

THE CAUCASUS NETWORK,
Esopus, NY, September 29, 1993.

TREVOR SNELLGROVE,
Washington Processing Center, Arlington, VA.

RE: Emergency Processing of Applicants from Georgia.

DEAR TREVOR, the WPC's decision to give emergency processing to eligible applicants from Tajikistan has done much to save that republic's Jewish community, the majority of which either has emigrated or soon will be in a position to do so. Now Georgia's Jews are in so desperate a situation that their rescue is imperative.

Anarchy reigns in Georgia. Ethnic hatred is being fanned by religious fanaticism, catastrophic economic conditions, and political confrontations. Where Christian Georgians are fighting their bitter wars with Moslem Ossetians and Abkhazians, Jews are caught in the middle. Where Shevardnadze's supporters are battling partisans of former president Gamsakhurdia, the latter's demands for the "purification's of Georgia and expulsion of all non-Georgians from the republic strike terror into Jewish hearts.

Everywhere, defenseless Jewish families are being victimized. Reports have been pouring into our office detailing the escalating violence against them: the countless murders, the kidnappings, the extortion, the vicious beatings, and the assaults. A few days ago, we learned of these two brutal incidents, which are distressingly typical of what has been happening to members of Georgia's Jewish community:

Four Georgian state troopers armed with machine guns stormed into a Jewish home. They beat family members with their fists and the butts of their guns while cursing and making anti-Semitic remarks. Then they ransacked the apartment. They declared that Georgia must be freed of Jews, demanded that the family emigrate, and said that if they did not, they would have to pay monthly "dues" or they would be beaten again. When the family reported the attack to the police, they were told: "If you Jews don't like it here, you can leave. We won't protect Jews from Georgian state troopers."

A young Jewish man was kidnapped by armed men, taken to a local police station, then charged with maintaining contact with Jewish organizations in the US and Israel. He was questioned for two hours, during which time numerous anti-Semitic comments were made by the police and he was beaten mercilessly until his entire body was bruised. After the man broke down and "confessed" that he had committed "treason against Georgia," the police summoned his parents and told them that they had twenty-four hours within which to pay an exorbitant ransom if they wished to see their "Jewish bastard" again. When his mother said they did not have so much money, she was told, "Go and ask your people here and abroad for the money." The extortion payment was raised with the help of the local synagogue and the victim was released. He had suffered a concussion and severe bruises. After he was released from the hospital, the young Jew and his brothers went into hiding.

We bring these two incidents to your attention because they illustrate the devastating truth that Georgia's Jews have nowhere to turn for protection; that the very people whose job it is to guard them from anti-semitic violence are among those who are organizing and perpetrating the attacks upon them. Law enforcement officials in Georgia have assaulted Jews; ransacked their homes; arrested innocent people and beaten them while they were held in custody; compelled their families to pay money for their release; refused to rescue Jews who have been kidnapped or to prosecute those who have preyed upon the Jewish community. As a Georgian rabbi wrote in a letter to The Caucasus Network:

The most tragic part of their situation is the silence of the government, [which chooses] to ignore the pleas of their minorities . . . Their silence supports the actions of these bandits, which include members of the Georgian National Guard, who are connected with participants of a corrupt Georgian legal system.

The authorities in Georgia, by their refusal to take action to protect the Jewish community, have condoned popular anti-Semitism. The authorities in Georgia, by their own crimes against the Jews, have mounted what is, in effect, an official campaign of violence and intimidation against Georgia's Jews. The survival of Georgia's Jewish community is seriously in question.

Category applicants from Georgia with first-degree relatives in the US are eligible to emigrate to the US under the WPC's refugee program. The critical issue is when they will be able to do so. Given the disastrous situation in Georgia, it would be a tragedy to force them to wait years to emigrate. Therefore, we ask that the WPC give qualified category applicants from Georgia immediate computer numbers, the earliest available interviews, and whatever emergency processing will accelerate their emigration from that beleaguered republic.

We understand that the WPC's computer program does not provide the means to retrieve all of the names of the category applicants from any particular republic. Accordingly, we are sending you the enclosed list from our files, giving eligible applicants from Georgia who do not yet have computer numbers. We ask that these families be authorized for immediate computer numbers and emergency processing. We ask for the privilege of continuing to provide such names to you as they become known to us, so that as many eligible applicants from Georgia as can be identified may receive emergency processing.

We beg you to help expedite the rescue of Georgia's Jews and other eligible category applicants and to ensure their most rapid possible reunification with their relatives in the US.

Sincerely yours,

HELENE KENVIN,
President, The Caucasus Network.

GOLDIE ELLMAN,
Chairman of the Board of Directors.

TRIBUTE TO LOU PARDO

HON. BOBBY L. RUSH

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 20, 1993

Mr. RUSH. Mr. Speaker, it is with great pleasure that I rise today to offer these words of tribute to a man who will, some time this fall, register his 100,000th voter. This remarkable accomplishment is but one of many that Mr. Lou Pardo has bestowed upon the city of Chicago. In this particular regard, Lou has come to typify the consummate election volunteer, and is undeniably one of the main reasons behind the high numbers of registered voters that Chicago has seen in the past several elections.

Lou has dedicated his life to political activism. From his many years in the labor movement, to his recent endeavors in voter registration, my good friend Lou Pardo has shown great determination and drive toward public service.

Mr. Speaker, I ask colleagues to join with me to extend to Lou our warmest congratulations on the event of his 100,000th voter registration.

IN MEMORY OF CHARLES KINDLE

HON. WILLIAM J. COYNE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 20, 1993

Mr. COYNE. Mr. Speaker, today I want to pay tribute to Charles Kindle, of Penn Hills, PA, who died on October 12, 1993. It is fitting that the House should take note of Charles Kindle's passing because he was a man who labored for many years to advance the cause of civil rights for African-Americans in this country. He also struggled to raise the consciousness of people in the Pittsburgh area and across the United States regarding the injustice of the apartheid system in South Africa.

Charles Kindle was a strong believer in the idea of citizen power in the battle against inequality both at home and overseas. A 35-year veteran of the U.S. Postal Service, Charles Kindle stood up for the rights of others in the workplace and in the neighborhoods of local communities. At the time of his retirement in 1983, he worked in the Postal Service's equal employment opportunity office. He was also an active leader in the United Negro Protest Committee, the action arm of the Pittsburgh Chapter of the National Association for the Advancement of Colored People. Charles Kindle was not afraid to take to the streets in public demonstrations on behalf of fellow African-Americans who sought expanded job opportunities. He was always ready to speak out against the lack of African-American participation in both the public and private sector economies of his community.

Charles Kindle was also a leader in efforts within the Pittsburgh area and across the Nation to generate public support for sanctions against South Africa. He succeeded in focusing local attention on the evils of the South African apartheid system as chairman of the first African affairs committee of any NAACP chapter in the United States. Charles Kindle protested plans to set up a South African consulate in Pittsburgh and worked with others for the freedom of Nelson Mandela. His efforts, along with those of many other dedicated individuals, played a key role in exposing the failure of the Reagan administration's policy of constructive engagement with minority-ruled South Africa. The successful enactment, over the veto of President Reagan, of South African sanctions legislation banning United States investment in that country was made possible in large part by the efforts of individuals like Charles Kindle.

Charles Kindle was a graduate of Schenley High School and received a bachelor's degree in sociology and psychology from the University of Pittsburgh in 1971. In addition to his many other civic efforts, Charles Kindle was active in the Greater Pittsburgh Coalition of Black Trade Unionists, for which he chaired the African and foreign affairs committee.

This man passed away in the midst of a campaign to serve his community as a member of the Penn Hills Council. As was true throughout his life, this final effort was animated by a sense of civic responsibility and citizen power. In the words of Charles Kindle, "I believe you have to participate in the political process of this country if you want to see change."

Charles Kindle's actions were rooted in the history of the civil rights movement of the 1960's, when he joined hundreds of thousands of Americans, black and white, in the 1963 march on Washington to hear Dr. Martin Luther King, Jr., proclaim "I Have A Dream." Charles Kindle devoted his life to the cause of justice. He provided an example to friends and neighbors of the fact that individual men and women can combat the wrongs of the world without giving in to despair, bitterness, or resignation.

It is appropriate to note that Charles Kindle returned to Washington this past August to celebrate the 30th anniversary of the march on Washington. I am sure that for Charles Kindle, and many others, this event was both a celebration of the past and a rededication of commitment to work for a better future. While Charles Kindle has passed from this world, I am confident that his memory will continue to inspire many to carry on the struggle for justice.

Mr. Speaker, I know that the people of Penn Hills, Pittsburgh, and Allegheny County will mourn the tragic loss of Charles Kindle for some time. I want to join with everyone else in my community in wishing the very best to Charles Kindle's wife of 35 years, Anna, the Kindle family, and his many friends.

TRIBUTE TO COL. EUGENE VINCENT LOMBARDO

HON. THOMAS J. MANTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 20, 1993

Mr. MANTON. Mr. Speaker, I rise to pay tribute to Col. Eugene Vincent Lombardo, who is retiring after a most distinguished military career.

Eugene is an advertising, sales and public relations executive who has spent 25 years with his wife Carol in the New York City area.

Eugene's service in the military has taken him from Brooklyn, to Fort Dix, to the Berlin Wall crisis, returning to New York City and the Empire State Military Academy, Officer Candidate School. After he received his commission as an infantry officer, he went on to the New York Army National Guard, as a company commander, then on to Army Public Affairs. From there Eugene served in Venice, Italy in the Army Civil Affairs Division. His military career culminated as deputy chief staff for information management, 77th U.S. Army Reserve Command, during the Persian Gulf war.

Eugene was also awarded one of the most prestigious medals our Nation may bestow upon a soldier, the Legion of Merit. This medal was awarded for exceptionally meritorious service throughout his distinguished 32-year military career.

Eugene is a well known advertising and public relations executive who gives his time and effort to humanitarian causes and to varied civic and community service activities throughout the greater New York area.

Mr. Speaker, Eugene is the epitome of an officer, a gentleman, as well as a leader, and tonight he concludes over three decades of military service. I know my colleagues join me in saluting him and saying thank you for the many years of service he has given to the Nation and his community.

SHORTAGE OF AFFORDABLE HOUSING IN AMERICA

HON. WILLIAM J. JEFFERSON

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 20, 1993

Mr. JEFFERSON. Mr. Speaker, I come before you today to address the issue of the shortage of affordable housing stock plaguing many of our urban centers across the Nation. A 1992 Harvard University study estimated that there were only 4.1 million units of HUD or privately owned, publicly assisted housing units available to a population of 13.8 million households that are eligible to receive HUD-financed housing assistance. There is a great need to preserve these housing units and to make the necessary investment in rehabilitation to maintain them as decent housing for tenants who otherwise could not afford decent housing.

The administration has underscored this need in its February report, "A Vision of Change for America." In that report the administration called for additional funding to "repair and restore the Nation's stock of assisted rental housing, most of which is 20 to 30 years old. Many units are in deteriorated buildings. Many operators of buildings are also financially troubled." What these projects need above all else is capital. Due to the effects of the prolonged recession on the real estate market, it is not practicable to seek this additional capital from the current owners of the projects. These owners have no incentive, given the depressed market prices of the properties, to invest more capital in investments currently earning little or no return. It is also not realistic to expect these owners to sell the properties to new owners who can raise the additional capital needed. Given the depressed state of the market, current owners cannot afford to sell the projects because they would suffer large, out-of-pocket losses. These losses are the result of the changes in the tax laws made in 1986 and the general aging of the projects, which have substantially reduced the market value of the projects. In addition, many of these investors are getting older and have the option of bequeathing their interests to their heirs with a stepped up basis, thereby avoiding paying any capital gains taxes at all with respect to the properties.

The bill I am introducing provides for 15-year, straight-line depreciation for new investors in the housing projects, together with an exemption from the passive loss rules. The effect of these provisions will likely be to cause a modest increase in the value of the properties over their current depressed levels. This, in turn, would allow the current investors

to sell the properties at a price sufficient for them to pay the capital gains taxes that will be due upon sale. Because of this infusion of revenue to the Treasury from capital gains taxes, the legislation will, in all likelihood, pay for itself and thus be revenue neutral. New investors with the requisite capital could then finance the necessary renovations subject to the continuing regulatory supervision of HUD.

