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PROCEEDINGS AND DEBATES OF THE 103^d CONGRESS, FIRST SESSION

HOUSE OF REPRESENTATIVES—Thursday, May 20, 1993

The House met at 10 a.m.

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

In our prayers, O God, we express our petitions for a better world, for lasting peace, for understanding between peoples, for a casting away of all prejudice and selfishness, for an attitude between every person that expresses respect and honor. We admit, O God, that we too often follow our own way and do not see the needs of friends or neighbors, that we take the easy road and miss the joy that comes with a commitment to others. Open our eyes, our hearts, our hands, our minds, gracious God, so we truly see the needs of others. In Your name, we pray. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. RAMSTAD led the Pledge of Allegiance as follows:

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

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate had passed a joint resolution of the following title, in which the concurrence of the House is requested:

S.J. Res. 84. Joint resolution designating the week of June 1, 1993, through June 7, 1993, as a "Week for the National Observance of the Fiftieth Anniversary of World War II".

The message also announced that pursuant to Public Law 93-415, as

amended by Public Law 102-586, the Chair, on behalf of the majority leader after consultation with the Republican leader, announces the appointment of John Cahill of Nevada, for a 2-year term, and Ronald Costigan of Maine, for a 3-year term, to the Coordinating Council on Juvenile Justice and Delinquency Prevention.

The message also announced that pursuant to Public Law 103-3, the Chair, on behalf of the Republican Leader, announces the appointment of Mr. CRAIG, Leland B. Cross, Jr., of Indiana, and Scottie Theresa Neese of Oklahoma, as members of the Commission on Leave.

The message also announced that pursuant to sections 1928a-1928d, of title 22, United States Code, the Chair, on behalf of the Vice President, appoints Mr. COCHRAN, Mr. PRESSLER, Mr. SPECTER, Mr. MURKOWSKI, and Mr. BENNETT, as members of the Senate Delegation to the North Atlantic Assembly spring meeting during the first session of the 103d Congress, to be held in Berlin, Germany, May 20-24, 1993.

PROUD OF PRESIDENT'S ECONOMIC PLAN

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

Mr. VISCLOSKY. Mr. Speaker, I am proud of the economic package President Clinton has proposed. For the first time in 12 years, a President's economic plan comes to grips with the real world, investing in America and reducing the deficit; but the real pride of this plan is that the President and the committee of this House have made some very tough choices and some very real cuts.

President Clinton's plan contains \$100 billion in entitlement cuts. There will be over 150,000 less people in the Federal work force when the President's plan is fully implemented. Those still working for the Federal Government will have had their cost-of-living adjustments cut or postponed.

In the reconciliation package, we have cut billions of dollars from Federal programs, including military and veterans' programs that were thought to be untouchable.

Mr. Speaker, we can be proud. After 12 years of empty rhetoric, a Democrat in the White House has given the American real people spending cuts, including cuts in entitlements, real deficit reduction, and real investment in our Nation's future.

PRESIDENT BILL CAME UP THE HILL

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

Mr. BALLENGER. Mr. Speaker, President Bill came up the Hill to fetch a pail a taxes.

But Bill fell down and broke his crown.

When he failed to use any spending axes.

Yes, Mr. Speaker, the President came to the Hill yesterday to ask for support in his own party for the largest tax increase in history.

But, responsible Democrats are shying away from this huge tax increase. Why? Because they know we don't need it.

We need to cut spending, not burden the middle class with an energy tax.

We need to cut spending, not handicap our seniors with a Social Security tax.

We need to cut spending, Mr. Speaker. We do not need more taxes.

I applaud our Democratic colleagues who are sending the President our message for us. Cut spending first.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. Let the Chair say that we welcome all our guests in the Gallery, but the House rules prohibit any visitors from expressing approval or disapproval of any statements, speeches, or other actions on the floor of the House. We will be appreciative if that rule is observed.

□ 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.

A \$10 BILLION TRADE DEFICIT

(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, \$10 billion, Members, billions, \$10 billion, a one-time monthly high over the last 4 years of trade deficits, and while we are all laughing, Americans are losing their jobs hand over fist, and imports hit an all-time high.

You do not have to be a rocket scientist to figure it out. We have a billion dollar budget deficit every day and America imports 1.6 billion dollars' worth of toasters and televisions and cars every day.

They are telling us over at Commerce it is because our economy is so good.

I say we have a massive trade deficit because Congress is a bunch of wimps that have given away our jobs and our freedom.

I cannot believe that we would tolerate the most protectionist nation in the world, Japan, to rape our jobs and let them get away with it.

IN OPPOSITION TO THE BTU

(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, one of the previous Members who came to the floor was talking about what the Democrat in the White House has given us. Let me tell you what he has given us.

Next week the House will consider the President's proposal to levy the largest tax increase in history. Included in that proposal will be a middle-class energy tax, known as the Btu tax.

I oppose the Btu tax, Mr. Speaker, and I urge the Democrat leadership to give us an opportunity to strike this provision.

I oppose the Btu tax because it will destroy jobs, hurt competitiveness, that we just talked about here now, and puts unfair burdens on the middle class. In my State of Wyoming it is projected that the cost per family will be between \$960 and \$1,100.

According to the National Association of Manufacturers, the Btu tax will cost up to 600,000 jobs. I thought the President wanted to create jobs, not kill them.

The Btu tax will also impede our efforts to compete in the global markets, hurting our exports and encouraging more imports that will hurt American businesses.

Finally, the Btu tax will hit the middle class the hardest, not the rich.

Mr. Speaker, we need an opportunity to kill this tax. Please give us a chance in the rule next week.

PUTTING OUR FISCAL HOUSE IN ORDER

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

Mr. PRICE. Mr. Speaker, next week the House will have an opportunity to put teeth in the budget resolution that we passed on March 31 and to enact many of the spending cuts that resolution calls for. This broad-gauged reconciliation bill is the cornerstone of the President's economic plan and we must pass it.

This plan contains 200 cuts in both discretionary spending and entitlements, and it writes enforceable spending caps and pay-as-you-go rules into the law. It is balanced and fair in its revenue provisions, with 75 percent of the tax increases coming from those who earn more than \$100,000 a year. It also contains tax cuts to encourage investment in small businesses and to free up their cash flow.

The plan will reduce the deficit by \$496 billion over the next 5 years, including \$50 billion in spending cuts beyond those proposed by the President. Yet it also leaves room for the new investments—in education and training, research and development, communications and transportation infrastructure—critical to our economic future.

This is exactly the kind of bold and comprehensive economic plan we need, ensuring that we will both reduce and redirect spending, freeing up private investment, and enabling our economy to grow and our standard of living once again to rise.

Now, Mr. Speaker, the naysayers are out in force, trying to perpetuate gridlock and stand in the way of change. To hear them tell it, this is just one big bundle of taxes and they would like nothing better than to pick it apart.

I invite them actually to read the plan and then to take the long view, for this economic plan represents the last best chance we are going to have for a long time to reverse the borrow-and-spend policies of the 1980's, to get our fiscal house in order, to cut through the political posturing and to secure our economic future.

COMPETING WITH THE BTU

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

Ms. DUNN. Mr. Speaker, yesterday we finally finished consideration of the competitiveness bill. If this Chamber is really concerned about American competitiveness, we should take a hard and an honest look at the President's energy tax.

This is a middle-class energy tax and it will have a devastating impact on our Nation's competitiveness.

According to the National Association of Manufacturers:

The Btu tax would unilaterally increase the cost of United States-produced goods relative to foreign-produced goods, thereby impairing U.S. competitiveness in both domestic and overseas markets.

In other words, inflation and unemployment.

It seems to me, Mr. Speaker, that we should all touch base with the President. If we are truly concerned about how our Nation competes, the best thing to do is to convince President Clinton to drop his middle-class energy tax.

□ 1010

INTRODUCTION OF LEGISLATION TO PROVIDE AFFORDABLE PUBLIC HOUSING

(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, in these tumultuous economic times, there has never been a greater need for adequate, affordable public housing.

Many Americans, especially our Nation's seniors, would be unable to live independent lives without the assistance of federally funded housing programs.

We have at hand a means to eliminate needless layers of bureaucracy associated with uncoordinated policies.

The bill I introduce today presents an innovative use of resources already at hand.

It amends the Federal Land Policy and Management Act, making public lands available to local housing authorities at a reduced rate for the express purpose of creating low-cost housing.

Long waiting lists of Americans in need of affordable housing demand a better coordination of Federal efforts with local needs.

I recently assisted the Las Vegas Jaycees obtain a small piece of Federal land to build a low-cost senior mobile home park.

After the Jaycees spent a decade working with Federal agencies, an act of Congress was required to transfer a small parcel of land.

This initiative would eliminate the need for such elaborate measures. This legislation is not meant to rob or drain the Nation of our public lands. These local projects are small in scale.

It is my hope that this initiative will enable local housing authorities and local governments to further stretch their already strained Federal dollars and make life more enjoyable for those who so desperately need our assistance.

THE MIDDLE CLASS CAN'T TAKE A TAX HIT

(Ms. SNOWE asked and was given permission to address the House for 1

minute and to revise and extend her remarks.)

Ms. SNOWE. Mr. Speaker, as everyone is aware, the Endangered Species Act is likely to come up for reauthorization this year. Unfortunately, this reauthorization will be too late for some. In the past 6 months, yet another species has gone extinct. That species is the Clinton middle-class tax cut.

While I was distressed to see this species disappear, the administration did not blink, for it has another species specially engineered to take its place. It is called the Btu tax, and it eats the hard-earned income of working Americans. So now, the Clinton administration is giving the middle class a tax hike instead of a tax break, and this tax increase would cost the average American family \$440 a year.

Well, where I come from, that is a lot of money. In the Second District of Maine, the average per capita income is just over \$11,000 per year. This \$440 is too big a tax bite from the new and improved Clinton tax species for working Americans to have to survive, and have to buy food and clothes, pay rent, and keep warm during the long cold winter months in Maine. The Clinton administration is asking the American people to ante up more of their income while exempting industries like aluminum and chlorine.

I agree with the President that we need to reduce the deficit, reduce oil imports, and reduce the environmental impact of our energy use. But the answer to these problems is not to further reduce the modest income of working Americans. We in this body can afford to explore a wide range of alternatives like reducing Federal spending, but middle- and working-class people cannot afford another tax hit.

THE PRESIDENT'S BUDGET PLAN RESTORES TAX FAIRNESS

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

Mr. FAZIO. Mr. Speaker, while the official start to summer is just a week away, it is pretty steamy under the Capitol. In the steam of the host rhetoric lie the facts.

Changing the Nation's spending priorities is a difficult task, but we must make it happen.

The President's budget plan restores tax fairness. Those who earn over \$100,000 a year, the richest 5 percent in our country, will shoulder 75 percent of the new taxes.

A family that makes less than \$20,000 a year will actually have their taxes cut by \$2 a month.

The budget that we passed cuts the deficit by nearly \$500 billion. We achieve this deficit reduction by cutting \$100 billion in annual spending.

In addition, we have included another \$100 billion in entitlement cuts, half of which are in the medical area.

The reality is that we have made the tough choices in our budget plan, and now we must finish what we have started and make permanent these changes in our spending priorities.

COST OF GOVERNMENT DAY

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

Mr. DELAY. Mr. Speaker, we are all familiar with Tax Freedom Day, the symbolic day in May when the overburdened American taxpayer is through paying for big government. However, in a little while, Members of Congress will hold a press conference to announce a day that represents the true cost of big government—the Cost of Government Day.