It is my firm belief that this proposal will result in a "win-win" situation. The legislation ensures that the projects will continue to be maintained for low-income tenants who will be the direct beneficiaries of the infusion of new capital. Moreover, it is far more cost-effective for the Federal Government to provide incentives to funnel private capital into maintaining existing low-income housing than to continue to emphasize programs designed solely for the construction of new low-income housing. I strongly urge my colleagues to join me in support of this legislation.

THE WINDOW OF OPPORTUNITY ACT

HON. JON KYL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 20, 1993

Mr. KYL. Mr. Speaker, on September 21, I introduced the Window of Opportunity Act, H.R. 3101, a measure designed to quickly jump start the Nation's sputtering economy by providing a temporary reduction in the capital gains tax rate.

Capital gains tax realizations have fallen sharply since 1986, when capital gains tax rates were increased. That is because people are now holding on to their assets rather than selling them and paying the higher tax.

Nevertheless, the issue of capital gains is one which has, and continues to, divide the House and Senate. It has always prompted questions about who will benefit most, what the effect on the Treasury will be, and so forth. And as a result, Congress has never been able to reach a consensus about how to reform capital gains taxes.

There's now a way to find concrete answers to those questions and, at the same time, give the economy the critical shot in the arm it needs. It is Window of Opportunity Act.

The bill would set a maximum capital gains tax rate of 6 percent, for 1 year only, for those in the highest income tax bracket. A top rate of 3 percent would be set for everyone else. And, the bill would permanently index capital gains to ensure that taxpayers are not penalized for the effects of inflation.

The temporary reduction included in the Window of Opportunity Act will provide quick economic stimulus, helping to unlock a sizable share of the estimated $7 trillion of capital that is pent up as a result of high tax rates. With more gains to tax, even at lower rates, revenues to the Treasury will increase. And when all is said and done, I believe the temporary reduction will help demonstrate that a permanent rate cut is not only justified, but that it would be highly beneficial to the economy.

Let's find out exactly who will pay if capital gains taxes are cut; what the real-life dynamic—not just the static—effect on the economy will be; and just how much additional revenue flows to the Treasury.

I invite my colleagues to review the following comments of the National Center for Policy Analysis [NCPA], which has endorsed the proposal, and to join me today as a cosponsor of this very important initiative.

I submit the NCPA's letter to be printed in the RECORD.

NCPA,
October 1, 1993.

Hon. JON L. KYL,
Rayburn House Office Building, Washington, DC.

DEAR CONGRESSMAN KYL: I am writing in response to your recent letter soliciting our comment and analysis on the effects of a temporary capital gains tax rate cut and a permanent indexing of capital gains. The National Center for Policy Analysis (NCPA) has studied capital gains taxes extensively.

Based on that work, we conclude that the temporary reduction in the capital gains tax rate proposed in your Window of Opportunity Act would increase tax revenues temporarily. As you know, capital gains tax revenue has fallen sharply since 1986 because people are holding assets rather than paying the higher tax. Your bill would encourage the sale of those assets, producing more capital gains and more capital gains tax revenue.

A permanent reduction in the capital gains tax rate would, however, be preferable because it would have long-term benefits in the generation of new assets, new capital, economic growth and more tax revenue. Your proposal for permanent indexing of capital gains would do just that.

While some government economists project that indexing for inflation would result in a permanent loss of tax revenue following a temporary initial gain, our analyses of past indexing proposals have shown that indexing will cause overall federal revenue to increase in all future years. There appears to be no reason to think this same effect would not be produced by your proposal.

I appreciate the opportunity to comment on your efforts and proposed legislation.

Warm regards,

JOHN C. GOODMAN,
President.

TRIBUTE TO JOSEPH CARDINAL BERNARDIN: RECIPIENT OF THE MARYVILLE STANDING TALL AWARD

HON. BOBBY L. RUSH

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 20, 1993

Mr. RUSH. Mr. Speaker, it is with great pleasure that I rise today to pay homage to Chicago's spiritual leader, Joseph Cardinal Bernardin, who will be presented with the 1993 Maryville Standing Tall Award this Friday, October 22, 1993. This award is in recognition of Cardinal Bernardin's unrelenting work on behalf of the needy children of Maryville Academy.

Since 1883, Maryville Academy has been a home for children who have been abandoned by society. Maryville offers these children the love, the understanding, and the hope that could not be offered anywhere else. Cardinal Bernardin has worked with these children tirelessly as a teacher, healer, and mentor, and has given so many of them the sense of self-worth that has been all too absent in their young lives.

Mr. Speaker, I cannot think of a man more deserving of this award than His Eminence, Joseph Cardinal Bernardin; and I urge my colleagues in this body to join me in extending our sincerest and heartfelt congratulations on this wonderful event.

70TH ANNIVERSARY OF THE ST. JOSEPH POLISH NATIONAL CATHOLIC CHURCH

HON. TIM HOLDEN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 20, 1993

Mr. HOLDEN. Mr. Speaker, I rise today in recognition of the 70th anniversary of the St. Joseph Polish National Catholic Church in Middleport, PA. Located in the picturesque Schuylkill Valley, Middleport's coal industry attracted many Poles, Slovaks, Russians, and Lithuanians from 1900 to 1920. During these years the Poles grew uncomfortable with the Roman Catholic Church, so in 1923 ties with Rome were cut. The newly independent Poles united to form the Polish National Catholic Church. On October 29, 1923, the first Holy Mass in the Polish language was held in the Russian church. Shortly afterwards the PNCC parish of Middleport was organized.

Under the leadership of their first pastor, Rev. Jezef Brzozowski, and Karol Pituch, chairman of the first parish committee, the parishioners bought a house and land for the church. In 1927 parishioner and builder Felix Bartush supervised the construction of the church and was aided by many parishioners who labored out of the goodness of their hearts to complete the project.

The years of the Great Depression were difficult for the parish, since there were no pastors available and no money to pay parish debts. At long last, Rev. Franciszek Kaczmarczyk arrived at St. Joseph's and revived the parish, urging them to abandon the idea of selling the church to pay back debts. Since Rev. Kaczmarczyk's 10 years of service, the church has continued to thrive and grow under the leadership of fine pastors such as Rev. Stanley Skrzpek, Rev. Walter Thomas, Rev. Marian Gora, Rev. Kazimierz Grotnik, and others.

Over the past 70 years the wonderful Polish people of the parish have made the growth, remodeling, rebuilding, and new additions possible for St. Joseph's. Through their hard work and dedication, the parishioners who have kept the church going through both the good and bad years. The current parishioners still emulate the heart and good work of the original builders.

Mr. Speaker, I am honored to take this opportunity today to congratulate St. Joseph's on their 70th anniversary. I hope there will be 70 more years of dedicated people bringing continued success and happiness to the parish of St. Joseph.

ALTERNATIVES TO LIVING IN VIOLENT ENVIRONMENTS [ALIVE]

HON. JAMES M. TALENT

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 20, 1993

Mr. TALENT. Mr. Speaker, I would like to take this opportunity to recognize and congratulate the organization known as ALIVE, Alternatives To Living In Violent Environments, in acknowledgement of their 10 years of dedicated service to victims of domestic violence in the St. Louis area.

Alternatives To Living In Violent Environments [ALIVE] was founded in 1983 to provide accessible and affordable alternatives to violence for battered women and their children in the St. Louis area. Battering is the single largest cause of injury to women in the United States as it is estimated that a woman is battered at least once every 15 seconds. A not-for-profit agency, ALIVE seeks to address this terrible problem by empowering battered women to take control of their own lives and to realize their strengths and abilities. In order to raise awareness of this problem, ALIVE also provides a variety of community education programs to increase awareness of the problems of family violence.

Domestic violence against women is detrimental not only to the women involved but also to their children, their community, and the Nation as a whole. Violence to women in their homes is a terrible problem facing our country, but thanks to organizations like ALIVE, we are beginning to address this problem. I would ask my fellow Congressmen to join with me in congratulating Alternatives To Living In Violent Environments on their 10th anniversary.

TRIBUTE TO THE 50TH ANNIVERSARY CELEBRATION OF CHINA LAKE

HON. JERRY LEWIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 20, 1993

Mr. LEWIS of California. Mr. Speaker, I would like to bring to your attention the fine work and outstanding national service provided by one of our country's finest naval facilities—the China Lake site of the Naval Air Warfare Center Weapons Division located in California's high Mojave Desert. In early November, this 1-million acre facility will be recognized for 50 years of service in providing technical assistance and innovative research in meeting our country's national defense needs.

China Lake, with its impressive cadre of scientists, engineers, technicians, and support personnel, is the cornerstone of the Navy's research, development, test, evaluation, and in-service engineering center for weapons systems associated with air warfare, missile systems, aircraft weapons integration, and airborne electronic warfare systems. The site is also an integral player in the operation and maintenance of air, land, and sea naval testing.

From its beginnings in 1943, China Lake's 17,000 square miles of restricted airspace, lack of encroachment, and isolated location have made it an ideal and secure site for the development of air weaponry. Its early contributions in rocketry and bombs during World War II laid the groundwork for the development of the first air-to-air guided missile, the first antiradiation missiles, and subsequent missile systems.

As the Navy's largest land holder, China Lake accommodates extensive, highly instrumented air and ground ranges as well as specialized laboratory facilities. With those capabilities, China Lake has for years responded rapidly with technical innovation to the many short-term military conflicts our country has experienced since World War II.

Mr. Speaker, I ask that you join me, our colleagues, and the many past and present civilian and military employees of China Lake in recognizing the vast and diversified contributions of this facility to our national defense over the past 50 years. In our everchanging defense environment, China Lake remains poised to continue playing a critical role in maintaining our defense readiness for years to come. It is only fitting that the House pay tribute to China Lake today.

CONGRATULATIONS TO DR. JAMES A. BIRD

HON. CHET EDWARDS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 20, 1993

Mr. EDWARDS of Texas. Mr. Speaker, I rise today to give special tribute to Dr. James A. Bird upon his retirement from the Texas State Technical College system. In a career which spanned 30 years of service to the technical education of Texas, Dr. Bird exemplifies one who strives to help make the future brighter for others in their efforts to further their education. I want to take this opportunity to extend my heartfelt congratulations to him for his selfless and tireless efforts for the betterment of the statewide education community in Texas. He is to be commended for his work and dedication and has distinguished himself as a systems vice president, systems vice chancellor, and acting chancellor.

I know that he is fulfilled and sustained by the many fond memories he has from his years with the TSTC System. It is my hope, however, that as he enters retirement years, he will enjoy this new chapter in his life with as much fondness.

I urge my colleagues to join me today in recognizing and honoring this man and his contribution to education and to the State of Texas.

A TRIBUTE TO ELDER LOVICK P. BELLINGER, JR.

HON. LUCIEN E. BLACKWELL

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 20, 1993

Mr. BLACKWELL. Mr. Speaker, I rise today on the floor of the U.S. House of Representatives to pay tribute to one of Philadelphia's most beloved clergymen. On Sunday, October 29, Elder Lovick P. Bellinger, Jr. will be honored at a banquet celebrating his 10 years of service to the Lord Jesus Christ at the Heavenly Temple Church of God in Christ. To commemorate this most special occasion, I would like to take a moment to reflect on the remarkable career of this outstanding individual.

As the senior pastor and founder of the Heavenly Temple Church of God in Christ in the great city of Philadelphia, Elder Bellinger has led his congregation with the greatest sense of dedication and commitment to the good works of the Lord Jesus Christ. Elder Bellinger has always fought for the betterment of the Philadelphia community, and has proven himself an excellent advocate and fighter for the urgent needs that constantly face our area.

Mr. Speaker, throughout his career, Elder Bellinger has also been a major asset to many organizations in our community. Through his constant dedication and boundless energy, Elder Bellinger has certainly provided a great many Philadelphians with new opportunities, and restored hope and faith.

I would like to ask my colleagues to rise and join me in paying our greatest tributes to my dear friend Elder Lovick P. Bellinger, Jr. I would also like to extend our warmest appreciation to Elder Bellinger's beloved family and congregation. On behalf of the entire U.S. Congress, I would like to offer my greatest thanks and appreciation to Elder Lovick P. Bellinger, Jr. May God continue to bless and smile on this truly great man, so that he may continue to preside over our spiritual community well into the next century.