Americans for Tax Reform has calculated that the Cost of Government Day this year falls on July 13—later than ever before. In other words, Government is costing taxpayers and businesses more than ever before.

In fact, Americans for Tax Reform calculates that the true cost of Government, which includes spending regulation and litigation, takes 53 percent of our net national product. That's 53 percent of our economy that the private sector can't invest to create growth and new jobs.

Mr. Speaker, American entrepreneurs and American taxpayers need relief. We need to reduce the cost of the Government and commit to an agenda of lower spending, lower taxes, and deregulation.

BIENNIAL BUDGET LEGISLATION

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

Mr. HUTTO. Mr. Speaker, I am introducing legislation today to establish a biennial budget process. The gentleman from Alabama [Mr. CALLAHAN] has joined with me in this bipartisan effort to reform our budgetary system.

It is no secret that Government spending is out of control—we have the annual deficit and national debt to prove it. I strongly believe that we need more oversight of Government programs. In theory, each year Congress evaluates ongoing programs for efficiency. In practice, previously funded programs live on. This pattern must be broken.

Congress must exercise more spending restraint. I believe that funding Government programs for 2 years would allow more time for evaluating which programs are really working for America and determining where cuts should be made. A biennial budget

cycle would provide more long-range fiscal planning and reduce Government spending. At the very least, a biennial budget cycle would discourage agencies from spending down funding in order to obtain the same annual appropriation.

Mr. Speaker, our present annual budget cycle does not encourage the frugal use of Government funds. It is time for a change.

MIDDLE AMERICANS TO PAY FOR THE LARGEST TAX INCREASE IN HISTORY

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

Mr. SMITH of Texas. Mr. Speaker, during the campaign, candidate Clinton promised that he would only raise taxes on the wealthy. He defined "wealthy" as "those who make more than \$200,000."

Well, Mr. Speaker, something has happened since the election. Since then Mr. Clinton has proposed increasing income taxes on all those who make more than \$100,000. He has proposed increasing the Social Security tax on all those who make more than \$25,000. And he has proposed an energy tax on all those who make more than \$20,000. That energy tax will also cost Americans 600,000 jobs.

Well, Mr. Speaker, as we predicted and as we expected, middle America is going to pay the price, and middle America is going to pay for this tax bill. We should say congratulations to all those Americans who make more than \$20,000. Mr. Clinton now thinks they are wealthy. So middle Americans are going to pay for this largest tax increase in history.

IT'S CALLED GOVERNING

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

Mrs. MEEK. Mr. Speaker, I served the last 12 years in the Florida Senate, and many years we had to cut spending and on occasions raise taxes. I did not enjoy it, but I did not hide from my duty. But we did not balance the budget on the backs of the elderly and the poor.

This week is not a pleasant task for me, but I was elected to make hard sensitive choices. I compliment the committees of the House on their efforts.

There are, however, the proponents of gridlock who are unwilling to make choices. They have the vain hope that the President and this Congress will fail. Their desire for failure is based upon a misplaced assumption that the American people will not see through the fog of rhetoric so that they will win back the White House.

They cry for deficit reduction by spending cuts, but they oppose a package of spending cuts and revenue increases totaling \$500 billion over 5 years.

Many people in the Congress long for the good old days of President Reagan, but his best record was in 1981 when he got everything he asked for. And, what was that record? Forty-nine billion dollars of insensitive spending cuts offset by \$282 billion in lost revenues and tax cuts for the rich and powerful. The naysayers best record was to increase the deficit by \$233 billion to benefit their rich and powerful friends.

And who paid the price for their rich and powerful friends? The middle class, the working people, and the powerless. They trashed the economy, and now the bill has come due from their spending on the national credit card.

This is a balanced package, not a perfect package, if one exists.

To the naysayers, I say what more will you cut? Education, transportation, Social Security?

It is one thing to cry crocodile tears, it is another to make the tough choice.

The President made tough but sensitive proposals. A majority of the members of our committees have done their job by addressing the proposals and made adjustments where appropriate but with their eye on the bottom line. This is the process the Constitution contemplates.

I do not enjoy making these votes, but I was not sent here to just say no. I was sent here to help govern. I accept that privilege. Join me, make the tough decision, vote yes on this package.

Let us govern America.

□ 1020

THE 328 NAMES ADDED TO POLICE MEMORIAL

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

Mr. RAMSTAD. Mr. Speaker, the National Law Enforcement Officers Memorial added 328 names this year—names of brave cops like Minneapolis police officer Jerry Haaf who died in the line of duty.

As 13,256 candles flickered last Thursday night, representing all the police officers killed in the United States, I was haunted by thoughts of Jerry and another friend, J.W. Anderson, of the Wayzata Police Department, killed in 1982.

I was haunted by thoughts of all my cop friends who put their lives on the line every day. I hope and pray that none of their names are unveiled on the wall next spring.

I also hope every person who visits our Nation's Capital will visit the Police Officers' Memorial at Judiciary

Square. Seeing the wall will help people realize what cops and their families endure every day they put on the badge.

Mr. Speaker, we honor the dead like Jerry Haaf and J.W. Anderson by respecting the living.

That is why we need to show our brave cops we care, by passing a crime bill that gives them the protection they need.

That is why we need to pass a crime bill that includes the death penalty for cop killers.

Mr. Speaker, we need a crime bill now.

MORE AMERICAN JOBS THREATENED BY NAFTA, TRADE WITH CHINA

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

Mr. APPLGATE. Mr. Speaker, everybody who gets up here usually has a plan on how to resolve the country's economic problems. It gets down to trade.

Do you want the North American Free-Trade Agreement? Do you want to balance the budget? Well, I say to my friends that you cannot have both. You can raise taxes, or you can keep the good jobs that are being sent out of the country to all these other countries of the world. That is why we have the debt we have. You cannot tax minimum- and low-wage jobs. You cannot tax pensions. You cannot tax benefits and expect to balance the budget. I say to my friends, "It just ain't going to work."

If you want more debt, than pass the North American Free-Trade Agreement, then open up more of our markets to China, and then open up still more of our markets to Vietnam, because that is exactly what is going to happen.

Do you want to balance the budget? Then bring back American jobs and put Americans back to work.

BTU TAX

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

Mr. GOODLATTE. Mr. Speaker, the President was out in California this week trying to convince struggling American families and businesses that they are really undertaxed, and what they really need are brand new tax increases, and brand new useless, expensive, Government programs that will create new jobs alright—for the bureaucrats in Washington, DC.

In fact, a man in my district told me that one of President Clinton's many tax increase proposals, the Btu tax, really stands for big time unemployment, because that's exactly what it's going to cause.

The Btu tax, or energy tax as it is better known, will cost at least 600,000 jobs across our Nation and over 10,000 jobs in my State of Virginia. It will increase taxes on just about anything that moves in America.

I urge my fellow Members to vote against the President's \$360 billion in new taxes. I have said this before, but it's important enough to say again, the problem is not that the American people are taxed too little. The problem is that the Federal Government simply spends too much.

REMOVE SOCIAL SECURITY TAX FROM BUDGET

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

Mr. GENE GREEN of Texas. Mr. Speaker, I rise today to voice my extreme concern with the proposal to increase taxes on Social Security. When Social Security was created, it was designed to be a supplement to other retirement income. Now we are about to increase taxes on people who saved their money, invested wisely, and who now have a retirement income to supplement.

We have already made the commitment to our senior citizens and we should not change the rules in the middle of the game. Social Security recipients represent the segment of our society who is least responsible for our current debt and least able to pay to bail us out.

While I wholeheartedly support the President's efforts to reduce the deficit, it is important for us not to attempt to do so on the backs of senior citizens. I strongly urge my colleagues to consider this provision in the tax bill and look for more equitable ways to raise the revenue we need.

INTRODUCTION OF BIENNIAL BUDGET LEGISLATION

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

Mr. CALLAHAN. Mr. Speaker, I am pleased to join today with my colleague from Florida, Mr. HUTTO, in sponsoring the Biennial Budgeting Act of 1993.

As its name implies, this bill would establish a 2-year budget and alter the overall budget process accordingly. A 2-year budget alone will not resolve our budget problems, but I am convinced that it will greatly help.

Under a 2-year budget plan, the budget itself would be finalized during the first session of every Congress. Budget-related activities in the second session would be limited to oversight and authorization of new budget authority for the next Congress.

This schedule is more efficient than the current process which seems to

consume a good portion of both years of a Congress. A 2-year budget frees up Congress to focus on other important issues and act with more certainty that budget guidelines will be in place for 2 years. Departments and agencies will be able to operate programs with the assurance of stability for 2 years and they can plan better for future priorities.

Mr. Speaker, we have promoted this legislation in the past and I believe the concept has broad support. However, the deficit and debt have not diminished. Now is the time to seriously consider a biennial budget, and I urge my colleagues to join with Mr. HUTTO and me in this effort.

PRESIDENT'S BUDGET PLAN DESERVES A CHANCE

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

Mr. MAZZOLI. Mr. Speaker, we are elected to Congress, not just to cast the easy votes in which we have great preponderate agreement. We are elected to Congress to cast the tough votes, the difficult ones, and the vexing ones. Next week we will be doing that because we have coming before us three separate measures that will be tough votes. Two of them deal with the appropriations supplemental, one for investment and one for emergency spending, including the peacekeeping operation in Somalia. But the big event, of course, will be the reconciliation bill.

I was here in 1981, when President Reagan took over, and I remember these statements mainly made from the well: that "we are not quite sure the plan is going to work, but it is a plan, and let's give this President a chance."

Mr. Speaker, I think the very same refrain can be used this time. We are not sure, and no one is sure, that the plan the President has advanced will work, but he advanced it from this well on February 17. It is a plan, and I believe this President also should be given a chance.

NEPOTISM AND CRONYISM IN THE WHITE HOUSE

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

Mr. HEFLEY. Mr. Speaker, the question I want answered today is this: When will Bill Clinton run out of unemployed cousins, wives, golfing buddies, drinking buddies, classmates, and fellow Vietnam war protestors?

We read in the newspaper today that he has just fired seven long-term, non-partisan White House employees so that he can hire his 25-year-old cousin.

We already have his wife rebuilding the health care system, his golfing

buddy, Webster Hubbell, moving into the Justice Department, and more Clinton classmates in high-level Government jobs than I ever thought attended Yale Law School.

I have often wondered what Washington, DC, would have been like had Huey Long not been assassinated and had actually become President, as he almost did. Now we know. Nepotism and cronyism is quickly becoming the main accomplishment of this administration.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. FIELDS of Louisiana). The Chair will remind all persons in the gallery that they are here as guests of the House and any manifestation of approval or disapproval of these proceedings is a violation of the House rules.

THE CLINTON SPENDING CUTS

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

Mr. SLATTERY. Mr. Speaker, some have tried to leave the impression that the President's budget proposal does not contain any spending cuts, and I just want to correct that misperception.

Think of these: \$110 billion in cuts in the industrial-military complex over the next 5 years; \$50 billion in Medicare cuts; \$3 billion in agriculture cuts; \$2.6 billion in Veterans' Administration cuts; and 100,000 Federal employees will lose their jobs through attrition and other layoffs. In addition to that, there will be a freeze for 5 years on all discretionary spending of the Federal Government, and also, all pay for Federal workers, both military and civilian, and retirees, will be frozen for 1 year. The line-item veto has already been passed through the House, and hopefully the other body will act very soon on that.

Mr. Speaker, I say to my colleagues that it is absolutely inaccurate to suggest that this budget plan does not contain some tough spending reductions, and I think it is very important for us to be honest with the American public about that fundamental fact.

□ 1030

INTRODUCTION OF HIGHWAY CONSTRUCTION PRIVATE INVESTMENT ACT

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

Mr. KIM. Mr. Speaker, today I will introduce the Highway Construction Private Investment Act.

The goal of this legislation is to encourage private investment in public infrastructure improvements.

The result of this innovative legislation would be more roads and bridges without costing the taxpayer one penny more.

The private sector is always looking for sound investments. The public sector is always looking for more projects.

This private-public partnership I am proposing beneficially addresses both needs. It's a win-win concept.

I strongly believe that infrastructure investment is the most cost effective form of economic stimulus and job creation.

Modern infrastructure is the key to keeping American goods and services competitive.

This measure will provide the kind of change and economic stimulus the public wants, without new taxes and spending.

I encourage nonpartisan cosponsorship of the private investment bill by my colleagues.

TRIBUTE TO JOHN WILSON

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

Ms. NORTON. Mr. Speaker, hometown Washington is mourning today. Our council president, John Wilson, at 49 is dead. The personal tragedy for his family is compounded by the tragic dimensions of the loss to this city.

Bluntly honest and brilliantly knowledgeable about the finances and everything else important in the District, John was a uniquely valuable public citizen. The extraordinary success of his service makes his death especially difficult for his city to accept.

To countless Washingtonians, it is difficult to know which is greater, the loss of John Wilson as friend, or the loss of John as the municipal wizard. John was a truth teller and the District's municipal repairman, when no one else had the answers.

Beyond words, I will miss the man who first became my buddy when we were kids in the civil rights movement, and has been an indispensable colleague in the search for answers to the District's many dilemmas.

MARITIME INDUSTRY BETRAYED BY CLINTON ADMINISTRATION

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

Mr. MACHTLEY. Mr. Speaker, the Clinton administration has betrayed the American people and the American maritime worker. Last week, the Department of Transportation announced that its long-awaited legislative package to save our U.S.-flag merchant marine would not be forthcoming. We have historically been a maritime nation. We are today a maritime nation.

To turn our backs on this industry is not only unfair, but a critical mistake.

In last year's campaign, candidate Clinton talked about retaining and creating skilled jobs, claiming that the Bush administration and Republicans did not care about the American worker. Last week the administration did not say to our maritime workers "anchors aweigh." They shouted: "Scuttle your ships."

Mr. Speaker, let us set the record straight. Today an American industry is struggling to compete in the international shipping arena against foreign vessels which receive enormous assistance, tax breaks, and subsidies from their flag nations.

To try to level the playing field and keep Americans working, the Bush administration sent a comprehensive maritime policy initiative to Congress.

The Clinton administration's response: "Drop dead, we will bury you at sea." Out of sight, out of mind.

The administration must tell the men and women of our merchant marine that their jobs are also important.

This loss of a shipping industry threatens the future security of our Nation by turning the responsibility for supplying our troops overseas in the next conflict to foreign crews.

It is not too late for the Clinton administration to do the right thing. I urge the administration to work with Congress to put in place a maritime policy that increases employment opportunities for U.S. maritime workers.

PASS DEFICIT REDUCTION RECONCILIATION BILL

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

Mr. LEVIN. Mr. Speaker, the package we are going to vote on next week, reconciliation, is a deficit reduction package. There are \$250 billion in cuts. To the extent there are revenues, 70 percent or more would fall on the very wealthy.

It is said, "Let there be more cuts." Where we can find them, we should institute them. But I recently looked at the Republican program that was presented here some months ago. It had \$119 billion in more cuts, totally unspecified. A sham. A sham.

The President's budget proposal is real. It is so much easier to throw stones, and much harder to build something.

This President has had the courage to lead. This House next week, I am confident, will rise to the occasion and pass the deficit reduction reconciliation bill.

CLINTON ECONOMIC PLAN WILL STIMULATE GROWTH

(Mr. MILLER of California asked and was given permission to address the

House for 1 minute and to revise and extend his remarks.)

Mr. MILLER of California. Mr. Speaker, Bill Clinton came before this body and the Nation earlier this year and pledged himself to significant deficit reduction by specifying spending cuts and tax increases based upon tax fairness, so those among the wealthiest in this Nation who escaped taxation during the 1980's would help repay the debt they created as we spent 12 years borrowing money to live beyond our means.

Next week the House of Representatives will have a chance to put in place Mr. Clinton's economic program. When we do so, we will engage in the largest package of spending cuts, real spending cuts, that this Congress has faced.

We will have to stare in the face of every special interest who has hired every lobbyist ever heard of to tell us not to do it, to go along with regular order. We will have to look to wealthy people in this Nation and tell them that they have to pay their fair share.

But when we do that, we will have a continuation of economic growth and low interest rates so first-time home buyers and homeowners today can refinance their housing and pay less on their debt and the economy can continue to grow.

COMPREHENSIVE CRIME LEGISLATION NEEDED NOW

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

Mr. GEKAS. Mr. Speaker, while the debate of the moment is that on new taxes and new spending, the American public has not forgotten its chief worry, crime in the streets, violence in their neighborhoods, and murder and mayhem in their homes.

For 10 years we have been struggling in different ways, many of us, to put through this Congress a comprehensive crime bill which will address the habeas corpus situation by which people remain on death row after having been convicted and sentenced to death for terrible murder crimes, and who day after day, year after year, decade after decade, flaunt the system by filing appeal after appeal.

We want to address that. We want to address the exclusionary rule which allows a convicted, caught-red-handed criminal, to be able to walk out of court on a technicality because the judge has no choice but to toss the case out because of a misplaced comma on a warrant.

We need the death penalty for violent killers and other remedies which are in our comprehensive crime bill on which, after 10 years, we are still struggling, but which we are going to try again this year.

□ 1040

THE GREAT AMERICAN TAX SHOW

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

Mr. BILIRAKIS. Mr. Speaker, now that the President has taken his great American tax show on the road, we are finding out that maybe he is not a tax-and-spend Democrat after all.

No, it is more like tax and spin: That is s-p-i-n. In fact, the latest from the spin doctors in the White House is that if we just swallow these taxes up front, we will eventually get to the cuts down the road. In other words, we are on the pay now, buy later plan.

Part of that tax package the President wants to inflict on Americans is, of course, the Btu—or energy—tax. Now this tax undeniably falls heaviest on middle- and low-income Americans. It particularly plays havoc with the limited resources of retirees living on fixed incomes.

In the past few days, I have received hundreds of letters from my constituents opposed to this Btu tax, principally because they fear it will increase their electric utility rates.

They already pay more than 20 percent of their electric bill in taxes and by some estimates the Btu levy would increase utility bills by \$500 more per year.

Mr. Speaker, we need to short circuit this terribly regressive Btu tax right here and now.

SAME OLD STUFF CROWD

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

Mr. OBEY. Mr. Speaker, once again, in the remarks we have just heard on the Btu tax, we are hearing from the crowd who quadrupled budget deficits in the eighties, the same old stuff that we heard through the 1980's.

We are continuing to hear from them that somehow the President who, after 12 years, is finally taking on the deficit, the first time we have had a President do that we are again hearing from this side of the aisle, "Oh, the package isn't perfect; Oh, the mix isn't right; isn't it terrible that it provides a Btu tax."

The fact is, the Btu tax is far less harmful to the average taxpayer than the continued climb in Federal budget deficits, which is largely going to be extracted from everybody in this population in order to give the benefit of that borrowing to a few very wealthy bondholders, who can afford to buy those things on the markets.

The fact is, that if we want to save the average taxpayers thousands and thousands of dollars, what we will do is pass the President's package, bring

those interest rates down so that all families can buy homes, send their kids to school and have a reasonable adjustment in their cost of living.

LIEUTENANT FLYNN, AIMING HIGH

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

Mr. CUNNINGHAM. Mr. Speaker, these are landmark days for the U.S. Air Force. Over the deserts of Holloman Air Force Base 2d Lt. Jeanie Flynn has become the first woman every to begin Air Force combat fighter training. Women that have a special tender of steel are being given that opportunity.

As a former Navy squadron commander, and I repeat, Navy squadron commander, I have long held that if a woman can meet the test in mind and in physical strength and has the rare skills required for combat, skills that are rare in men and women alike, and if that woman is prepared to fight for and die for her country, then she should be allowed to do so. Lieutenant Flynn said it best, in fact, she said it like a fighter pilot, when she said, and I quote: "What really matters is if you fly well."

She deserves our congratulations for meeting this test. I wish Lt. Flynn the best of success in combat training in the U.S. Air Force—the second most elite air power in the world. Second, of course, to the U.S. Navy.

BUYING JUNK AND SELLING ANTIQUES

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

Ms. PELOSI. Mr. Speaker, as I hear our colleagues on the Republican side of the aisle criticize the President's jobs proposal and talk about their plans, what we have been living through for the past 12 years, proposals which have gotten us where we are today, it reminds me of a sign on the way from San Francisco to Santa Rosa. Perhaps some of my colleagues have been there and seen it.

It says, "We buy junk; we sell antiques."

That reminds me of what the Republicans are trying to do. They are taking a piece of junk, which are the trickle-down economics of the last 12 years, and they are trying to say, with the passage of time, that some value has been added to this.

It never had any worth. The passage of time has not enhanced the value of their ideas. American people are suffering greatly. It is time for us to vote and to support the President's package, to put people to work, to invest in America and make the future brighter for our children.

THE NORTH AMERICAN FREE-TRADE AGREEMENT

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

Mr. KOLBE. Mr. Speaker, today is the second day of important negotiations in Ottawa on the labor and environmental supplemental agreements to the North American Free-Trade Agreement.

I fear the new administration is about to make a major mistake on this vital trade agreement. Like the strategy on the budget resolution, the fiscal stimulus package, and the tax bill, the administration is pursuing a side agreement strategy based on appeasing interest groups while sacrificing broad support of the agreement.

If adopted, the President's side agreement position would infringe on U.S. sovereignty and created a large supranational bureaucracy with broad investigatory powers.

I say to my colleagues, if you believe in preserving U.S. sovereignty, State/local sovereignty, and the important balance in our Federal system, you will disagree with the President's position.

If you believe the United States does not need a large, unaccountable, faceless bureaucracy, additional regulation, and needless duplication of Federal, State, and local investigatory authorities, then you would disagree with the administration's position.

Mr. Speaker, if we are to have strong and bipartisan support of NAFTA, President Clinton must carefully consider the United States position on these important side agreements. As it is the direction we are going will only lose NAFTA votes and gain none from the other side.

IN SUPPORT OF PRESIDENT CLINTON'S DEFICIT REDUCTION AND ECONOMIC RECOVERY PLAN

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

Mr. JEFFERSON. Mr. Speaker, it is simple to criticize President Clinton's deficit reduction and economic recovery plan. Even I am not happy with all of it, but it is a genuine start on the long road back toward reclaiming our economic future.

What astonishes me, however, are the long faced speeches of our Republican friends who would have us believe that they deplore deficit spending. If this is true, then they deplore the work of their own hands.