TRIBUTE TO MAX BRUDER, SR.

HON. DAVE CAMP

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 20, 1993

Mr. CAMP. Mr. Speaker, it is with great pleasure that I rise today to recognize an outstanding individual, Mr. Max Bruder. Max was recently recognized by the Ogemaw County Veterans Alliance in Michigan as the Veteran of the Year.

Mr. Max Bruder bravely served our country during World War II and continues to be an advocate for our Nation's veterans. He has been an active member of many veterans organizations in Ogemaw County. Max is a lifetime member of the D.A.V., V.F.W. Post 3775, and American Legion Post 103. He serves as the community service officer for both the V.F.W. and the American Legion.

He lives in the Channel Lake area of Ogemaw County and is involved in numerous civic organizations. Max has distinguished himself in many ways, especially in administering the Community Food Basket Program that has raised over $15,000 for the elderly and needy which has distributed over 20 tons of food to the people of Ogemaw County during 1992–93.

In addition, Max has contributed over 400 hours of civic duty to the Department of Social Services and Senior Citizens of Ogemaw

County. His activities have been as varied as assisting individuals in need, raising much needed funds, and working on construction projects in the area.

Max Bruder was further honored recently when he was selected as first runner-up for the Michigan Veteran of the Year in 1993.

The Veterans Alliance of Ogemaw County is an umbrella group that represents all veterans in Ogemaw County. The Veteran of the Year award is considered their highest honor.

Mr. Bruder is truly a fine citizen and an asset to the people of Ogemaw County. Mr. Speaker, I know that you will join with me in commending this outstanding individual.

TIME TO CURB BIG GOVERNMENT

HON. JOE KNOLLENBERG

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 20, 1993

Mr. KNOLLENBERG. Mr. Speaker, I would like to share with my colleagues an excellent article by Mr. Cesar Conda of the Alexis de Tocqueville Institution. In this article Mr. Conda outlines the dangers of an out of control Federal budget.

The U.S. Government now consumes 37 percent of GDP. This figure has grown steadily over the last several decades. Unless the growth of Government is checked we will soon approach the levels of spending in the Socialist economics of Western Europe.

Mr. Conda points out what many have ignored. Due to their high levels of government spending and taxation, the average unemployment in the major European economies has increased from about 2 percent in the 1960's to between 9 and 10 percent in the late 1980's.

[From the National Conservative Weekly, Sept. 26, 1993]

ENTITLEMENT TRAP WILL KILL U.S. JOBS

(By Cesar V. Conda and Roman Lyniuk)

If President Bill Clinton's proposals creating several additional new entitlement spending programs—chief among them a costly federal health care plan—are enacted by the U.S. Congress, America could develop a bad case of "Eurosclerosis"—the economic disease of anemic growth and feeble job creation that has plagued European economics for the better part of two decades.

The evidence of the past three decades now confirms the "Rahn Curve" theory of former Chamber of Commerce chief economist Richard Rahn suggesting an inverse correlation between government spending and economic growth.

Nowhere is this correlation more evident than in Europe, where the public sector in several countries has now ballooned to almost half of the national income and the rate of economic growth has plummeted to less than 2% per year on average.

The driving force behind this colossal expansion of government in Europe has been the tremendous growth in social welfare expenditures, unemployment, retirement, income maintenance and health benefits.

At the beginning of the 1960s, social spending in the major European countries (France, U.K., Germany and Italy) averaged about 16% of Gross Domestic Product (GDP). By the end of the 1980s, this spending had increased to about 27% of GDP on average.

This surge in social spending however well-intentioned, has had a profoundly negative impact on the ability of the European economies to create jobs and raise incomes.

For example, average unemployment rates in the major European states have increased from about 2% in the early 1960s to between 9% and 10% in the late 1980s. By contrast, unemployment rates have risen much less in the relatively lower social spending share countries like the U.S. and Japan.

Many of these social welfare programs actually reduce the incentive to work. As economist John Mueller recently noted: "Social benefits put an above market floor under wages, because at some point it is more attractive to collect benefits than to work."

If we look at how some of these programs actually work, it isn't difficult to see why many Europeans choose not to work.

For example, in Italy, unemployment insurance compensates up to 80 percent of lost wages under certain conditions and in France a worker could conceivably collect unemployment checks for three years and six months.

Furthermore, as the European experience demonstrates, entitlement programs inevitably grow and therefore require higher taxes on employers.

According to the German Industry Institute, because of the social welfare state, the total business tax burden is 61 percent in Germany and 52 percent in France, compared to "only" 45 percent in the U.S. This tax burden has added as much as 50 percent to the cost of labor in Europe, according to the New York Times. As a result, European labor is as much as 50 percent more expensive than its major non-European competitors.

For example, the average German manufacturing worker—the highest paid in Europe—received $26.89 an hour in wages and benefits last year, of which $12.47 came in the form of social benefits.

The growth in social benefit costs has caused unit labor costs in the European Community to outpace those of its economic rivals since the 1970s.

In 1992 alone, average European unit labor costs grew 4.1 percent compared to only 1.4 percent in the U.S. and 2.4 percent in Japan. To stay competitive, European businesses have been forced to either reduce employment or relocate their operations to countries with lower labor costs.

The combination of more people in the social welfare state—and fewer people working in full-time, taxpaying jobs—has pushed some European governments to the brink of financial collapse. Europe's political leaders have either taken or are considering steps to reduce social spending: France has frozen state pensions at current levels, Germany has reduced unemployment expenditures, and the U.K. has ordered a complete review of welfare spending.

Unfortunately, the social welfare state has become so large and the "culture of entitlement" so ingrained in European society it may be politically impossible to significantly reduce. Even Margaret Thatcher in 12 years could not dismantle the basic pillars of the welfare state in the United Kingdom.

To be sure, the U.S. is by no means a Sweden or a France where government gobbles up almost half of national income. But with the U.S. government share at 37% of GDP, we are clearly entering the "danger zone" where the size of government has begun to limit the potential growth of the economy.

As in Europe, social spending has fueled the growth of government in the U.S.: According to Mueller, from 1965 to 1992, U.S. entitlement programs have nearly tripled to more than 14% of GDP and unemployment has risen on average by more than half a percentage point for each one-percentage-point rise in social spending as a share of GDP.

Under the recently passed Clinton budget, entitlement spending will still rise by more than $50 billion annually—or $260 billion over the next five years. In fact, this so-called "deficit reduction" package calls for some $40 billion in entitlement expansions over the next five years, including broadened eligibility for food stamps and low-income home energy assistance programs.

On top of these hefty social spending increases, President Clinton wants to create a panoply of new entitlements, ranging from a "national service" program to job training expenditures for welfare recipients to a government-run health care system estimated to cost taxpayers between $60 billon and $150 billion annually.

The Administration argues that these programs will be limited in terms of costs and program coverage, but the history of the welfare state tells us that social spending programs develop politically powerful constituencies and eventually expand far beyond original expectations.

It may not be too late for the U.S. to avoid the entitlement trap that vexes the European economies. U.S. policymakers must take the following steps to prevent Eurosclerosis in America:

First, reject Clinton's new entitlement proposals and instead enact IRA-like tax incentives for individuals and businesses that promote private sector saving, health care and retirement vehicles.

Second, cap the growth of entitlement spending to the rate of inflation and population growth. Such a plan would significantly limit the growth in the social spending budget to a rate that we can afford, thereby increasing the economy's job-creating potential.

Third, fundamentally overhaul the welfare system by mandating welfare recipients to do something productive in return for government assistance—working in community service jobs, ensuring that their kids stay in school, and keeping two-parent families intact.

This is a critical moment in U.S. economic history: If Clinton is successful in creating new entitlement programs—particularly a federal health care plan that forces the American middle class to rely on Big Government—the U.S., like Europe, will be trapped in a vicious cycle of growing government and declining employment.

JAPAN THE GREAT FREE TRADER????

HON. JIM KOLBE

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 20, 1993

Mr. KOLBE. Mr. Speaker, the time has come for the United States to take a stand in defense of free trade not just with Japan but also in Japan.

Japanese Government officials love to boast to us about how important free trade is to Japan—rattling off statistics like the fact that at 3.5 percent, Japan's composite most favored nation [MFN] tariff level is even lower than that of the United States. However, tariffs only restrict the flow of foreign made goods at a nation's borders. Once inside an economy, the

marketability and relative competitiveness of products can just as easily be hampered by rules and regulations impeding freedom of movement. You will never hear a Japanese bureaucrat use the word free to describe the way trade takes place inside Japan's economy.

Japan's domestic economy is riddled with complex regulations and procedures. As of last count there were over 10,900 government licensing and authorization processes affecting business activities in Japan. Almost every one of these procedures is subjectively and nontransparently administered by the Japanese bureaucracy, whose power to restrain newcomers that might disrupt the market order is legendary—especially it seems when newcomers are foreign companies with innovative products not made in Japan.

Thus—despite what the Japanese Government may say—rather than being flat, because of massive bureaucratic interference the playing field for business in Japan is more like a steep upward slope. The solution to America's market access problems in Japan is to target the bureaucratic impediments that stand in the way of level access—not to further empower the Japanese bureaucracy to supervise even more managed trade agreements. Our companies need real, not simulated, access.

The new Japanese Trade Minister, Mr. Hiroshi Kumagai, himself recognizes that the bureaucracy acts to keep Japan's market closed. He is against the Clinton administration's managed trade proposals but for any help the United States can give in supporting his favorite cause: deregulation.

I would like to submit to the RECORD the following recent article from the International Herald Tribune on Mr. Kumagai. In our trade talks we should work with him not against him. He says he wants free trade in Japan. I say we make sure he sticks to his commitment. Wouldn't it be nice someday to see that MITI has changed its name to the Ministry of Importing Trade and Industry?

NEW MITI CHIEF SPEAKS HIS MIND; BUT IS HIS OUTSPOKENNESS ONLY A POLITICAL TACTIC?

(By Steven Brull)

"Big Business in Japan is a hotbed of collusion."

"We need radical reform of the Japanese economy."

"If Japan's trade surplus continues, it will be one factor leading to the destruction of the world economy."

These comments may resonate with the frustrations of Western trade officials, but in fact they are views that Japan's powerful minister of International Trade and Industry, Hiroshi Kumagai, has expressed over the past two months.

Perhaps more than anyone else in the coalition government formed two months ago, the feisty 53-year-old trade minister has helped fashion an image of a new, outspoken style of politics in Japan.

Yet political insiders say there may be less than meets the eye to Mr. Kumagai's rhetoric. To many longtime observers, his stridency is less a new face for Japanese politics than an echo of the strong men of the Liberal Democratic Party that dominated Japanese politics for 38 years.

Without doubt, Mr. Kumagai has added substance to the rhetoric of Prime Minister Morihiro Hosokawa, whose coalition overturned the Liberal Democrats last summer with a message of reforming Japan's politics.

Mr. Kumagai has openly criticized his fellow cabinet minister and has campaigned for tougher enforcement of antitrust laws, more transparent public works bidding procedures, and drastic corporate restructuring. Even then, he has warned, unemployment will rise.

His comments are remarkable for a ministry that was a major architect of Japan's postwar economic miracle. Just a year ago MITI, as the ministry is known, was defending Japan's markets as the most open in the world, and criticizing foreign countries on how unfair their trade policies were.

"These are things that ministers have never said before," said one recently retired MITI official. "That in itself is striking."

"I've been quite struck," said Norman Neuriter, vice president of Texas Instruments Asia Ltd., echoing views common in the foreign community here about the new administration. "Everyone's talking about addressing problems, which is quite salutary."

Yet while Mr. Kumagai's comments are unusually sharp for a MITI official, they are hardly without precedent in Japanese politics. Many observers place his comments within the long tradition of the old ruling party leadership.

To them, Mr. Kumagai's caustic criticisms of the Bank of Japan are reminiscent of Shin Kanemaru, the disgraced Liberal Democratic kingpin who once threatened to fire the bank's governor, Yasushi Mieno. In fact, Mr. Kumagai is a close associate of Mr. Kanemaru's protege, Ichiro Ozawa, a politician whom many consider to be the brains and the brawn behind the governing coalition. "He's speaking with more authority than is evident," the former official said.

Even at MITI, Mr. Kumagai's rhetoric is part of a long tradition of inter-ministerial turf battles, in which the agency's ministers try to aid their charges in the business community. Like his predecessors, he has defended MITI, saying recently that "the Japanese economy is one of the most open markets in the area of industrial goods."

"It's not at all surprising," said Haruo Shimada, a Keio University economist and longtime adviser to Mr. Hosokawa. His warnings about economic destruction and rising unemployment in Japan are aimed at reinforcing perceptions that the Japanese economy needs serious medicine, he said.

As such, his views parallel those of Noboru Hatakeyama, MITI's unflinching top negotiator, who resigned earlier this year. "I'm for restructuring our economy," he said. "However, this is quite different from recognizing that our markets are generally closed."

Mr. Kumagai began his career as a MITI bureaucrat in 1964, but dropped out 11 years later. As a member of the liberal Democratic party he showed independence, becoming associated more with the party than the bureaucracy he came from, unlike most former bureaucrats. He bolted the Liberal Democrats to join the Japan New Party earlier this year.

Mr. Kumagai's immediate goal appears to be to pressure the Ministry of Finance and the Bank of Japan to pump more money into the economy. He also wants other ministries, especially those overseeing construction and telecommunications, to prune the thicket of regulations that act as the primary barrier to imports and business expansion.

In some ways, Mr. Kumagai's stridency is the mirror image of the ministry's growing irrelevancy. "MITI feels really powerless," Mr. Shimada said, noting that high tariffs, foreign exchange controls and the other tools MITI once exercised were phased out years ago. "MITI has no instruments, but foreign pressure is increasing.

If MITI feels powerless, however, its minister may be even more so. Few stay in office long enough to grasp the details of what their bureaucracies are really up to. Few, in fact, have ever managed to impose their will on institutions in which information and power generally flow from the bottom up. This is especially so with the current cabinet, which is comprised mainly of politicians new to power.

"I haven't been paying too much attention to what he's been saying," said one mid-level MITI official who refused to be identified. "I've never even met him."

Still, the fact that his gibes have gone largely without retort is a reflection of how much the political atmosphere has changed since Mr. Hosokawa took power in early August. With major contractors being arrested for bribery seemingly every week, few are willing to defend the Construction Ministry. Likewise, as fears grow that the floor may fall out under the economy, pressure is growing on the Finance Ministry to abandon its opposition to deep cuts in income taxes.

TRIBUTE TO DUCKETT CREEK SEWER DISTRICT

HON. JAMES M. TALENT

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 20, 1993

Mr. TALENT. Mr. Speaker, I would like to take this opportunity to recognize and congratulate the Duckett Creek Sewer District in St. Charles County, MO which has been awarded the Environmental Protection Agency Certificate of Merit for Region VII in the United States.

The award is one of three in the four State region which covers Missouri, Nebraska, Iowa, and Kansas. By presenting the award, the EPA recognizes Duckett Creek and its staff for demonstrating its commitment to clean water through excellent performance as a waste water treatment plant. In addition to the EPA, Duckett Creek was also named the 1993 Treatment Plant of the Year Award by the State of Missouri.

A few of the plants accomplishments include: 100 percent compliance since its start-up in 1988, plant improvements for energy savings that have reduced electrical consumption and expense by as much as $265,000 over a 5-year period, and effective land application programs which have provided effective beneficial reuse of the waste product. All these were accomplished despite experiencing a phenomenal growth over the last 3 years in which the water treated has increased from 2.5 to 4.4 million gallons a day.

The Duckett Creek Sewer District serves a high growth area in St. Charles County and has consistently shown, through operational excellence, a solid commitment to meet the demands for clean water in the future. The dedication of the managers and workers at Duckett Creek to efficiency and the environment has proven that they are well deserving of the award presented by the EPA. I would

ask my fellow Members of the House of Representatives to join with me in congratulating Richard Higgins, superintendent; Thomas Szilasi, director; Barry E. Smith, administrator; David Fletcher, plant operator; and the members of the board of trustees: Chairman David Crosby, Vice-Chairman David Heideman, Harold Burkemper, Thomas Heinsz, and Eugene Schwendemann, on this recognition of the Duckett Creek Sewer District.

TRIBUTE TO GERALD HANSON

HON. JERRY LEWIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 20, 1993

Mr. LEWIS of California. Mr. Speaker, I would like to bring to your attention the fine work and outstanding public service of Gerald Hanson. Jerry is retiring after a 29 year career with the San Bernardino County Department of Weights and Measures and will be recognized at a ceremony in his honor on November 13.

Gerald Hanson was born on Christmas day in 1938 in Alexandria, MN and has lived in Redlands since 1949. He received his B.A. and M.A. from the University of Redlands, and was a candidate for an Ed.D. at Pepperdine University. In addition, Jerry served in the U.S. Navy from 1960–66.

Jerry began his career with Grand Central Rocket in 1958 as a scale mechanic. In 1964, he began a long and distinguished career with the San Bernardino County Department of Weights and Measures. He was promoted from his initial position of inspector to division chief in 1980 and became director of the department in 1985.

Over the years, Jerry has been an active member of a number of civic and community based organizations including the Redlands Masonic Lodge, the Redlands Shrine Club, the San Bernardino Public Employees Association, the Redlands Noon Kiwanis Club and others. In addition, he is a life member of the U.S. Metric Association, and enjoys membership in the National Conference on Weights and Measures, the Western Weights and Measurers Association, and the California Agriculture Commissioners and Sealers Association.

Mr. Speaker, I ask that you jonin me, our colleagues, Jerry's wife Sandra, his daughter, Cynthia, and many friends in wishing Jerry the very best in his retirement. In his many years of devoted service, Jerry Hanson has touched the lives of many people in our community and it is only fitting that the House recognize him today.

TRIBUTE TO COL. EUGENE V. LOMBARDO ON THE OCCASION OF HIS RETIREMENT FROM THE U.S. ARMY RESERVES

HON. SUSAN MOLINARI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 20, 1993

Ms. MOLINARI. Mr. Speaker, on October 22, 1993, a special celebration will take place in Flushing Meadow, Queens, NY. On this evening, an outstanding citizen and soldier, Col. Eugene V. Lombardo, will be recognized on his retirement from a remarkable career. A native of Brooklyn, NY, Colonel Lombardo will retire from the U.S. Army Reserve after 32 years of service.

Colonel Lombardo earned a bachelor of professional studies degree in business communication from the State University of New York, Empire State College. He also holds a diploma from the Business Professional Advertising Association as a certified business communicator and is a graduate of the Dale Carnegie Institute.

His military career was a prolific one, and included distinguished service during the Persian Gulf war in Operation Desert Shield and Desert Storm. He served as division chief for public education with the 353d Civil Affairs Command assigned to Southern European Task Force theater of operations in Vicenza, Italy. During his last tour of duty, he was the deputy chief of staff for information management for the 77th U.S. Army Reserve Command. Additionally, he directed U.S. Army participation in the Statute of Liberty and Ellis Island commemorative celebrations, achieving recognition for his leadership and excellence in coordinating all public affairs and promotional activities.

Active in German-American community and public relations, broadcasting, and newspaper journalism for the U.S. Army's NATO Command, Third Infantry Division, Colonel Lombardo served during the Berlin and Cuban crises in the early sixties. Among his numerous military awards, he holds the Meritorious Service Medal with four oak leaf clusters and the Army Commendation Medal. A graduate of the Empire State Military Academy, the U.S. Army Command and General Staff College, the National Defense University, the Senior Defense Information School, and the U.S. Army War College, Colonel Lombardo has held command and staff assignments with the 42d Infantry—Rainbow—Division, N.Y. Army National Guard and the U.S. Army Reserve. He also served as chief of public affairs for the 77th U.S. Army Reserve Command.

He lives with his wife, Carol, on Staten Island, where he is active in professional, community, and civic organizations and has received a number of awards for community service. Mr. Lombardo is a member of the Knights of Columbus, the Business Advertising Association, the American Management Association, and the Magazine Publishers Association. He is also a member of the Reserve Officers Association of the United States Armed Forces, and the American Legion, among others.

Mr. Speaker, too often the peacetime work of our Nation military goes unnoticed. Military service is frequently a difficult and thankless profession. Colonel Lombardo reminds us of the Army Reserves' critical duty and the professionalism with which its members fulfill their mission. It is a privilege for me to have this opportunity to salute Col. Eugene V. Lombardo. On behalf of the Staten Island and Brooklyn communities, I thank him for his 32 years of selfless service to our community and our Nation.

STATEMENT OF HON. ELIOT ENGEL OF NEW YORK HONORING CHARLES SALK

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 20, 1993

Mr. ENGEL. Mr. Speaker, it is with great pleasure that I recognize today an individual who has dedicated more than 50 years of his life to improving the quality of life for working men and women.

Charles Salk is being honored this weekend by the National Association of Retired Federal Employee [NARFE], Manhattan-Bronx chapter, for his many good works. I can think of no other person who better exemplifies the character and commitment demonstrated by our Federal employees.

For 35 years, Charlie Salk worked in the U.S. Postal Service, where he was always involved in labor issues. He eventually rose to the position of vice president in the largest chapter of the postal workers' union.

When his career ended, Charlie's dedication to his colleagues did not cease. He has continued his tireless efforts in NARFE, where he has been active for the past 15 years, including the past decade as president of the 4,000-member Manhattan-Bronx chapter.

Over the years, Charlie Salk has been a friend and adviser to me, and a constant advocate for many other individuals. He embodies the true spirit of the American worker, who will give the best effort possible at all times while asking only for fair treatment in return.

Charlie Salk will be modest and say he does not deserve to be honored by NARFE. But on behalf of the countless people whose lives he has touched, I can testify that such an honor is long overdue.

TRIBUTE TO DR. FREDERICK C. STEWARD

HON. EARL F. HILLIARD

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 20, 1993

Mr. HILLIARD. Mr. Speaker, today, I come to speak of a great man, Dr. Frederick C. Steward, who recently passed away in Tuscaloosa, AL. Dr. Steward was a giant among his many peers in the area of science. He was one of the Nation's leading botanists and plant physiologists, having been the originator of the now proven fact that plants may be regenerated from one single cell. His discovery of the means to obtain such regeneration of entire plants from one single cell has formed the underpinning of modern plant molecular biology. All of us who are lovers of knowledge and science mourn the loss of this great man. I wish to extend the sympathy of the entire Nation to his widow, Anne, and his son, Gordon, all who reside in Tuscaloosa.

CONGRESSMAN DOUG BEREUTER GIVES THOUGHTFUL EVALUATION OF NATO'S ROLE

HON. RALPH REGULA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 20, 1993

Mr. REGULA. Mr. Speaker, during a debate at the recent North Atlantic Assembly meeting in Copenhagen, Denmark, our colleague DOUG BEREUTER, who also serves as Vice President of the Assembly, gave a very thoughtful evaluation of the role of NATO vis a vis the United Nations. The text of the remarks are attached herewith:

REMARKS OF REPRESENTATIVE DOUG BEREUTER AT THE 39TH ANNUAL MEETING OF THE NORTH ATLANTIC ASSEMBLY

Mr. President and Ladies and Gentlemen of the Assembly. The discussion and debate over the last four days has been useful and insightful. Many important issues have been discussed, from new membership to the long-term prospects for democracy in Russia.

But in the short time allotted to me today, I would like to offer some thoughts on two matters that the members of the President's Task Force discussed at length as we drafted the report America and Europe.

As the Task Force recognized, there is no longer a debate about whether NATO can act "out-of-area." That decision already has been made and such action already undertaken. NATO has concluded that, if it is to remain relevant as a security institution, it must be able to respond beyond its traditional borders when the member-states determine that it is in their vital interest.

The question which has begun to be asked by a few of our delegates and which we must face—a question which has been indirectly discussed on several occasions this weekend—is whether NATO can act on its own, out-of-area, without a mandate from another institution such as the U.N. or CSCE.

It is certainly possible, and indeed likely, that any future NATO action could be launched under U.N. or CSCE auspices. My NATO country parliamentarians, I believe, quite strongly, that we cannot make the existence of a U.N. mandate the prerequisite for out-of-area action.