After all, Republican Presidents were the architects of borrow-and-spend policies that built our current budget woes. Therefore, the call for public nostalgia and Reaganomics should rightly go unheeded. The public is clear headed about the future and are demanding change. The truth is, it is hard to get

misty eyed about the demise of Republican policies that managed to quadruple our national debt to \$4 trillion.

We need a new direction, one that chips away at the mountain of public debt piled up by Republican Presidents. President Clinton's plan won't end deficit spending all at once. It will reduce it \$50 billion over the next 4 years—an incredibly good start.

It is time for all of us, Republicans and Democrats to join the American people, adopt President Clinton's plan and that of our Ways and Means Committee, and turn this important page of our Nation's economic and fiscal history together.

OLD IDEAS FROM A NEW DEMOCRAT

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

Mr. GRAMS. Mr. Speaker, Bill Clinton was the candidate who called himself a new Democrat. He vowed to put people first.

Guess what? Somewhere along the way, President Clinton changed his tune. Now, he is sounding remarkably like an old-style tax and spend Democrat. Now, he wants to put Government first.

First, he turned thumbs down to a Republican proposal that would reduce the deficit by \$430 billion over 5 years without raising taxes. Then he proposed to pay for his own deficit spending package by proposing the largest tax increase in American history.

Mr. Speaker, it is the same old, tired tune we have heard so often in the past. The American people ask for smaller Government, less spending, fewer taxes. The Democrats in the White House and in the Congress insist on more Government, more spending, higher taxes.

No, Bill Clinton did not turn out to be a new Democrat after all. The idea of putting people first has been scrapped. The new Clinton theme is really an old Democrat theme—putting Government first and making the people pay for it.

KEEPING OUR EYES ON THE BALL

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

Mr. BURTON of Indiana. Mr. Speaker, I get a big kick out of my Democrat colleagues trying to defend \$402 billion in new taxes and new fees on everybody in this country.

They come down here, and they start talking about history and to revise history.

The fact of the matter is, let us keep our eye on the ball, \$402 billion in new taxes and fees that they are going to load on the backs of the American peo-

ple, more than double the largest tax increase in history, and that does not include Hillary's health care plan that is going to cost another \$150 billion.

□ 1050

They are going to take this country right down the economic tube, and what is Bill Clinton doing about it? Last week he kept Air Force One waiting for 45 minutes while he spent \$200 to get a haircut from Hilary's beautician. That is Bill Clinton. He is really concerned about the middle class. He spent thousands of tax dollars waiting to get a haircut for \$200 from Hilary's hairdresser. He ought to be more concerned about trimming the deficit than his own hair.

RESOLUTION AUTHORIZING THE USE OF UNITED STATES ARMED FORCES IN SOMALIA

Mr. WHEAT. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 173 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 173

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the State of the Union for consideration of the joint resolution (S.J. Res. 45) authorizing the use of United States Armed Forces in Somalia. The first reading of the joint resolution shall be dispensed with. General debate shall be confined to the joint resolution and the amendments made in order by this resolution and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs. After general debate the joint resolution shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original text for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Foreign Affairs now printed in the joint resolution. The committee amendment in the nature of a substitute shall be considered as read. Points of order against the committee amendment in the nature of a substitute for failure to comply with clause 7 of rule XVI are waived. No amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each amendment may be offered only in the order printed, may be offered only by the named proponent or a designee, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment (except that pro forma amendments for the purpose of debate may be offered by the chairman or ranking minority member of the Committee on Foreign Affairs), and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. At the conclusion of consideration of the joint resolution for amendment the Committee shall rise and report the joint resolution to

the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the joint resolution or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the joint resolution and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore (Mr. FIELDS of Louisiana). The gentleman from Missouri [Mr. WHEAT] is recognized for 1 hour.

Mr. WHEAT. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from New York [Mr. SOLOMON], the ranking member of the Committee on Rules, pending which I yield myself such time as I may consume. During consideration of this resolution, Mr. Speaker, all time yielded is for the purpose of debate only.

Mr. Speaker, House Resolution 173 provides for the consideration of Senate Joint Resolution 45, authorizing the use of United States Armed Forces in Somalia.

The resolution itself provides for 1 hour of general debate, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs.

The rule makes in order as original text for the purpose of amendment the Foreign Affairs Committee amendment printed in the joint resolution and waives clause 7 of rule XVI against the amendment, prohibiting nongermane amendments.

Those amendments printed in the report accompanying this rule will be made in order, to be debated as specified in the report.

The rule also makes in order pro forma amendments for the purpose of debate when offered by the chairman or ranking member of the Foreign Affairs Committee.

House Resolution 173 structures floor consideration of Senate Joint Resolution 45 to allow a full, fair, and orderly debate of the issues.

And I want the Members to be aware of this, all the amendments of which the committee was aware, which were those amendments requested by Mr. GILMAN, ranking minority member of the Foreign Affairs Committee, are made in order by this rule.

Finally, Mr. Speaker, the rule provides for one motion to recommit with or without instructions.

Obviously, Mr. Speaker, this is a very important subject brought to the floor today.

Who can forget the scenes in Somalia less than a year ago? Hundreds of thousands lay victim to war and starvation. Hundreds, if not thousands, more were dying on a daily basis.

One-quarter of the children under 5 years of age dead. Millions displaced.

An entire nation was gripped by starvation and lost in anarchy.

From the time that the potentially devastating magnitude of this crisis became apparent, the Select Committee on Hunger—of which I was proud to be an active member—sought to focus public attention and to build a coalition for greater action on Somalia.

We held hearings. We sent letters. We had private meetings with top administration officials. We met with humanitarian workers who were fighting against all odds and risking their lives to help the people of Somalia.

By November of last year, after over a year's worth of diligent work by the select committee, it finally became apparent to the entire policymaking community that without leadership and concrete action, hundreds of thousands would die.

It also became clear that only our Nation had the global reach and the diplomatic influence to mobilize an unprecedented relief action.

In what I believe, was perhaps President Bush's finest hour and under his leadership, we stepped in and we acted, and American servicemen and women saved, quite literally, hundreds of thousands from an otherwise certain and grim fate. While the mission in Somalia has not been trouble free, and conditions on the ground today cannot be described as entirely tranquil, Operation Restore Hope did, in large measure, live up to its name.

U.S. troops, in tandem with forces from across the world, helped stabilize the areas in most dire need and ensured the safe delivery of critical relief supplies.

Now continuing these same policies under President Clinton's leadership, and having fulfilled their primary objective, 80 percent of United States troops in Somalia earlier this year have already returned home. Many more are expected to return in the coming weeks and months.

And as a result of their work, U.N. efforts have advanced to their next logical stage—from immediate famine relief to tackling the root causes of last year's catastrophe by stressing essential long-term issues such as reconstruction and national reconciliation.

As this effort continues, the United States can and should remain an important contributing player. But under the terms of the U.N.-authorized UNOSOM II, we will be a leaner, much less costly force in a much larger multinational operation where foreign troops vastly outnumber our own.

Today's legislation fulfills our congressional obligation under the War Powers Act. It recognizes that while the situation in Somalia has markedly improved, the threat of hostility remains.

But it will also ensure continued U.S. involvement in the global effort to extend a hand to the Somali people as

they strive to pick up the pieces in their broken land.

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

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

Mr. Speaker, this is a modified structured rule providing for the consideration of Senate Joint Resolution 45, which does authorize the use of American Armed Forces in Somalia.

Mr. Speaker, while we did offer and vote for an open rule in the Committee on Rules for this measure, I do not intend to ask for a recorded vote in opposition to this more restrictive rule today.

I take that position because the chairman of the Foreign Affairs Committee, the gentleman from Indiana [Mr. HAMILTON], in consultation and cooperation with his Republican counterpart, the gentleman from New York [Mr. GILMAN], and our Republican leadership, has agreed to allow the offering of all the Republican amendments that were requested in the Committee on Rules, which includes, as I understand it, all Republican amendments offered during full committee markup that were voted down.

These include a substitute to be offered by the ranking Republican member of the Foreign Affairs Committee, the gentleman from New York [Mr. GILMAN], debatable for 1 hour.

It includes three other Republican amendments offered in the Foreign Affairs Committee, subject to 30 minutes of debate each; and an amendment I offered in the Rules Committee commending American troops on their humanitarian and military service in Somalia, is debatable for 30 minutes as well.

Moreover, this rule protects the minority's traditional right to offer a motion to recommit, with or without instructions.

Mr. Speaker, I think this range of amendments covers the various controversies and issues involved in this legislation which the majority believes is necessary under the War Powers Resolution. And that is where the minority has a basic disagreement since we have consistently argued that the War Powers Resolution is unconstitutional. And there is no question in my mind but what it is. Half of it has already been found unconstitutional.

So, Mr. Speaker, one of the things the Republican substitute does is to omit the language from the Democrat resolution which grants statutory authorization under the War Powers Resolution.

And, Mr. Speaker, another basic difference between the Democrat and Republican approaches, is the duration of the United States commitment in Somalia. The Democrats would authorize the troops to remain in that country for up to 12 more months; the Republican substitute for just 6 months.

And while the Democrat majority resolution contains language which, at least as I read it, intimates a congressional willingness to extend our commitment beyond a year if found necessary, the Republican substitute has no such language.

Mr. Speaker, the debate on this Somalia resolution marks a very important turning point in American foreign policy, because it concerns the use of American forces under U.N. command. And, Mr. Speaker, the use of U.N. peacekeeping forces in this post-cold-war era is becoming more and more frequent as new international instabilities arise around the world.

Mr. Speaker, while the United States has a continuing role as a world leader in this new era, I think we owe it to ourselves in this body and the American people, to consider very carefully this new use of American forces under U.N. command and what it may portend for the future, both for those troops, and for the larger American security interests.

In Somalia we have played a very valuable role, pursuant to U.N. Security Council Resolution 794, to provide a secure environment for humanitarian relief operations. But I would point out, those 20,000 American troops operated under U.S. military command, and this is terribly important, operated under U.S. military command.

Now, however, the remaining U.S. troops will be operating under a U.N. command and under a new and broader U.N. mandate as contained in Security Council Resolution 814. And I would suggest that all Members read that resolution. As the Republican substitute notes in its findings, Mr. Speaker, this new operation, called UNOSOM II is much broader and more open ended than the mission originally outlined by President Bush.

It goes beyond the original mandate of providing a secure environment for humanitarian relief efforts which we all have supported on this floor and the American people support. In Resolution 814 the United Nations is committing itself to the more daunting tasks of establishing a democracy, an infrastructure, and of disarming warring factions. That is a big difference.

Mr. Speaker, the Republican views on this joint resolution correctly state that the Congress should be involved in any decisions regarding the deployment of any U.S. forces abroad, and a resolution is an appropriate mechanism for such involvement.

But the Republican views go on to warn that the Congress should not feel bound, and I quote, "to provide a blank check to the executive branch and even more importantly, a blank check to the United Nations for an open-ended commitment of U.S. Armed Forces to that country." That is wrong.

And yet, Mr. Speaker, that is exactly what we are being asked to do today by

the Democrat resolution. Section 2, paragraph (11) of the resolution says, and I quote:

The Congress should authorize any use of United States Armed Forces to implement United Nations Security Council Resolutions 794 and 814.

Mr. Speaker, that comes about as close to being a blank check as you can get. That authorization, combined with the language in paragraph (13) of section 2 does not bode well for an expeditious withdrawal of American forces, which is what I am concerned about.