My Assembly colleagues, to do so would inappropriately turn NATO solely into a "security subcontractor" for the U.N.—a very unsatisfactory and unacceptable development.

First, while it is likely that NATO interests will coincide with the interests of the U.N. or the CSCE, we cannot depend on this happening on all occasions.

Second, we cannot always depend on action when we need it. Action can be delayed or stopped, for example, by a veto from the PRC. And the events of the last two weeks in Moscow suggest, of course, that we should not take it for granted that Russia will always, routinely, support our objectives in the Security Council.

Third, it is quite possible that the United Nations will adopt rules of engagement that NATO simply cannot accept. In Somalia, the United States is burdened with rules of engagement that have effectively undermined the ability to fulfill the mission. British, French, Canadian and other peacekeepers in Bosnia have faced similar difficulties. I would suggest that it is increasingly unacceptable for the U.N. to deny NATO peacekeepers that ability to exploit our great military capability.

Consequently, although it is not expressly stated NATO policy, I believe we must realistically acknowledge that autonomous out-of-area action is not only a possibility—it may be essential to preserve the peace. Moreover, retaining the option of autonomous out-of-area action should have a healthy deterrent value. If a potential adversary believes NATO will act out-of area to protect its interests, such an aggressor will be less likely to provoke a crisis.

Now, colleagues, a second concern that the Presidential Task Force addressed while drafting the *America and Europe* report is the general issue of changes in force structure and ongoing reductions in defense spending. We all recognize that the risk of massive armored assault through the Fulda Gap or across the Central European Plain is now unlikely. The Cold War is over and that certainly means that it is appropriate to reduce defense expenditures within the Alliance. But, a pell-mell, preemptive, uncoordinated race to slash defense spending by the unilateral actions of our 16 member states is both reckless and counterproductive.

The members of the Alliance must coordinate our decisions on changes in force size and structure, combat support, and infrastructure. If we do not, the Alliance could well become a paper tiger. Already we see the strains brought on by existing peacekeeping commitments and the prospects for very large commitments in Bosnia.

My friends, this is too important a matter to fall back on diplomatic niceties. I must be blunt. I am concerned that my own nation may be reducing defense spending at too rapid a rate. And, I fear that the currently announced U.S. force reductions may cause difficulties in the years ahead. But, the American reductions are modest indeed when compared with the reductions that some of our NATO allies have announced. I need not go into specifics here. In his report to the Defense and Security Committee, our Spanish colleague, Rafael Estrella, describes in detail the cascading military cuts that have begun within the Alliance.

Again, it is clear that reductions in spending and reduction in forces are now appropriate. But, I plead that these reductions take place within a comprehensive, coordinated effort. My Assembly colleagues, if our respective national parliaments refuse to support a basic minimal level for defense, the much-discussed Strategic Concept cannot protect nations when they lose either the will or means to defend themselves. We must urge our governments to use the January 1994 NATO Summit as an opportunity to realistically coordinate levels of defense spending.

In summary and conclusion, then, my Assembly colleagues, I ask you to first resist any erosion of NATO's autonomy to the U.N., WEU, or CSCE—within the territory of our NATO countries or out-of-area, and secondly to demand that our defense ministers develop by unanimous action a precise framework to strongly influence and coordinate the defense reductions and changes in our sixteen nation states.

TRIBUTE TO MICHAEL BERRY

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 20, 1993

Mr. DINGELL. Mr. Speaker, over the years I have served in Congress, I have known few people who have served their community as well as Michael Berry. On Thursday, October 21, Michael will be honored before 600 people in Michigan with the presentation of the National Order of the Cedar of Lebanon Knight Award.

This special testimonial gathering of Michael's admirers, of whom I am one, will pay tribute to his professionalism and commitment to public service. He served with distinction as the chairperson of the Wayne County Road Commission. His work on that commission included his stalwart efforts on behalf of Detroit Metropolitan Airport, where his devotion and dedication resulted in the Berry International Terminal being named in his honor.

As a humanitarian, Michael Berry has made his presence and concern the object of admiration and respect. Particularly close to his heart have been his undertakings on behalf of Lebanon in the interest of peace, harmony, and justice in the Middle East. He succeeded in sending $1.6 million worth of medical supplies to three supply-drained public hospitals in Lebanon in 1992. As an executive committee member of the American Task Force for Lebanon [ATFL], he has been instrumental in providing guidance and counsel in formulating the basic principles and policies of that organization.

Mr. Speaker, it is with the same vigor and foresight that Michael has committed himself to the ongoing battle against illness and disease on the executive committee on the March of Dimes and the Board of Directors of St. Jude's Hospital. Michael has also been a contributing member of the Wayne County Citizens Committee on Juvenile Delinquency, the Keep Detroit Beautiful Committee, president of Dearborn United Community Services, board member of Children's Hospital and of the Michigan chapter of the Arthritic Foundation, and the first Muslim co-chairperson of the Greater Detroit Round Table of the National Conference of Christians, Jews, and Muslims.

Michael Berry's reputation extends beyond our community. He has served as a presidential appointee to the Small Business Conference, and was selected by the U.S. Department of State in 1966 to travel to the Near East. There, he was the featured speaker at the Dodge Hall of the American University of Beirut. He was also a featured speaker at the Palace of Justice in Lebanon, where he addressed the Lebanese Bar Association and the judiciary.

Mr. Speaker, I urge you and my House colleagues to join Michael's family and friends in extending the heartiest congratulations to him on the occasion of his being awarded the National Order of the Cedar of Lebanon Knight Award.

TRIBUTE TO RON NEUBAUER

HON. JAMES M. TALENT

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 20, 1993

Mr. TALENT. Mr. Speaker, I would like to take this time to congratulate and recognize Ron Neubauer, chief of police of St. Peters, MO, who will be elected sixth vice president of

the International Association of Chiefs of Police on October 20, 1993.

This office is a volunteer position which requires an 8-year commitment. Each year, Chief Neubauer will move up a chair in the organization until he becomes the president of the International Association of Chiefs of Police [IACP]. The IACP has over 13,000 members from 83 countries. The mission of the association is to address major issues facing law enforcement throughout the world. The organization deals with national, State, and local legislation; the training of officers; testing officers and departments; and any other area that enhances law enforcement.

Ron Neubauer is a tremendous example of how members of the law enforcement community continue to make extra efforts to enhance the safety of the citizens in their community. By accepting this position, Chief Neubauer will be assisting law enforcement in St. Peters, St. Charles County, and the State of Missouri. I would ask the Members of the House of Representatives to join with me in congratulating Chief Neubauer as he accepts his new position.

SALUTE TO DR. E.L. CLARK

HON. THOMAS M. FOGLIETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 20, 1993

Mr. FOGLIETTA. Mr. Speaker, I rise on this occasion to salute a great member of the Philadelphia community, Dr. E.L. Clark, who will be honored by the Susquehanna Neighborhood Advisory Council in Philadelphia this Friday. Dr. Clark was born and raised in Hattiesburg, MI, and completed his undergraduate studies at Tugaloo College in Mississippi in 1940. He received his M.D. from Nashville, Tennessee's Meharry Medical College in 1944. From there, he went to intern programs at Provident Medical Hospital, in Baltimore, as well as Harlem Hospital in New York City.

In 1946, Dr. Clark established a medical clinic in Meridian, MI where he practiced until 1952, when he was inducted into the U.S. Army. In 1954, his tour of duty having ended, he decided to settle in Philadelphia, making house calls, and serving on the staff at Mercy Douglas Hospital. Dr. Clark then opened an office on Diamond Street in Philadelphia in 1957, which quickly blossomed into a thriving medical practice serving the community until 1988 when he moved permanently to another office which he had opened in 1984 on 66th Avenue in Philadelphia. Several generations of his patients' families continue to seek his medical services, following him to his current facility.

Dr. Clark has been active in numerous civic and medical organizations over the years, including the Pennsylvania County Medical Society, the Pennsylvania Academy of Family Physicians, Chi Delta Mu—a fraternal order of Philadelphia based health care professionals, and the Meharry College Alumni Association. Additionally, Dr. Clark has received the physician of the year award from the Pennsylvania County Medical Society, and he is a trustee of the Bright Hope Baptist Church. The list goes on and on.

Dr. Clark has been a mentor to a number of African American physicians. He has been involved in Temple University Medical School's Preceptor's Program, making his offices available to medical students during their family practice rotations in local medical offices. Dr. Clark's offices also have been the first home to many local physicians who then went to establish thriving practices of their own.

Dr. Clark is a husband, a father, and a grandfather. He is married to Ann B. Clark, and they have two sons, a daughter-in-law, and two grandchildren, all residing in the Philadelphia area.

Dr. Clark is a shining example of a great Philadelphian, and I salute him for his great contributions to his community.

PUTTING THE SQUEEZE ON EATING DISORDERS

HON. PATRICIA SCHROEDER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 20, 1993

Mrs. SCHROEDER. Mr. Speaker, the Federal Trade Commission recently charged five of the Nation's largest commercial diet programs with deceptive advertising. The FTC contends that diet programs like Weight Watchers, Jenny Craig, and Nutri/System have falsely advertised high success rates and encouraged millions of Americans to unnecessarily lose millions of pounds.

Weight loss is big business—generating over $2 billion a year.

An estimated 50 million Americans will go on diets this year. Some diets might be launched for health reasons—like reducing risk for heart disease. But most diets will be for no other reason than thin is in. These diets can easily become eating disorders.

Eating disorders include anorexia, bulimia, and other abnormal eating behaviors. Eating disorders are common in our diet-conscious society, and can result in cardiac problems, osteoporosis, anemia, and, in the more extreme cases, death. They are also linked to severe depression and substance abuse.

Eating disorders primarily affect women, and symptoms like binge eating, self-induced vomiting, and self-starvation are often seen in little girls trying to be the best ballerina, the best field hockey player, the best student, or simply the best daughter. Some experts contend that images generated by the beauty industry and fashion magazines promote eating disorders. Others believe that eating disorders may be physiologically based. Regardless, these folks need help before it is too late.

Today, I am introducing the Eating Disorders Information and Education Act of 1993. This bill establishes, at the Center for Mental Health Services, an outreach program and a toll-free hotline for eating disorders. The Center is the logical location for such a program since it already has the infrastructure and expertise in developing effective mental health and substance abuse programs.

Although eating disorders affect men, they are one in a series of serious health issues that hit women harder. Eating disorders can result in serious medical complications if they are not treated early and effectively. That is why I am pleased that the Eating Disorders and Education Awareness Act is already part of the Women's Health Equity Act. For the sake of all the women in our country, I urge Congress to pass the Women's Health Equity Act and the Eating Disorders Information and Education Act.

TRIBUTE TO THE VICTIMS OF THE FAMINE IN UKRAINE

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 20, 1993

Mr. TRAFICANT. Mr. Speaker, I rise in honor of the victims of the 1933 famine in Ukraine. The famine, which killed more than 7 million people 60 years ago, had a powerful impact on the Ukrainian community in Ohio.

To commemorate the tragic event, St. Vladimir's Ukrainian Orthodox Cathedral in Parma, OH erected the Famine Monument on their parish grounds. On October 31, 1993, a formal dedication and blessing will be observed at the cathedral. I commend His Grace Archbishop Anthony and the Most Reverend Bishop Robert for their role in bringing attention to this devastating event in Ukraine history.

Mr. Speaker, I join the citizens of Ohio in commemorating the 60th anniversary of the famine in Ukraine, and in saluting the individuals who have worked so hard to keep the memory of the perished from fading.

TRIBUTE TO MONROE COLLEGE ON IT 60TH ANNIVERSARY

HON. JOSÉ E. SERRANO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 20, 1993

Mr. SERRANO. Mr. Speaker, I rise to pay tribute to Monroe College, an invaluable Bronx institution which tomorrow will celebrate its 60th anniversary.

At the height of the Great Depression in 1933, an energetic teacher named Mildred King launched an enterprise that was ultimately to help tens of thousands of ambitious people to find a place and advance in the business world. Originally called the Monroe School of Business, the institution she founded with four tiny classrooms on Boston Road in the Bronx taught basic office skills such as typing, stenography, and bookkeeping to students whose complete course of enrollment typically lasted only 6 months.

In the ensuing six decades, under the leadership of Mildred King, Harry Jerome and Stephen Jerome, who has been president since 1978, Monroe has grown to be a modern junior college with an enrollment of more than 2,000 students on two campuses offering 2-year associate degree programs in accounting, business administration, computer science, hospitality management, secretarial science and word processing.

Throughout its existence Monroe has adhered to the highest standards of quality. In its

early days the reputation it built through the success of its graduates helped Monroe to achieve steady growth in difficult economic times, while all around it similar schools failed. In 1990 Monroe was accredited by the Middle States Association of Colleges and Schools, the highest level of accreditation a collegiate institution can receive. More than 90 percent of all Monroe graduates find employment in positions related to their fields of study. And 13 percent of the 639 students who received their degrees at the last commencement are pursuing a baccalaureate degree on either a full- or part-time basis at other institutions.

Mr. Speaker, I have had the privilege of knowing Stephen Jerome, the president of Monroe College, for many years, and I am delighted by his success. I ask my colleagues to join me in paying tribute to him, to the rest of his administration and faculty, and to the students of Monroe College, whose ambition and hard work have made this institution a tremendous source of pride and success for the last 60 years.

HENRY COUNTY SCHOOL SYSTEM HONORED

HON. MICHAEL A. "MAC" COLLINS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 20, 1993

Mr. COLLINS of Georgia. Mr. Speaker, in a time where many school systems across our Nation are installing metal detectors to curb violence, I would like to share with this body a much different story. An example of what can be done at the local level when parents, educators, and community leaders work together.

The Henry County School System, located in Georgia's Third Congressional District, is vying to win its fourth consecutive "Governor's Award for Drug Free Living"—given annually to the school system which best promotes a drug free lifestyle. "Red Ribbon Week" gives each school system an opportunity to present their campaign to fight drug abuse. The citizens of Henry County continue to show their dedication to the well being of their children and the safety of their community. This commitment serves as an example of the best America has to offer—people working together and taking responsibility for their community.

Mr. Speaker, I commend the citizens of Henry County for their dedication to this project. While some still claim that big government and more social programs will solve our Nation's problems, the people of Henry County will prove them wrong once again this year.

DEMOCRACY IN HAITI

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 20, 1993

Mr. HASTINGS. Mr. Speaker, I rise today to express my continued support for the restoration of democracy in Haiti. We must stop the violence in Haiti now.

Recently, I had the opportunity to meet with Prime Minister Robert Malwal and Justice Minister Guy Malary. Mr. Malary begged me not to let the U.S.S. *Harlan County* leave Haiti or the prodemocracy supporters would be in jeopardy. A few days later, Mr. Malary was assassinated. His untimely death is a setback to the struggle of restoring democracy in Haiti and a warning to prodemocratic forces to stay away.

The United States has an obvious interest in restoring democracy to Haiti. An unstable economy in Haiti would not only hurt the Haitian people but also the United States. There would be a renewed flow of Haitian refugees into this country, and drugs that have traveled through Haiti would end up in the streets of America.

The administration played a crucial role in laying the groundwork for the restoration of democracy in Haiti. Thus, we cannot allow this process to be undermined by an armed and recalcitrant few. We must force Gen. Raoul Cedras and his supporters out quickly, swiftly, and decisively or thousands of people in Haiti will surely be murdered. And the ones who are not murdered will be swimming for south Florida.

Mr. Speaker, I urge the Clinton administration to make it all possible to keep the restoration of democracy to Haiti on track and restore the democratically elected government to its rightful place in Haiti.

THIRD MILLENNIUM HONORED

HON. GARY A. CONDIT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 20, 1993

Mr. CONDIT. Mr. Speaker, I rise today to bring attention to a group which has recently been formed to address perhaps the most vital issue facing our Nation today; the future. Third Millennium is a group composed of post-baby boomers who differ in many ways and yet are united in their commitment to solving the problems which they see as debilitating to their own future and that of future generations. They focus on issues that have always held great resonance for me; specifically, the rampant growth of our national debt, and the urban crisis which is dividing our cities and destroying our education system.

The declaration which Third Millennium has put forth to establish their position is full of criticisms of the current establishment. They are quick to point out the failures of the current trend of excess and the consequences which will be paid for such action. However, the declaration is far from simply an indictment of the older generation. Responsibility is the recurring theme of the message. Members of Third Millennium are ready to tackle the problems with cooperation from all members of our community and are willing to make sacrifices to achieve their goals. This impressive group of young people are an inspiration and encouragement to us not just to address, analyze, or inspect the problem, but to attack it and to solve it.

Their declaration is a straight-forward, well-organized analysis of problems that can no longer be ignored. It is also a thoughtful strategy for solving those problems. The mere fact that this group, which has been in existence for little over 3 months is closing in on a membership of a 1,000, indicates the importance of their message, and their insistence that their message be heard. Therefore, I respectfully submit the preamble of Third Millennium's declaration for inclusion in the CONGRESSIONAL RECORD. We can no longer ignore the voices of this group and the chorus of voices shouting the same message. We must begin to govern our country with responsibility and foresight. If we do not, we will only continue along the current path of what Third Millennium refers to as "fiscal child abuse." The words are difficult to listen to, but they will be far more difficult to hear if we fail to take action, and the words came back to haunt us long after the time when effective action could have been taken.

PREAMBLE

We stand at the edge of a new millennium. The superpower confrontation, which brought fear of the apocalypse into the lives of three generations, is over. We live in the richest, freest, and most powerful country the world has ever seen. Most excellent.

But we fear for the future.

Political and social time bombs threaten our fragile successes at home and abroad. Like Wile E. Coyote waiting for a 20 ton Acme anvil to fall on his head, our generation labors in the expanding shadow of a monstrous national debt. Racial, sexual and economic divisions have made fellow citizens brutal enemies. Our cities have fallen into a shameful state where ordinary acts of daily life have become painful struggles.

For too long, we as a nation have failed to exercise self-control. We've trashed the ethic of individual responsibility. We've exploited racial and sexual differences for political gains. Those in power have practiced fiscal child abuse, mortgaging our future, and the futures of those to come. Meanwhile, the engine of democracy has stalled, paralyzed by fringe issues.

It is time to take responsibility. The grave problems facing our country—economic stagnation, social fragmentation and the deterioration of the environment—demand solutions that transcend partisanship. We believe it is the challenge of our generation to move the country beyond partisan stagnation and focus on the real challenges at hand.

Those of us offering this declaration don't pretend to represent our entire generation. We recognize our generation's intense individualism as one of its strengths. The post-baby boom generation, born after 1960, is far too diverse to let one group represent it all. But we believe young people must initiate change. Our role in serving our country must be to stop the dumping of toxic policies on future generations.

The writers of this statement come from a wide array of backgrounds, careers and political persuasions, and not every one of us subscribes to every last letter in this statement. We are drawn together, however, by the belief that we can't let our differences—real as they are—excuse further inaction. Conservative, liberal, or none of the above, we unite in the sentiment that the time to act is now.

We look to President Abraham Lincoln, who, at another time when division threatened to destroy the country, pleaded for change: "The dogmas of the quiet past are inadequate to the stormy present. The occasion is piled high with difficulty, and we must rise with the occasion. As our case is new, so must we act anew."

Divisive issues such as abortion and the death penalty must recede to the background. It is up to us to direct our energies to the problems that threaten the future of our nation.

Our generation is often derided for its cynicism. We grew up amidst the betrayals of Vietnam, Watergate and the S&L scandal. We are witness to the highest divorce rate ever. We see neighborhoods across America battle lawlessness, drug abuse, dysfunctional families and substandard school systems. At the same time, divisive right-wing tactics fuel our country's worst fears and hatreds, while impotent left-wing dogma transforms us into a society of victims and dependents.

But if our common experience has jaded us, it has also added urgency to our outlook. We seek no sympathy and we ask for no handout. We know solving our problems will be tough, and we reject demagogues who tell us they can be solved without breaking a sweat. We must make the sacrifices necessary to address the dire problems facing our country.

To the new generation in power, we say: If you are ready to make the tough choices, we will support you. If you are ready to fight, we will join you. If you are ready to lead, we might in fact follow you. But if not, move out of the way.

The last thing we want is a generational war. We present this statement in the sincere hope that members of our generation—whatever their politics—can together chart a new direction for the country, and that members of all generations can embrace it.

A TRIBUTE TO THE RECIPIENTS OF THE 1993 NOBEL PEACE PRIZE

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 20, 1993

Mr. LANTOS. Mr. Speaker, I rise today to pay tribute to Nelson Mandela and President F.W. de Klerk of South Africa, recipients of this year's Nobel Peace Prize. Nelson Mandela and President de Klerk of South Africa share the prize for negotiating the end of an apartheid state and for cooperating in the journey toward a nonracial democracy in South Africa.

Nelson Mandela, President of the African National Congress, and F.W. de Klerk, President of South Africa, have dedicated their efforts to work together to create a nonviolent South Africa in which the human rights of all citizens will be respected. They have pledged themselves as partners to a transition to democracy in their country.

As allies and adversaries, they are working to build a society in which every South African—regardless of race—can participate equally. These two South Africans have transformed the politics of South Africa in a way few people expected would occur in this century.

Mr. Speaker, as a Member of Congress dedicated to the ideals and goals of human rights, I salute the Norwegian Nobel Prize Committee for its continued efforts to recognize those individuals who take risks to better the world in which we live. I applaud Mr. Mandela and President de Klerk for their outstanding efforts to bring peace, democracy and reconciliation to South Africa. This year's award reflects and strengthens the tradition of the Nobel Peace Prize and ensures that the legacy of human rights remains a guiding principle in the world today.

HONORING THE SENIOR AND JUNIOR COMPANION PROGRAMS

HON. GEORGE J. HOCHBRUECKNER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 20, 1993

Mr. HOCHBRUECKNER. Mr. Speaker, I rise today to honor the Senior and Junior Companion Programs of Suffolk County, Long Island, NY, as they celebrate 12 years of outreach and advocacy for people who need mental health services.

The Federation of Organizations for the New York State mentally disabled is a statewide organization that advocates on behalf of the mentally disabled. The federation was founded by the concerned parents of the mentally ill, and has been working to improve services to the mentally disabled and their families in Suffolk County, Long Island, NY.

The Senior Companion Program places people with psychiatric disabilities in various community settings. The companions act as role models and assist other disabled people in learning new skills in a peer-support network. The program is based on the concept that through a one-to-one caring relationship, people can progress toward greater independence and self-confidence, no matter how severe the disability.

Senior companions are 60 years of age and over, work 4 hours a day, 5 days a week, for a small stipend. They provide outreach, advocacy and recreational activities as they educate people about everyday life. Peer interaction leads to the awareness of community resources and links individuals to needed services. The fact that the companions are themselves recovering from mental illnesses enhances their effectiveness, and facilitates the development of new friendships.

The Junior Companion Program was developed for the younger psychiatrically disabled person between the ages of 18 and 59. The Junior Companion Program provides activities in which the individual can rebuild their skills and confidence in the community while exploring individual potential and possibilities for employment and training.

Mr. Speaker, it is my privilege and honor to recognize the many men and women who spend their days assisting over 400 mentally disabled Long Islanders everyday in 57 community sites.

TRIBUTE TO FATHER ROBERT A. JEFFERS, PASTOR OF SAINT AUGUSTINE R.C. CHURCH

HON. JOSÉ E. SERRANO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 20, 1993

Mr. SERRANO. Mr. Speaker, I rise today to pay tribute to Father Robert A. Jeffers, who on Friday, October 22 will be honored on the occasion of the completion of his third and final term as pastor of the parish of Saint Augustine R.C. Church in the Bronx.

Father Jeffers first entered the archdiocesan priesthood in 1964 in the Bronx Parish of Blessed Sacrement. Following an assignment in Staten Island and an assignment in Yonkers, Father Jeffers came back to the Bronx to serve as an associate pastor at St. Augustine's in September 1969. He rose to the position of pastor on June 25, 1974.

Mr. Speaker, Father Jeffers is loved not only by his congregation but by the community at large. As a member of the Morrisania Community Corp., a member of Community Board No. 3, and a board member of Share New York and of South Bronx churches, Father Jeffers has been an active leader of community-wide efforts to improve the living conditions and alleviate the despair of people of all faiths in the South Bronx.