Mr. Speaker, if the United States is going to get into the business of providing security cover for every country that may need it while it attempts to develop its political institutions and its infrastructure, we could end up bogged down in many far corners of the world for indefinite periods. And that is what we are so concerned about because it questions American lives.

Mr. Speaker, this is all being done at the same time that we are undergoing a significant down-sizing in our military establishment, for deeper than I think is prudent and far deeper than would allow us to carry out these kinds of missions in so many different places around the world.

Mr. Speaker, we must step back now and ask ourselves just what our vital security interests are and just how much we can and should be doing in situations like this. This resolution is not the way to go about such a reassessment of our military role and our military capabilities in this new era. Unless the Republican substitute is adopted, I would strongly urge the defeat of Senate Joint Resolution 45.

Mr. Speaker, at this time I will not take the time of the body, but we have a delegation leaving this afternoon at 5 to attend the North Atlantic Assembly Conference, which is the political arm of NATO, so I include for the RECORD a speech that I would make at that plenary session dealing with the Bosnian situation which speaks to this resolution and the problems we have, as follows:

REMARKS BY CONGRESSMAN GERALD B. SOLOMON AT THE PLENARY SESSION OF THE NORTH ATLANTIC ASSEMBLY MAY 24, 1993

Ladies and Gentlemen, today, we in NATO are faced with an incredibly complex challenge in the Balkans. It seems amazing, but the place where World War I began continues to be a cauldron of ethnic strife and intractable problems. Seventy-nine years ago, violence in the Balkans sucked the European empires and America into a savage war which killed millions.

Today, to our great credit, we have managed to avoid this terrible fate. Today, instead of empires lining up behind one or the other side in the former Yugoslavia, the violence, and the main perpetrators of it, the Serbs, have been met with universal condemnation. Even our old adversaries, the Russians, have joined us in our efforts to stop this bloodletting.

The reasons for this difference between now and 1914 are clear: The democratization

of Western Europe after World War II and the Russian Revolution of 1991 have brought America, Europe and Russia closer together and now we are all travelling down the same, civilized path, together. Let us hope that this will always be.

And what organization has played a more pivotal role in ensuring democracy in Western Europe and in bringing about the end of the Cold War than NATO? And what better reason is there than our unified voice regarding the Balkans to keep this tremendous organization together? NATO can and will continue to play a stabilizing and democratizing role in Europe.

But we clearly need to refine our mission. And each country need to rethink its role in the alliance. For while we have spoken in unison regarding the Balkans, we have been unable to come up with a coherent, effective policy. We have clearly failed to stabilize the situation in the former Yugoslavia. Our efforts have been half-hearted, untimely, and have lacked integration.

It is lamentable that it took us nearly a year to impose even partial sanctions on Serbia, and even more so that it was only last month that we put some teeth into them. It is embarrassing that the foreign minister of Bosnia has requested that UN troops leave his country, saying, in effect, that they are in the way. And it is inexcusable, in my view, that we maintain an arms embargo against an outmanned, outgunned people who have been subject to merciless attack.

Now, there is no way, in my view, that we can impose a military solution on this crisis. I have been and will continue to be against the use of direct American military involvement in the Balkans, either to impose a solution or enforce Bosnia's division into ethnic cantons. We are not going to solve centuries-old problems in this manner. We have only

to remember that Hitler could not tame this region with forty-three divisions in order to realize the potential for a quagmire in the Balkans.

But it seems to me that the debate has been allowed to be dominated by those who advocate an all-or-nothing approach. Between the chorus of calls for direct military intervention on the one hand, and bland calls for more dialogue and humanitarian aid on the other, the middle view has been drowned out.

We Republicans in the U.S. House of Representatives have drafted a plan that pursues just this middle course. It is based upon a strategy that has proven its mettle in the past, in numerous different situations. In America, we call it the Reagan Doctrine. It is a relatively simple approach that rests upon the idea of letting other freedom-loving peoples have the means to fight their own battles.

This policy jettisoned the Soviets from Afghanistan, forced democratic elections in Nicaragua and prevented a communist takeover of El Salvador, without the loss of a single American life.

We should let the Bosnians, who have shown their love of country and their valiance, fight their own battle. But they need the means to do it. Let's give them the means by lifting the arms embargo. Let's keep the tightest possible sanctions on Serbia and make clear to the Croats that they face the same if they don't clean up their act. We can also take other steps such as establishing contact with the democratic opposition in Serbia, like we did in Poland after martial law, to stir up opposition to the Milosevic dictatorship, which is clearly a large part of the problem.

This strategy is not guaranteed to be effective, and will certainly lead to an upsurge in

the violence in the short run. But it is certainly a better idea than stuffing the Balkans full of Western troops, who would be subject to a Beirut or Vietnam-type situation. And it certainly is better than leaving in place an unconscionable arms embargo, which is depriving a helpless people of the ability to fight for their lives.

I would hope that NATO could agree on this strategy, for if we cannot even agree on this small step to counter the Serbs, I fear for how we will deal with potentially bigger problems in the future.

OPEN VERSUS RESTRICTIVE RULES: 95TH-103D CONG.

Congress (years)	Total rules granted ¹	Open rules		Restrictive rules	
		Number	Percent ²	Number	Percent ³
95th (1977-78)	211	179	85%	32	15%
96th (1979-80)	214	161	75%	53	25%
97th (1981-82)	120	90	75%	30	25%
98th (1983-84)	155	105	68%	50	32%
99th (1985-86)	115	65	57%	50	43%
100th (1987-88)	123	66	54%	57	46%
101st (1989-90)	104	47	45%	57	55%
102d (1991-92)	109	37	34%	72	66%
103d (1993-94)	14	3	21%	11	79%

¹ Total rules counted are all order of business resolutions reported from the Rules Committee which provide for the initial consideration of legislation, except rules on appropriations bills which only waive points of order. Original jurisdiction measures reported as privileged are also not counted.

² Open rules are those which permit any Member to offer any germane amendment to a measure so long as it is otherwise in compliance with the rules of the House. The parenthetical percentages are open rules as a percent of total rules granted.

³ Restrictive rules are those which limit the number of amendments which can be offered, and include so-called modified open and modified closed rules, as well as completely closed rule, and rules providing for consideration in the House as opposed to the Committee of the Whole. The parenthetical percentages are restrictive rules as a percent of total rules granted.

Sources: "Rules Committee Calendars & Surveys of Activities," 95th-102d Cong.; "Notices of Action Taken," Committee on Rules, 103d Cong., through May 18, 1993.

OPEN V. RESTRICTIVE RULES: 103D CONG.

Rule number, date reported	Rule type	Bill number and subject	Amendments submitted	Amendments allowed	Disposition of rule and date
H.Res. 58 Feb. 2, 1993	MC	H.R. 1: Family and medical leave	30 (D-5; R-25)	3 (D-0; R-3)	PQ: 246-176. A: 259-164. (Feb. 3, 1993).
H.Res. 59 Feb. 3, 1993	MC	H.R. 2: National Voter Registration Act	19 (D-1; R-18)	1 (D-0; R-1)	PQ: 248-171. A: 249-170. (Feb. 4, 1993).
H.Res. 103 Feb. 23, 1993	C	H.R. 920: Unemployment compensation	7 (D-2; R-5)	0 (D-0; R-0)	PQ: 243-172. A: 237-178. (Feb. 24, 1993).
H.Res. 106 Mar. 2, 1993	MC	H.R. 20: Hatch Act amendments	9 (D-1; R-8)	3 (D-0; R-3)	PQ: 248-166. A: 249-163. (Mar. 3, 1993).
H.Res. 119 Mar. 9, 1993	MC	H.R. 4: NIH Revitalization Act of 1993	13 (D-4; R-9)	8 (D-3; R-5)	PQ: 247-170. A: 248-170. (Mar. 10, 1993).
H.Res. 132 Mar. 17, 1993	MC	H.R. 1335: Emergency supplemental appropriations	37 (D-8; R-29)	1 (not submitted) (D-1; R-0)	A: 240-185. (Mar. 18, 1993).
H.Res. 133 Mar. 17, 1993	MC	H.Con. Res. 64: Budget resolution	14 (D-2; R-12)	4 (1-D not submitted) (D-2; R-2)	PQ: 250-172. A: 251-172. (Mar. 18, 1993).
H.Res. 138 Mar. 23, 1993	MC	H.R. 670: Family planning amendments	20 (D-8; R-12)	9 (D-4; R-5)	PQ: 252-164. A: 247-169. (Mar. 24, 1993).
H.Res. 147 Mar. 31, 1993	C	H.R. 1430: Increase public debt limit	6 (D-1; R-5)	0 (D-0; R-0)	PQ: 244-168. A: 242-170. (Apr. 1, 1993).
H.Res. 149 Apr. 1, 1993	MC	H.R. 1578: Expedited Rescission Act of 1993	8 (D-1; R-7)	3 (D-1; R-2)	A: 212-208. (Apr. 28, 1993).
H.Res. 164 May 4, 1993	O	H.R. 820: National Competitiveness Act	NA	NA	A: Voice vote. (May 5, 1993).
H.Res. 171 May 18, 1993	O	H.R. 873: Gallatin Range Act of 1993	NA	NA	
H.Res. 172 May 18, 1993	O	H.R. 1159: Passenger Vessel Safety Act	NA	NA	
H.Res. 173 May 18, 1993	MC	S.J.Res. 45: United States forces in Somalia	6 (D-1; R-5)	6 (D-1; R-5)	

Note.—Code: C-Modified closed, MO-Modified open; D-Democrat; R-Republican; PQ: Previous question; A-Adopted; F-Failed.

Mr. WHEAT. Mr. Speaker, I have no additional speakers at this time.

Mr. SOLOMON. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from New York [Mr. GILMAN], the ranking Republican on the Committee on Foreign Affairs, a gentleman I had the privilege of serving with on that committee for many, many years.

Mr. GILMAN. Mr. Speaker, I am pleased to associate myself with the remarks of Mr. SOLOMON, the distinguished ranking Republican member of the Rules Committee and I thank the Rules Committee for its support in providing sufficient time for the consideration of this important issue.

As will become apparent during general debate on this measure and when I offer my substitute amendment, I have

serious concerns about Senate Joint Resolution 45 as reported by the Committee on Foreign Affairs. I believe it is time to bring American troops home from Somalia now that they have, in an exemplary manner, accomplished the mission originally outlined for them of creating secure conditions for the delivery of food and humanitarian supplies. Unfortunately, Senate Joint Resolution 45 looks not to the prompt withdrawal of United States forces, but rather sets the stage for long-term United States military involvement in Somalia.

No one should be misled by recent press coverage of events in Somalia. While the United Nations has assumed formal command of the peacekeeping force in Somalia, almost 4,000 United

States military personnel still remain in that country today. We have not withdrawn from Somalia. To the contrary, the State Department informed me in a letter dated March 22, 1993, that the current plan is for United States military personnel to remain in Somalia in support of UNOSOM II for another 17 months. Furthermore, State Department representatives have declined repeated requests to assure the Congress that all U.S. forces will be withdrawn at the end of their 17-month plan.

Unfortunately, Mr. Speaker, Senate Joint Resolution 45 as reported by the Committee on Foreign Affairs does not draw the line on continued United States military involvement in Somalia. It authorizes 12 more months of

military involvement, and goes on to commit Congress to "give strong consideration to extending" even further the initial 12-month authorization.