Mr. Speaker, I ask that my colleagues join me in wishing health and joy to Father Jeffers, who will be leaving St. Augustine Church in the Bronx after 24 years of devoted service.

IMMIGRATION STABILIZATION ACT OF 1993

HON. RICHARD H. LEHMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 20, 1993

Mr. LEHMAN. Mr. Speaker, today, with my colleagues JAMES BILBRAY, DUNCAN HUNTER, JAMES TRAFICANT and BOB GOODLATTE, I am introducing a bill to reform American's immigration system, entitled the Immigration Stabilization Act of 1993.

Even a casual observer cannot help but recognize that immigration has become one of the most important public policy issues facing the nation and that our country's immigration laws are ill-equipped to deal with the realities of the 1990's. The American people no longer believe that our immigration policies are serving the national interest.

When my State of California is placed in a position where it must build a new school a day to keep up with the immigration influx, we cannot possibly uphold our obligation to give our children the training they need to compete in the world economy. When California is forced to spend $1 billion a year to provide health care to illegal immigrants, we cannot possibly provide the kind of quality health care our own citizens have a right to expect.

It is time to make our Nation's immigration policies responsive to the national interests of the United States. Along with my colleagues, we are proposing a top to bottom reform of all aspects of U.S. immigration law.

Under the Immigration Stabilization Act, we are putting forth a plan that will allow us to regain control of our Nation's borders. The American people are demanding that illegal immigration be stopped, and it's time we in Congress begin to recognize the serious economic and national security implications of our uncontrolled borders.

The American people are angry, and rightly so, by the flagrant abuse of the political asylum process by people who simply want to circumvent our immigration laws. The Immigration Stabilization Act would allow the United States to act morally and intelligently at the same time.

The American people—regardless of race, religion, or ethnicity—believe that overall immigration must be reduced to more manageable levels. Immigration is a vital national policy that will have a profound effect on our Nation's future. I urge my fellow Colleagues to join us in this effort to reform immigration laws in a way that will ensure a harmonious and prosperous future for this nation.

TRIBUTE TO MRS. ODESSA CLINKSCALE

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 20, 1993

Mr. TRAFICANT. Mr. Speaker, I rise in honor of Mrs. Odessa Clinkscale, an outstanding community leader in my 17th Congressional District in Ohio.

Mr. Speaker, on November 7, 1993, Mrs. Clinkscale will be honored by the A. Philip Randolph Institute [APRI] for her tireless service to her community. Mrs. Clinkscale is seemingly everywhere, deeply involved in a wide array of organizations, boards and leagues. Mr. Speaker, here is just a cross-section of these groups: Elizabeth Missionary Baptist Church, Board of Christian Education Program, (chairperson), Baptist Minister Wives Council, (past president), Jury Commissioner, National Association for the Advancement of Colored People [NAACP], Black Leadership Conference, Youngstown Urban League, and the National Council of Negro Women. In addition, she has served as a precinct committeewoman for over 25 years and is currently the fifth ward councilwoman.

The awards banquet on November 7, I am sure, will be an honor for Mrs. Clinkscale, but it will by no means be a unique experience for this mother for four and grandmother of eight. In her accolade-filled past, she has been awarded the Outstanding Community Service Award by the Youngstown Urban League, the Meritorious Service Award by the United Negro College Fund, and the Democrat Woman of the Year by the John F. Kennedy Democrat Women's Club, 1989.

Mr. Speaker, I join her husband, Rev. Henry Clinkscale, Jr., and the citizens of my district in saluting Mrs. Clinkscale's exemplary efforts on behalf of her community. Her honors can only be a token of how much we appreciate her tireless involvement.

NORMAN E. MOORE: A MAN OF MANY ACHIEVEMENTS

HON. JAMES A. BARCIA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 20, 1993

Mr. BARCIA. Mr. Speaker, I rise today to highlight the outstanding achievements of Norman E. Moore. One of the truly exceptional men in the insurance profession, Mr. Moore has developed a stellar reputation within our community as someone committed to his family, his neighbors and his profession. This unusual dedication is celebrated today among his many friends as Norm is sworn in as the president of Life Insurance Leaders of Michigan.

The post Norm enters is a most significant one, as Life Insurance Leaders of Michigan maintains the confidence of the public, provides an internal avenue of support and, most importantly, represents and promotes the ethical standard to which Michigan life and health insurance agents subscribe.

Entering the insurance business in 1962, Norm has established himself as one of the preeminent members of the Michigan business community, earning commercial and industry recognition while serving as regional vice president of the Mid Michigan Association of Life Underwriters, and State chairman of the Michigan LUPAC.

Norman has further distinguished himself within the industry as president of Saginaw Life Underwriters, Certified Life Underwriters Society, Estate Planning Council, and Health Underwriters. Such acknowledgment is a testimony to his place in Michigan business as an example of perseverance and success destined to be remembered for years to come.

More importantly, Norman's ability to direct his efforts for the long-term, and unique perspective on financial markets has ultimately empowered many of my neighbors in the Fifth District to realize the financial goals so hard to attain in these troubled economic times.

I know I speak for my friends in Bay City and the Fifth District when I thank Norman for his tireless efforts to foster economic stability in our community. I urge all my colleagues to wish him, his lovely wife, Gloria, and his children, Norman Jr., Vicky, Michele, and Christine our very best.

TRIBUTE TO THE MORRISANIA FAMILY PRESERVATION SITE

HON. JOSÉ E. SERRANO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 20, 1993

Mr. SERRANO. Mr. Speaker, I rise to pay tribute to the Morrisania Site of the New York City Child Welfare Administration's Family Preservation Program [CWA/FPP], which will hold its first open house on Tuesday, October 26, 1993.

Initiated in New York City by Mayor Dinkins, human resources administrator Barbara J. Sabol, and executive deputy commissioner for the Child Welfare Administration Robert L. Little, the Family Preservation Program provides intensive, short-term—4 to 8 weeks—family centered, home-based crisis intervention to families whose children are at imminent risk of being placed outside the home. The Morrisania site serves New York's community district 3, one of the fifteen community districts in New York City where out-of-home placements have been the highest.

Mr. Speaker, the New York City Child Welfare Administration is committed to ensuring the safety of New York's children. However, while placing an endangered child out of the home may remove him or her from danger, it can also exact tremendous emotional and social costs upon all members of the family.

The Family Preservation Program builds upon models that have been used successfully in over 250 communities across the country to keep families together safely by improving parenting skills and resolving sources of conflict. As in many of these other programs, specially trained family preservation workers carrying a caseload of only two families at a time spend between 10 and 20 hours a week in their clients' home and are always on call.

The Family Preservation Program is dedicated to providing services that are responsive to the families' ethno-cultural and religious needs. It also incorporates special approaches to dealing with the stresses that arise from substance abuse, physical and mental health problems, and the impacts of poverty and racism.

The New York City program also provides for a community and family advocate to work with FPP families and the community at large to address local problems, such as drug dealing and the need for day care centers, and a family mentor, an individual aged 55 or older recruited from the family's community who can serve as a surrogate grandparent and trusted advisor for up to 10 months after the period of intensive services has ended.

Mr. Speaker, I ask that my colleagues join me in supporting district director Millie Manzanet, community and family advocate Natanya Siegel, and the 12 family preservation workers of the Morrisania Site of the Family Preservation Program who are doing such excellent work healing distressed families in my community.

CLINTON ADMINISTRATION REINTERPRETATION OF CHILD PORNOGRAPHY LAW

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 20, 1993

Mr. SMITH of New Jersey. Mr. Speaker, with all eyes fixed on the explosive situations in Haiti, Somalia, Bosnia, and other hot spots and with every new wrinkle in health care reform gobbling up scads of media air time and ink, the Clinton Justice Department has quietly, and—I would submit—shamefully, turned its back on children by seeking to reinterpret, loosen, and weaken existing Federal child pornography law.

On September 17, the Justice Department petitioned the U.S. Supreme Court in Knox versus United States to remand the case of a man convicted under Federal child pornography law back to a lower court for review. The Clinton brief argues that a much more narrow, weaker standard be applied in this precedent setting case than that which was affirmed by the Court of Appeals for the Third Circuit. If Mr. Clinton prevails, efforts to curb this hideous form of child abuse will be seriously undermined.

The Clinton policy seriously weakens law enforcement efforts to crackdown on child

porn in this country by inventing a new two-part test of what constitutes a crime. Under Clinton, both criteria must be met for a successful prosecution. The Clinton administration's policy would transfer the burden from the pornographer's intent in arousing a pedophile to the actions of the exploited child. This clearly undermines the meaning of the law as supported by the 1989 case *United States* v. *Villard* which stated that lasciviousness depends on the intention of the photographer of the material to elicit a sexual response from the viewer. For example, sexually explicit photographs of sleeping children or videos of unclothed children innocently playing on a beach who are secretly filmed by a pedophile could not be said to depict minors engaged in conduct of lasciviously exhibiting their genitals or pubic areas.

The brief also argues that nudity or visibility of the child's genitalia or pubic area is required. This reinterpretation of the Nation's child pornography statute by Mr. Clinton would shield from prosecution a sizable element within the child pornography industry. This immunity, however, would be conferred to the purveyors and users of kiddie smut at the direct expense of vulnerable children. The court of appeals correctly summed up congressional intent on this point in stating:

The harm Congress attempted to eradicate by enacting the child pornography laws is present when a photographer unnaturally focuses on a minor child's clothed genital area with the obvious intent to produce an image sexually arousing to pedophiles. . . . Our interpretation simply declines to create an absolute immunity for pornographers who pander to pedophiles by using as their subjects children whose genital areas are barely covered.

It is outrageous to me that the Clinton Justice Department seeks to have this standard, designed to protect children from exploitation, declared null and void. Patrick Trueman, head of the child exploitation and obscenity office at the Bush Justice Department, notes that the Clinton brief "writes a recipe for 'legal' child pornography, i.e., child pornography that the Reno Justice Department will no longer prosecute. * * * With its new interpretation of the federal child pornography law, the Department gives to pedophiles what they could never get from Congress." Patrick Trueman can be reached at the American Family Association in Washington, DC.

The pornographic tapes which were the basis of the Knox case and which would likely receive immunity under the Clinton Justice Department, were described by the Third Circuit Court of Appeals as containing:

various vignettes of teenage and preteen females, between the ages of 10 and 17, striking provocative poses for the camera. The children were obviously being directed by someone off-camera. All of the children wore bikini bathing suits, leotards, underwear or other abbreviated attire while they were being filmed. . . . The photographer would zoom in on the children's pubic and genital area and display a close-up for an extended period of time.

The lower court offered this portrayal of how a catalogue described a scene on the tape:

an enchanting scene showing a dark-haired beauty of 11 letting us have a long, slow look up her dress to view her snow-white panties. . [and] . . scenes of a 13 year old in a leopard skin bikini with a magnificent ass that she puts on display for you as she walks back and forth slowly and teasingly.

The company which produced these tapes described one of them, "Sassy Sylphs," in promotional materials as:

Just look at what we have in this incredible tape: about 14 girls between the ages of 11 and 17 showing so much panty and ass you'll get dizzy. There are panties showing under shorts and under dresses and skirts; there are boobs galore and T-back (thong) bathing suits on girls as young as 15 that are so revealing it's almost like seeing them naked (some say even better).

Today, my colleague from California, JOHN DOOLITTLE, and I—127 Members from both sides of the aisle—have sent a letter to Attorney General Janet Reno urging her to abandon this morally indefensible position. The Clinton Justice Department has devised a thoroughly flawed legal reinterpretation of congressional intent, has radically reversed the Bush prosecution strategy as it relates to child pornography, and as a consequence has concocted a formula for creating a new protected category of child pornography which will open the flood gates to the exploitation of children.

In addition, Mr. DOOLITTLE and I will be introducing a resolution today reaffirming Congress' purpose in passing existing child pornography law and opposing the Justice Department's misinterpretation of this statute.

In addition to the simple standard of decency in protecting a child from the exploitation of child pornography, there is a proven and consistently supported compelling interest in the elimination of such materials. The crime we are determined to prevent is, as so aptly phrased in the court of appeals Knox decision, "the affront to the dignity and privacy of the child and the invasion of the child's vulnerability." It is our obligation to protect children from this victimization.

A CALL FOR WELFARE REFORM

HON. DICK SWETT

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 20, 1993

Mr. SWETT. Mr. Speaker, earlier today I joined with some of my colleagues to announce the formation of the Mainstream Forum Welfare Working Group. This special task force will work with President Clinton to reform the current welfare system.

Our working group also released a letter today to President Clinton signed by 80 Members of Congress, outlining some of the general goals we hope to achieve by reforming our country's welfare system. We applauded the President's ongoing review of the current welfare system and his pledge to end welfare as we know it.

Mr. Speaker, the best social program is a job. Poor Americans are not looking for a handout—what they need is a hand up. Poor Americans are looking for opportunity, and it is time we gave it to them. We need to help people go from a welfare check to a paycheck, moving them from dependency to self-sufficiency. Welfare reform will not be about taking away from people. It will be about giving back to poor Americans hope, pride, opportunity, and the chance to become connected to their communities again.

Our current system has fundamental flaws—it discourages work, isolates the poor into a separate welfare economy, fosters dependency, and it rewards failure, not success. Most absurd, perhaps, is that our current welfare system promotes the breakup of families—a practice which tears at the very fabric of this country.

Mr. Speaker, we must give every able person in this country the opportunity to work, so that everyone can have the dignity to feel good about themselves and have the means to support those who depend upon them. As it stands now, children—our most precious resource—are suffering the most. One in five children now lives in poverty. One in six children has no health insurance. One in two babies is not immunized by 1 year of age. One in two children has a mother in the labor force, yet lacks adequate, safe, affordable, quality child care.

No State is free from the problems of poverty, joblessness, and homelessness. In New Hampshire, the caseload growth for Aid to Families With Dependent Children [AFDC] has shown significant increases in recent years. AFDC grant payments for 1992 totaled over $54 million, a 29.7-percent increase over State fiscal year 1991. Our present system which encourages permanent dependency has no hope of reversing this mounting problem.

We must make work pay instead of making work hinder. We must make it more worthwhile to put in an honest day of work than to stay home and collect welfare. We must also establish a 2-year transitional period to move recipients off welfare and into jobs. Welfare should be a way station, not a destination. These are just two of the essential steps necessary to reform an outdated and flawed system.

Mr. Speaker, transforming the Nation's health care system is a first and crucial step toward moving recipients off of welfare. Universal access to health care should eliminate the need to choose between staying on welfare and receiving Medicaid benefits or working at a low-wage job that does not provide coverage. We also endorse the administration's call for community service employment for those welfare recipients who are not able to find a job in the private sector. Community service gives people the opportunity to support themselves through honest work.

As a member of the Mainstream Forum Welfare Reform Group, I am dedicated to working with President Clinton to continue this trend of helping people to become self-reliant. In the process, we will be able to move this Nation from a system centered on maintenance and consumption to a system oriented around work and the development of self-esteem and personal assets.

The President's new covenant on welfare offers poor Americans greater opportunities, but also demands greater responsibility. If public welfare assistance demands mutual responsibility both by Government and recipient, I believe people will rise to this challenge.

Mr. Speaker, I ask all of my colleagues to work together both with the Mainstream Forum

Welfare Working Group and the administration to find ways to reform our country's welfare system. While we may have differences in our ideas and approach to welfare reform, we all can agree that our welfare system is greatly in need of reform. And this is the time to start.

CELEBRATION OF THE ARTS AND HUMANITIES

HON. JOEL HEFLEY

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 20, 1993

Mr. HEFLEY. Mr. Speaker, in celebration of National Arts and Humanities Month, I would like to express my hope that the arts and humanities, which have added much richness to the culture of American society, will evoke continued encouragement, support, and appreciation from the public.

By placing importance on the arts and humanities, and recognizing their role in the development of our unique heritage, we provide ourselves the opportunity to share in the creative experience provided by so many gifted and talented artists.

To make the most of this monthlong celebration, a coalition of 42 arts and humanities organizations representing more than 23,000 cultural groups, have formed the National Cultural Alliance to develop a multiyear public awareness campaign on the availability and importance of the arts and humanities to all Americans.

The campaign's theme: "There's Something in it for You," emphasizes that because of the diversity of art that surrounds us, everyone should be able to find at least something to participate in, appreciate, or value for its cultural and artistic impact.

TRIBUTE TO ELLEN RUESCH ON HER 100TH BIRTHDAY

HON. JOSÉ E. SERRANO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 20, 1993

Mr. SERRANO. Mr. Speaker, I rise today in celebration of the birthday of my constituent, Ellen Ruesch, who on Tuesday, October 26 will turn 100 years old.

Ellen Ruesch came to the United States from Finland in 1912 and has lived in the Bronx since 1968. With assistance from the dedicated social workers of the Highbridge Community Life Center, of which she is a client, Mrs. Ruesch continues to lead an independent life in her own apartment. And with the exception of the last election, which she unfortunately missed, Mrs. Ruesch has voted at every opportunity since she obtained her citizenship in 1920.

Mr. Speaker, with just a little outside support, senior citizens like Mrs. Ruesch can continue to make their own way in society. We can all hope that in our own golden years we will be as active and independent as she is. I ask my colleagues to join me in wishing a very happy 100th birthday to a wonderful role model, Mrs. Ellen Ruesch.

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, October 21, 1993, may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

OCTOBER 22

10:00 a.m.

Labor and Human Resources

To resume hearings to examine the Administration's proposed Health Security Act, to establish comprehensive health care for every American, focusing on the budgets and competition.

SD–430

OCTOBER 26

10:00 a.m.

Environment and Public Works

To hold joint hearings with the Committee on Environment and Public Works' Subcommittee on Clean Air and Nuclear Regulation on the Administration's National Action Plan on Global Climate Change.

SD–406

Foreign Relations

To hold hearings on the 1992 Protocol to the 1966 Conservation of Atlantic Tunas Convention (Treaty Doc. 103–4), 1990 Protocol to the 1983 Marine Environment of the Wider Caribbean Region Convention (Treaty Doc. 103–5), Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer (Treaty Doc. 103–9), Convention on the Marking of Plastic Explosives for the Purpose of Detection (Treaty Doc. 103–8), and Convention on the Limitation Period in the International Sale of Goods (Treaty Doc. 103–10).

SD–419

2:30 p.m.

Commerce, Science, and Transportation

Science, Technology, and Space Subcommittee

To hold hearings on S. 1537, to revise the Stevenson-Wydler Technology Innovation Act of 1980 to improve the use of Federal laboratories and advance American international competitiveness.

SR–253

OCTOBER 27

9:30 a.m.

Environment and Public Works

To hold hearings on S. 1547, authorizing funds for fiscal years 1994–2000 for programs of the Safe Drinking Water Act.

SD–406

10:00 a.m.

Judiciary

Antitrust, Monopolies and Business Rights Subcommittee

To hold hearings to examine the effects of telecommunication megamergers on competition and inflation.

SD–226

2:00 p.m.

Energy and Natural Resources

Public Lands, National Parks and Forests Subcommittee

To hold hearings on S. 589 and H.R. 1348, bills to establish the Quinebaug and Shetucket Rivers Valley National Heritage Corridor, S. 1332, to designate a portion of the Farmington River in Connecticut as a component of the National Wild and Scenic Rivers System, and S. 1380 and H.R. 2650, to designate portions of the Maurice River and its tributaries in the State of New Jersey as components of the National Wild and Scenic Rivers System.

SD–366

3:00 p.m.

Conferees On H.R. 1268, to assist the development of tribal judicial systems.

EF–100, Capitol

OCTOBER 28

9:30 a.m.

Energy and Natural Resources

To hold oversight hearings on the Administration's National Action Plan to reduce greenhouse gases.

SD–366

Rules and Administration

To hold hearings on the nomination of Michael F. DiMario, of Maryland, to be Public Printer, Government Printing Office, S.J. Res. 143, providing for the appointment of Frank Anderson Shrontz as a citizen regent of the Board of Regents of the Smithsonian Institution, and S.J. Res. 144, providing for the appointment of Manuel Luis Ibanez as a citizen regent of the Board of Regents of the Smithsonian Institution.

SR–301

Indian Affairs

To hold oversight hearings on issues relating to Indian child abuse.

SR–485

10:00 a.m.

Banking, Housing, and Urban Affairs

Business meeting, to mark up S. 783, to strengthen the accuracy and the privacy protection provisions of the Fair Credit Reporting Act with regard to credit reporting agencies' file information systems, and to consider other pending calendar business.

SD–538

Commerce, Science, and Transportation

Science, Technology, and Space Subcommittee

To hold hearings to examine the National Aeronautics and Space Administration's (NASA) relevance to the economy.

SR–253

Environment and Public Works
Clean Air and Nuclear Regulation Subcommittee
Business meeting, to mark up S. 1162, to authorize funds for fiscal years 1994 and 1995 for the Nuclear Regulatory Commission, S. 1165, to provide judicial review of petitions submitted to the Nuclear Regulatory Commission requesting that the NRC take enforcement action against NRC licensees regarding safety problems or regulatory violations, and S. 1166, to enhance the safety and security of nuclear power facilities.
SD-406

2:00 p.m.
Energy and Natural Resources
To hold oversight hearings to examine U.S. efforts to help nations operating Soviet-built nuclear power plants to reduce the risk of a serious nuclear accident.
SD-366

Veterans' Affairs
Business meeting, to consider pending calendar business.
SR-418

2:30 p.m.
Veterans' Affairs
To hold hearings on the nominations of Eugene A. Brickhouse, of Virginia, to be an Assistant Secretary of Veterans Affairs (Human Resources and Administration), and Kathy Elena Jurado, of Florida, to be an Assistant Secretary of Veteran Affairs (Public and Intergovernmental Affairs).
SR-418

OCTOBER 29

9:30 a.m.
Indian Affairs
To hold hearings on S. 1526, to improve the management of Indian fish and wildlife and gathering resources.
SR-485

NOVEMBER 2

10:00 a.m.
Veterans' Affairs
To hold hearings to review research on the health effects of agent orange and other herbicides used in Vietnam.
SR-418

NOVEMBER 3

9:30 a.m.
Indian Affairs
To hold hearings on S. 720, to clean up open dumps on Indian lands.
SR-485

10:00 a.m.
Commerce, Science, and Transportation
Science, Technology, and Space Subcommittee
To hold hearings on the effects of potential restructuring in the National Aeronautics and Space Administration (NASA).
SR-253

2:00 p.m.
Energy and Natural Resources
Public Lands, National Parks and Forests Subcommittee
To hold hearings on S. 297, to authorize the Air Force Memorial Foundation to establish a memorial in the District of Columbia or its environs, S. 455, to increase Federal payments to units of general local government for entitlement lands, S. 761, to revise the "unit of general local government" definition for Federal payments in lieu of taxes to include unorganized boroughs in Alaska, S. 1047, to convey certain real property in Tongass National Forest to Daniel J. Gross, Sr., and Douglas K. Gross, and H.R. 1134, to provide for the transfer of certain public lands located in Clear Creek County, Colorado, to the United States Forest Service, the State of Colorado, and certain local governments in the State of Colorado.
SD-366

NOVEMBER 4

9:00 a.m.
Office of Technology Assesment Board meeting, to consider pending business.
EF-100, Capitol

10:00 a.m.
Foreign Relations
To hold hearings to review foreign policy issues.
SD-419

2:00 p.m.
Energy and Natural Resources
Mineral Resources Development and Production Subcommittee
To hold oversight hearings on ocean mining policy.
SD-366

NOVEMBER 16

9:30 a.m.
Indian Affairs
To hold hearings on S. 1146, to provide for the settlement of the water rights claims of the Yavapai-Prescott Indian Tribe in Yavapai County, Arizona.
SR-485

NOVEMBER 18

9:30 a.m.
Indian Affairs
To hold hearings on S. 1345, to provide land-grant status for tribally controlled community colleges, tribally controlled postsecondary vocational institutions, the Institute of American Indian and Alaska Native Culture and Arts Development, Southwest Indian Polytechnic Institute, and Haskell Indian Junior College.
SR-485

CANCELLATIONS

OCTOBER 21

10:00 a.m.
Finance
To resume hearings on the Administration's proposed Health Security Act, to establish comprehensive health care for every American, focusing on medical practice patterns and appropriateness of care.
SD-215