What this means, Mr. Speaker, is that Senate Joint Resolution 45 writes a blank check to the executive branch to deploy United States Armed Forces to Somalia for as long as the United Nations wants to keep us there.

Mr. Speaker, I intend to offer a substitute amendment that will bring Senate Joint Resolution 45 more into line with the thinking of the American people on the question of further United States military involvement in Somalia.

In the meantime, Mr. Speaker, I join Mr. SOLOMON in stating that I would have preferred an open rule for Senate Joint Resolution 45. However, that is not what the Rules Committee has proposed, and I am satisfied that the rule will permit adequate amendment and debate on the measure.

Accordingly, Mr. Speaker, I have no objection to adoption of the rule.

□ 1110

Mr. SOLOMON. Mr. Speaker, I yield 4 minutes to the distinguished gentleman from Florida [Mr. GOSS], a member of the Committee on Rules.

Mr. GOSS. Mr. Speaker, today we embark on a very serious subject—involving the lives of young American men and women in the military who are in harms' way in Somalia.

The fact that the House is today debating whether and with what constraints we will authorize the continued use of United States Armed Forces in Somalia may take some Americans by surprise—true, Somalia is no longer on the front pages of the newspapers. In fact the deployment of United States troops for a humanitarian mission in Somalia began 6 months ago, with the participation of the United Nations.

I know most Americans are relieved that we are now winding down our participation, bringing most of those troops home as the operation is transferred to U.N. command. But there remain the questions of how long any United States troops will stay in Somalia, what their mission will be, and what limits will be placed on the cost and risks of any ongoing operation.

Because this subject is so serious, it would have been in the best interests of all Americans for the debate to have come under an open rule—with the greatest opportunity for the broadest participation by the most Members. After all, American lives are at stake. Although the chairman of the Foreign Affairs Committee did not request an open rule, I wish to commend him, the ranking member, and the Rules Committee for ensuring that those amendments brought forward to the committee will be allowed consideration.

My own view on this subject is that our job as originally defined in Soma-

lia is virtually complete and I oppose the 12-month, open-ended, and blank check authorization of United States forces. I certainly am deeply troubled by the expanded mission outlined in this measure.

I know many of my colleagues come to this debate with equally strong opinions and we are going to hear these, as we should. I urge my colleagues to join me in listening carefully to all the points of view presented during today's debate. After all, that is our purpose—to air differing views and arrive at the best and most-informed conclusion and that is the way open rules generally serve the process of deliberative democracy best.

Mr. Speaker, after all, that debate today is what our purpose is here as legislators and managers of oversight for the people we represent.

What could be more important than the lives of our men and women in the military?

I think that we are going to get differing views aired, and I hope and I pray that we arrive at the best, most informed conclusion as we complete our process. That is why I think that open rules generally serve the deliberative democracy process best, and while I do not object to this rule today, I do not want to suggest that an open rule would not have been better.

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

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

Mr. Speaker, I would like to join my colleagues from the other side of the aisle in enthusiastically commending the chairman, the gentleman from Indiana [Mr. HAMILTON] and ranking member, the gentleman from New York [Mr. GILMAN], of the Foreign Affairs Committee for their diligent work on this issue and for their leadership in bringing the bill to the floor in a spirit that allows the House to focus freely, fairly and debate all the key issues.

Mr. Speaker, I strongly urge passage of House Resolution 173 and the underlying bill.

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

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. Pursuant to House Resolution 173 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the Senate joint resolution, Senate Joint Resolution 45.

□ 1115

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House

on the State of the Union for the consideration of the Senate joint resolution, Senate Joint Resolution 45 authorizing the use of United States Armed Forces in Somalia, with Mr. DARDEN in the chair.

The Clerk read the title of the Senate joint resolution.

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

Under the rule, the gentleman from Indiana [Mr. HAMILTON] will be recognized for 30 minutes, and the gentleman from New York [Mr. GILMAN] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Indiana [Mr. HAMILTON].

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

Mr. Chairman and Members of the House, let us begin with an explanation of what Senate Joint Resolution 45 does.

This resolution authorizes the use of United States forces to provide logistic support for the new United Nations-led force in Somalia. That force is referred to commonly as UNOSOM II, and it also authorizes the quick reaction force to respond to requests for emergency assistance from the UNOSOM II commander.

It authorizes, after the fact, for the U.S.-led operation that was previously known as Operation Restore Hope, and that is the operation that President Bush initiated last December.

The authorization expires 12 months from the date of enactment of Senate Joint Resolution 45 or upon termination of the mandate for UNOSOM II, whichever occurs first.

The costs incurred by the United States and the number of Americans serving in Somalia will be reduced dramatically through the transition from a United States-led to a United Nations-led operation, and this resolution endorses the reduction in costs and the reduction in personnel.

Now, I think it is also important to point out what the resolution before us does not do. It does not provide an open-ended authorization. The authorization of this resolution says very specifically that it shall expire either 12 months from the date of its enactment or at the expiration of the UNOSOM II mandate, whichever first occurs.

There have already been suggestions in the debate with respect to the rule suggesting that this is an open-ended resolution. It is not. The Congress must take specific action to extend the authorization of any period beyond the 12-month time.

This resolution does not write a blank check, nor does it endorse long-term involvement in Somalia. It is limited to the 12-month period.

The next question to address is why this resolution is necessary. The reso-

lution is necessary simply to complete the task to which President Bush committed the United States in December.

□ 1120

We want to ensure a smooth transition to the U.N.-led operation, and that is what this resolution is all about.

Our mission in Somalia is not accomplished until it is clear that the environment in Somalia will remain secure for the continued delivery of humanitarian assistance so that the broader United Nations mission can be built on a firm foundation.

Comments were made a moment ago about how broad the U.N. mandate is, UNOSOM II, and it is correct that that mandate is broad, but it is also important to note the U.S. role in UNOSOM II is far more limited than was the U.S. role in Operation Restore Hope.

UNOSOM II includes 28,000 foreign troops. The United States supplies 3,000 of that 28,000, and those 3,000 are there for a single purpose. That purpose is logistics.

The United States will also supply in addition 1,300 troops to act as a quick reaction force to respond to requests for emergency assistance. The point, however, is that the UNOSOM II role for the United States is far more limited and restricted than was the role of the United States under Operation Restore Hope.

We want to do the full job there. Congress must assume its responsibility as a partner with the President in making the decision to commit U.S. troops to this kind of an operation.

Now, I hope Members will appreciate the significance of this resolution. I think often in the past the Congress of the United States has not measured up to its responsibility on the very tough issue of when you commit foreign troops abroad. It is my view that in the months and years ahead the United States will repeatedly be confronted with the question of when and whether and how to intervene abroad for humanitarian and other reasons.

By approving this resolution, the Congress shows that we are willing to step up to our responsibilities, I might say our constitutional responsibilities, and assume the proper role as a partner with the President in making the decision to commit U.S. troops abroad.

Members should appreciate that UNOSOM II sets a precedent, and the Congress shares responsibility for the new arrangements under that precedent.

The U.S. logistic support contingent to which I referred a moment ago, 3,000 troops, will be under the operational control of the UNOSOM II commander, that is Turkish General Cevic Bir. This will be the first time that U.S. forces will be under foreign command in the context of a U.N. peace enforcement operation. The deputy UNOSOM II commander, however, is Lieutenant General Thomas Montgomery.

The U.S. quick reaction force, that is the 1,300 troops I referred to a moment ago, will remain under U.S. operational control, although they may receive tactical orders in the field from a U.N. sectional commander.

In both instances, the logistic troops and the quick reaction force, the U.S. command line will remain intact. Additional guidance for U.S. troops will always be available through communication of the U.S. chain of command.

Now, we do invoke in this resolution the War Powers Resolution. Senate Joint Resolution 45 provides a War Powers authorization to the extent that U.S. Forces are or become involved in hostilities or imminent hostilities. It thereby provides efficient authority should the U.S. quick reaction force, the sole purpose of which is to engage in combat in support of UNOSOM II, should that force face a hostile situation.

Congress here must play its constitutional role. Congress in my view should authorize whenever U.S. Forces are sent abroad for potential use in combat. Such authorization is required by the Constitution. It is required by the War Powers Resolution, and it is required by the basic principles of sound policymaking.

Now, I know that Members have different attitudes toward the constitutionality of the War Powers Resolution, but it is not our responsibility to make judgments about the constitutionality of the War Powers Resolution. It is in fact the law and the law should be followed, and that is why we invoke it in this instance.

It is also true that the administration has not sought a War Powers authorization, and in taking that position the administration is adopting the traditional position of the executive branch with respect to the commitment of troops abroad, even as it reviews its position on the War Powers Resolution.

So what you have here is a President of the United States defending his prerogatives under the Constitution, but the Congress must defend its prerogatives and stake out its constitutional responsibilities. Congress has concurrent authority with the President in decisions with respect to deploying U.S. forces abroad for potential use in combat.

Now, this resolution provides for a 12-month authorization. We believe that that is a time sufficiently long to show the U.S. commitment to the UNOSOM II mission, we think it is sufficiently limited to make clear that Congress is not endorsing an open-ended involvement.

As I have suggested, the authorization expires 12 months from the date of enactment or upon termination of the mandate of the United Nations-led force in Somalia, whichever occurs first.

The UNOSOM II mandate, and this will come up in the course of the debate, must be reauthorized by the Security Council by October 31, 1993, this year.

The argument will be made that because the U.N. authorized UNOSOM II is for a shorter period, we should not authorize it for 12 months; but the fact is that the United Nations and the United States Congress, the U.N. Security Council, are very, very different bodies.

The United Nations routinely reauthorizes every 6 months. This Congress does not, and if we were to try to reauthorize in October or September right at the time when the legislative agenda here is extraordinarily full, it would not be easy to do.

The United States has worked actively with the United Nations to seek troop commitments to UNOSOM II from other nations.

The success of UNOSOM II is premised on sufficient troop commitments, both with respect to number and length of stay, from a number of other countries.

If the United States is authorized to participate only through October of this year, we will not be able to convince other countries to participate in UNOSOM II beyond that time.

The UNOSOM II mission then would not get off the ground and our past accomplishments in Somalia would be severely eroded if we fail to show sufficient commitment to participate.

We believe that a 12-month authorization provides the necessary commitment and is not open-ended.

Finally, Mr. Chairman, let me just observe a word about the costs. The important thing to note here is how sharply the costs to the U.S. Government are going down. If you look at fiscal year 1993, the total cost as best we can estimate it of the Somalia operation is \$1.3 billion. That includes about \$750 million for Operation Restore Hope.

□ 1130

For fiscal year 1994, Mr. Chairman, the estimated cost is \$477 million.

The United States will be reimbursed at the standard United Nation rate for our troop contribution to UNOSOM II. All costs borne by the United States to support Operation Restore Hope and UNITAF troops from countries unable to pay their own troop costs will be reimbursed to the United States through the U.N. trust fund for Somalia. Pledges to that trust fund currently stand at approximately \$120 million, and it is estimated that the United States will receive about 85 percent of the trust fund total. Senate Joint Resolution 45 also urges the President to seek reimbursement from the United Nations, or other member states, for incremental costs of the U.S. participation in Operation Restore Hope and UNOSOM II.

In conclusion, Mr. Chairman, let me simply say that we are taking this action today with this resolution, or whenever we vote on it, because Congress has a responsibility to authorize the deployment of U.S. forces when those forces have the potential for combat abroad.

In addition, the UNOSOM II mission sets a precedent for multilateral involvement in humanitarian intervention efforts, and the U.S. role in UNOSOM II is precedent setting. It is a new role that the Congress should authorize in this instance, and in my view it should at least authorize in the future similar instances.

The foreign policy process of the United States works best when the President consults effectively with the Congress prior to making effective, significant decisions, when the Congress makes sure that it is well informed on the foreign policy decisions that the United States faces and when both branches of Government respect the shared powers under the Constitution on foreign policy.

So, Mr. Chairman, I would urge my colleagues to support this legislation.

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

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

Mr. Chairman, I would like to commend the distinguished chairman of the Committee on Foreign Affairs, the gentleman from Indiana [Mr. HAMILTON] for his leading role in bringing this important foreign policy initiative to the House floor. This resolution would enable the Congress to consider the authorization of our Armed Forces in the current U.N. peacekeeping operation in Somalia.

While I disagree with our distinguished committee chairman, my good friend from Indiana, Mr. HAMILTON, regarding the role of our Armed Forces in this operation, I agree with his observation that all too often in the past Congress has abdicated its responsibility on the issue of foreign military intervention.

But our long overdue consideration of this legislation today should make us look carefully at the proper limits of our military commitments around the world. I don't think that I have to remind my colleagues that the specter of United States military intervention in Bosnia is an imminent possibility. The arguments against an open-ended commitment in the Balkan crisis are no less compelling than those confronting us today in regard to Somalia.

As currently written, Senate Joint Resolution 45 would provide a blank check to the executive branch and to the United Nations for a commitment of our Armed Forces in Somalia that could extend into the next century.

In our consideration of this legislation today, we are creating a precedent for future U.S. participation in human-

itarian crises overseas—and the use of American military forces under a U.N. command. That is why this measure, however we resolve it, will serve as a model for such actions in the future.

Following adoption of a resolution by the U.N. Security Council last December, President Bush sent American troops to Somalia for a specific purpose—to create a secure environment for the delivery of humanitarian supplies.

Our troops were to be withdrawn and the mission handed back to the United Nations as soon as that goal was achieved. However, the resolution under which the United Nations has taken over from the United States provides for a much different operation.

U.N. Security Council Resolution 814—which the Clinton administration moved through the Security Council without any formal input from Congress—commits the United States to a far broader, more expensive, and potentially more dangerous mission than the limited operation President Bush initiated in December.

For the first time, U.S. Armed Forces will be placed under the command of a U.N. officer from a foreign country. Is this the kind of precedent we want to set for a future United States military role in Bosnia? Is this the kind of role that best suits the capabilities and unique characteristics of our military?

If your answer is a no on either account, then you should vote against this resolution and for a substitute amendment that I will offer that sets the same 6-month timetable for our troops in Somalia that the United Nations set for its overall mission in that country. The United Nations is not precluded from renewing this mandate. Neither is the Congress prevented from extending the authorization if it chooses to do so.

The U.N. resolution also calls for the establishment of a viable and representative national government, revival of the economy, and repatriation of refugees who have fled the famine and the civil war. In short, it is a costly, nation-building blueprint for the reconstruction of Somalia.

Operation Restore Hope has already cost the U.S. taxpayer at least \$800 million, and it is estimated that the 3-year price tag for our overall commitments to Somalia will reach \$1.8 billion by the end of the next fiscal year.

The administration and the United Nations have not done enough to enlist the financial and material support from other donor nations, such as Saudi Arabia and Germany, for the Somalia trust fund, and have yet to explain why the UNOSOM II peacekeeping operation should not be allowed to utilize the moneys in this fund once all reimbursement requests are in.

The United States has done more than its fair share in Somalia. It is time for our units to leave and for

those of other nations to take over. Some may favor a long-term United States military commitment in Somalia, but I believe we should withdraw our troops as soon as possible to take them out of harm's way, and my resolution provides for an additional 6 months stay from the date of the adoption of this measure to do whatever cleanup we have to do so that we can have an ordinary departure.

Mr. Chairman, I understand that there are about 3,800 United States military personnel presently remaining in Somalia. It is gratifying that most of our forces have come home, but the administration has not yet indicated when and under what circumstances the remaining United States forces will depart Somalia. Without a clear, convincing withdrawal timetable, Mr. Chairman, I say we owe it to our men and women in the field and to the American people here at home to set a short, reasonable, but sufficient, authorization period, and I invite my colleagues to support my substitute amendment which will put our policy on Somalia back on a clear course, fully consistent with the original objectives laid out by President Bush in Operation Restore Hope.

□ 1140

In closing, Mr. Chairman, I would quote from an editorial of May 4 that appeared in the New York Times entitled "A Big Second Step in Somalia:"

The Clinton administration needs to make clear when and under what circumstances U.S. forces will depart. Americans have no wish or reason to wear out their welcome in Somalia as Somalia finds a home-grown remedy for its grievous wounds.

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

Mr. HAMILTON. Mr. Chairman, I yield 4 minutes to the distinguished gentleman from California [Mr. DELLUMS], chairman of the Committee on Armed Services.

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

Mr. Chairman, I rise this morning in support of Senate Joint Resolution 45 and would like to use this opportunity to make a few broader points of great importance to the Congress of the United States.

Mr. Chairman, with the end of the cold war, we have become far less preoccupied with the threat of global war. Other threats no doubt will call us to this Chamber to make decisions on prospective military deployments that would place at risk our Nation's blood and treasure. We must, therefore, Mr. Chairman, be diligent in crafting the mechanisms we need for thorough consultation with the executive branch and thorough deliberation in the legislative branch. We must bring resolve to the task of providing the means of exercising our constitutional responsibil-

ities in matters of war and peace if we are to bring any wisdom to the task of executing these extraordinary responsibilities.

Mr. Chairman, the Constitution establishes the President as the Commander in Chief of the armed services, but I would remind my colleagues that it assigns to the Congress the responsibilities and powers to provide for the Nation's defense and to indeed exercise, when necessary, the prerogatives of declaring war.

I do not believe, Mr. Chairman, there is another issue that the executive or legislative branch takes more seriously than that of sending the young men and women of our country into harm's way. Such a serious step should never be taken without the fullest consideration by the executive branch, and I would underscore this, and the fullest deliberation possible by this, the legislative branch.

Mr. Chairman, this kind of partnership between the branches of government in matters of war and peace is founded in the Constitution, is required by law, and is reflective of fundamental political reality. The decision to commit U.S. forces abroad cannot be sustained without consensus, consensus that is built through a process of public debate and congressional deliberation and approval that gives legitimacy and strength to policies shaped by the executive in consultation with the Congress.

Mr. Chairman, further, the War Powers Resolution that has been alluded to and will continue to be alluded to during the course of this debate is, in the humble opinion of this gentleman, at best, an imperfect mechanism for implementing this partnership in its serious responsibilities. I would point out, Mr. Chairman, that it does not ensure the necessary degree of consultation between the two branches of government. It does not reliably provide for the requisite degree of deliberation by the Congress, and it does not adequately address the complex of committee jurisdictions involved in reaching decisions about committing our armed forces to battle.

Mr. Chairman, this Member feels very strongly about exercising in full the constitutional responsibilities of the Congress regarding the use of military force. We must ensure that the executive branch fully consult with the Congress in making decisions in these matters, and that we have all that is required for the fullest deliberation possible before deciding whether to approve such decision. I look forward to working closely with my colleagues in developing the mechanisms that we need in this area.

I appreciate the opportunity of using this moment to make these broader statements, and I would conclude, Mr. Chairman, by stating that in the past I supported the initial deployment of

U.S. military personnel in our humanitarian efforts in Somalia, and I rise this morning in support of Senate Joint Resolution 45 and its continuation of these efforts.

I would conclude by simply saying that this is retrospectively authorizing the deployment of our troops, and I would suggest to my colleagues that, though imperfect, this is the only mechanism we have for making the statement on the part of this Nation that we approve our humanitarian efforts and we approve playing a significant role as the international community comes together to continue to help this impoverished and beleaguered nation.

Mr. GILMAN. Mr. Chairman, I am pleased to yield 3 minutes to the gentleman from Pennsylvania [Mr. GOODLING], a senior member of our Committee on Foreign Affairs.

Mr. GOODLING. Mr. Chairman, I would like to emphasize to every Member the significance of the resolution we are considering on the floor today. For the first time in the history of this Nation, we are authorizing the deployment of U.S. troops under foreign command. This in itself is a monumental event, unparalleled in our history. However, it is also for other reasons that I stand in opposition to the resolution before the House today.

I do not believe that the events which transpired in the House Committee on Foreign Affairs during the consideration of this resolution received proper attention. I think people across this land would be interested to know exactly what differences there are on this issue. Amendments were offered to shorten the period of deployment, eliminate the language authorizing the use of troops in hostilities—the so-called War Powers Resolution—and eliminate the language that “gives strong consideration to extending” the period of deployment. All were defeated.

I would like every American to know that this resolution is signing the death certificates of American troops—again, under foreign command—if hostilities break out for any reason in war-torn Somalia. I also do not understand why we are authorizing troops for 12 months, when the United Nations' authorization is only for 6.

I heard the chairman's explanation, and I love the chairman of the committee, but I did not find the explanation very convincing.

Finally, the resolution sets a bad precedent for U.S. involvement globally. Indefinite U.S. involvement in civil wars around the world is increasingly codified when we take actions such as this.

Mr. Chairman, the United States is not the world's policeman. We are not the solution to all of the world's ills. We took the initiative in Somalia when no other nation or body could, and I

supported that action. Now it is time for U.S. troops to come home, not succumb to foreign command for at least 1 year, particularly with strong consideration given to keeping them in Somalia longer. I urge Members to think of the precedent, the consequences, and the costs of this resolution.

Mr. Chairman, I was really troubled during the debate in the committee when I kept hearing people say over and over again, “We are the only superpower.” Well, we have trillions of dollars in debt now. At the end of 5 years, if everything goes well, we will increase that debt by \$1 trillion, \$91 billion.

We have decreased defense spending dramatically in the last 3 years. We talk about decreasing it another \$189 billion over the next 5 years, and I guess the question I ask after all that is that I am not sure how “super” the power will be.

Mr. HAMILTON. Mr. Chairman, I yield 4 minutes to the distinguished gentleman from California [Mr. LANTOS], a subcommittee chairman of the Committee on Foreign Affairs.

Mr. LANTOS. Mr. Chairman, I want to thank my friend and colleague for yielding this time to me.

Mr. Chairman, I first want to commend the very distinguished chairman of the Committee on Foreign Affairs, the gentleman from Indiana [Mr. HAMILTON], and the staff of the Committee on Foreign Affairs for their efforts in putting together this resolution. I also want to commend my good friend and distinguished colleague, the gentleman from Florida [Mr. JOHNSTON], chairman of the Subcommittee on Africa, for his major efforts on behalf of this joint resolution.

□ 1150

Mr. Chairman, humanitarian assistance to the people of Somalia is clearly one of the finest and most unselfish actions of the Government of the United States. It is important, however, on this issue of United States participation in support of the United Nations peacekeeping efforts in Somalia that the voice of the Congress be heard.

It is a constitutional and legal responsibility of the Congress to participate in decisions that commit our military forces. This resolution reflects a balanced approach to this issue, and I strongly support its adoption.

Mr. Chairman, let me say that this action was commenced by a Republican President and it was continued by a Democratic President. It is supported by Republicans and Democrats in this body. We are always at our best when our foreign policy is bipartisan, and I think it is extremely important to do our utmost to keep partisanship out of this debate.

I firmly believe that if in fact we adopt this resolution, the goals that we seek of having other members of the

United Nations assume the greatest possible share of participation in this effort will be successful.

At the height of our commitment in Somalia we had 25,000 American troops there. That number today is 3,800. We would all like to see every single one of those 3,800 American service men and women come home today, but reality does not allow that.

If we do not want to see our historic achievement unravel, we must make a reasonable commitment to continue to be a minority partner in a major international effort.

With the collapse of the Soviet empire, the international problems we will face in the security arena will be all over the place, and it is in our best interest to have as many other countries participate, physically and financially, as possible. That will not be achieved by establishing a wholly unrealistic 6-month time limit on our commitment.

There is not a Member in this body who believes that the Somalia effort will be finished in 6 months. If we want to minimize U.S. participation, if we want to minimize the cost to the American taxpayer, it is in our best interest to allow the U.N. peacekeeping operation to make some long-term plans and pull in other countries to obtain additional physical contributions and financial contributions. Any attempt to cut this period short will be counterproductive and result in larger American troop commitments and heavier American taxpayer expenditures.

Mr. Chairman, I strongly urge my colleagues to adopt the resolution.

The CHAIRMAN. The Chair would announce that the gentleman from Indiana [Mr. HAMILTON] has 6 minutes remaining, and the gentleman from New York [Mr. GILMAN] has 21 minutes remaining.

Mr. GILMAN. Mr. Chairman, I yield 5 minutes to the gentleman from Indiana [Mr. BURTON], a senior member of the committee and the ranking Republican on the Subcommittee on Africa.

Mr. BURTON of Indiana. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, we are all concerned about the starving masses and people being persecuted around the world, and Somalia is no exception. I supported sending our troops in there to get food to the starving people, to keep those gangs, those marauding gangs, from going around the country stealing food that was going in to feed the starving masses of people over there. I thought that was the right thing to do.

Do people in this country recall, Mr. Chairman, that President Bush said we would be out of Somalia by Inauguration Day. That was last January. Here we are almost in June and we are talking about open-ended legislation that will lead to an indefinite period during which our troops will be there.

Mr. Chairman, I do not know if many Americans remember back when we put 237 marines in Beirut to help stabilize the situation there, and some madman with a truckload of dynamite came in and blew them all to kingdom come. Everybody in this country mourned because we had 237 marines and their families suffering because of that decision.

I remember when President Reagan asked for my vote to send them there, and I gave it. I said after that tragedy occurred that I would never vote to send American troops into harm's way unless we had a stated mission, a goal, and knew when we were going to get them in and when we were going to get them out.

Now here we are, we have 3,800 troops still there, and we are talking about keeping them there indefinitely.

Mr. Chairman, I know they have said on the other side we are going to have them out in a relatively short period of time, that this is not open ended. Let me read to you what this legislation says:

The Congress will give strong consideration to extending the authorization for use of United States Armed Forces to implement Resolution 814 should such continued use be necessary to ensure the success of the United Nations-led forces in Somalia.

The administration experts have come to our offices and told us that it is going to take into the next century to achieve the goals. This legislation says, again quoting:

We will give strong consideration to extending the authorization if necessary for the United Nations to accomplish its mission.

Mr. Chairman, that means we are probably going to have U.S. military people sitting there in harm's way for the next 7 or 8 years. I submit to you that that is a mistake. They had a mission; they achieved that mission. Let us turn it over to the United Nations.

In addition, we are talking about putting our troops under foreign command for the first time in history. I want our generals to control our troops, General Schwarzkopf and people we have great confidence in. Not some U.N. commissioner or general from some other country.

Mr. Chairman, the Gilman amendment says we will have our troops out in 6 months. I prefer to get them out quicker than that. The gentleman from Wisconsin [Mr. ROTH] has an amendment to get them out in 30 days. That is not logistically possible. But we could get them out in 60 or 90 days. But 6 months is certainly a reasonable period within which we can get our troops out and make sure they come home safely after having held their heads high and accomplished the mission of feeding the starving masses of Somalia.

If we keep them there, mark my words, a lot of them are going to be

killed, and we are going to say why did we leave them there?

Remember Beirut; 237 marines sitting there, having lunch or dinner, and some crazy comes in there and blows them all to kingdom come. There are a lot of weapons around that countryside. I think that now our mission has been accomplished, we should bring them home.

Also I would like to go back in history and say to the chairman and members of the committee, do you remember the Gulf of Tonkin resolution that we gave to Lyndon Johnson, which led to the escalation in Vietnam? This is analogous to that. It is analogous to that.

Let me read it to you one more time:

The Congress will give strong consideration to extending the authorization for the use of U.S. Armed Forces to implement this resolution should continued use be necessary to ensure the success of the United Nations-led forces.

What is the success? Our intelligence tell us that means into the next century.

I would like to end by quoting what the chairman of the committee said not long ago, the gentleman from Indiana [Mr. HAMILTON]. He said:

Operation Restore Hope must end soon. This requires that the mission of U.S. forces remain clear, constant, and limited in scope. It also requires that a strong U.N. force be ready to replace U.S. troops within several months.

The gentleman said this last December.

Finally, the gentleman from Indiana [Mr. HAMILTON] said, "We must work to ensure that Operation Restore Hope concludes safely, successfully, and soon."

Mr. Chairman, this is open-ended, it is a step in the wrong direction, and I submit we should defeat the Hamilton resolution and substitute that of the gentleman from New York [Mr. GILMAN]. That will bring our kids home, our young men and women, in 6 months, safely, with their heads held high.

Mr. HAMILTON. Mr. Chairman, I yield 3 minutes to the gentleman from Missouri [Mr. GEPHARDT], the distinguished majority leader.

□ 1200

Mr. GEPHARDT. Mr. Chairman, I want to commend the gentleman from Indiana, Chairman HAMILTON and the members of the Committee on Foreign Affairs for the work on this very important resolution.

I want to say that I think all of us feel that President Bush did the right thing when he decided that this effort should be undertaken. I think it enjoyed the support of a large bipartisan majority in the Congress and among the American people, and we should be very proud of the service of our military people in Somalia which, as my colleagues know, at one time got to 25,000 people.

At the time President Bush called for this action, he told us and he told the American people that he hoped we could be out before the inauguration of the President, but he did not know. Well, a lot of what he said has come true.

We went from 25,000 to 4,000. And most importantly, and I think what is very important about this resolution, is that we are trying to comply with our own War Powers Act, but we are also recognizing the handoff from the U.S.-led Operation Restore Hope to the U.N.-led operation. And I think that is a genuine watershed for our country and for the world.

I strongly support the committee's resolution. It is not open-ended. It is 12 months. That is the limit that has been put on. It has been put on for good reason.

The military tells us that with the 4,000 people we have got there and with the other U.N. forces, they believe that this situation can be stabilized within 12 months. Hopefully, it will be sooner, they feel that is as good an estimate as they can give at this time of how long it will take.

So I think we ought to support this effort, and I want to, again, reemphasize the genuine historic nature of what we are doing. For the first time, the United Nations is providing the leadership and structure for an aggressive, multilateral humanitarian intervention operation, equipped for strong peace enforcement. And for the first time, American forces are serving under a new United Nations command structure.

Both events are vivid reminders that the cold war way of doing business is over. We are in a new world, and the day of genuine multilateralism has dawned. And we must be a part, a constructive partner in that effort.

Just as Desert Storm became the model of how to go to war in the right way, it is my hope that this legislation becomes the example of how to intervene in humanitarian crises the right way, with the United Nations, with an appropriate American force and with an appropriate time limit in which that force can be effective.

I congratulate the committee. I urge Members to support the committee position.

Mr. GILMAN. Mr. Chairman, I yield 3 minutes to the senior member of our Committee on Foreign Affairs, the gentleman from Illinois [Mr. HYDE].

Mr. HYDE. Mr. Chairman, this is an example, the Somalia adventure, of how easy it is to get into something and how difficult it is to get out.

When Congress provides the President with authorization to send our troops, our Armed Forces into hostilities, it is a very serious matter. But when we take such action in the absence of hostilities, in the absence of imminent threat to hostilities and in

the absence of even so much as a request from the President for this authority, then, to put as euphemistic a phrase on it as I can, it loses its cogency.

The fact that the United States military forces in Somalia have fulfilled the mission that was given to them by President Bush means our troops ought to come home. They have restored order. They have permitted food to reach people in dire need. They have done so brilliantly and in the proud tradition of Americans responding to humanitarian tragedy.

But President Bush made a commitment to withdraw our troops, when the mission was completed, and to return the operation to the United Nation. Now they are not coming home.

Instead, President Clinton has committed, for an indefinite period of time, nearly 3,800 United States military personnel to this peacekeeping operation in Somalia, commanded by a foreign national.

Now, of great interest, it ought to be to us, is the fact that when the President strives to cut the Pentagon budget by \$127 billion over the next 5 years, he has given our military forces a new mission that has traditionally been carried out by other nations, contributing forces to U.N. peacekeeping services.

The status of the military forces is interesting. Botswana is committed to provide 200 to this peacekeeping force; Egypt, 615; Nigeria, 562; Uganda, 300; Zambia, 500; and Zimbabwe nearly goes over the top with 912.

That seems to me not quite the contribution Africa ought to make to an African problem. But India is negotiating to provide 4,000 troops. That is not certain yet.

In fact, it is listed as uncertain. Should India come through with 4,000, and they are a lot closer, I guess, than we are, then I do not really see the need for our 3,800 troops there.

But what this is is a continuation of the affection of the gentleman from Indiana [Mr. HAMILTON] for the War Powers Act, and I revere the gentleman from Indiana [Mr. HAMILTON]. And it is providing authority where it has not been asked for, legitimizing War Powers Act that some of us have doubts over its constitutionality. But it is saying, "Mr. President, you have not asked for it, but here it is anyway."

I suggest it divests Congress of any power, as situations change, to withdraw authority for our troops being in harm's way. We are giving a credit card for 12 months, no matter what happens. And we are saying, we are going to look very kindly on another extension beyond this one.

I do not think that was President Bush's intention. I do not think it is in our interest, and I respectfully hope that this resolution is defeated.

Mr. GILMAN. Mr. Chairman, I yield 2 minutes to the gentleman from New

York [Mr. LEVY], a member of our committee.

Mr. LEVY. Mr. Chairman, I rise in opposition to the resolution which is before us today.

Like many of my Republican colleagues, I applaud the chairman of the Committee on Foreign Affairs, the gentleman from Indiana [Mr. HAMILTON], for his leadership in addressing the Somalia issue.

Congress should be involved in decisions concerning the deployment of our troops abroad, and a resolution authorizing such a deployment is indeed proper.

But I join the ranking member of our committee, the gentleman from New York [Mr. GILMAN], in opposing this resolution in its current form.

I am especially concerned that the resolution does not set a clear timetable for the withdrawal of United States troops from Somalia but, rather, presents the opportunity for long-term United States involvement in the region.

In short, the resolution authorizes American involvement in Somalia for another year at least and contains language enabling Congress to consider extending that commitment even longer.

Mr. Chairman, this resolution is not a detailed plan for resolving the situation in Somalia but, rather, a blueprint for a longer term commitment than most Americans are prepared to support at this time.

Mr. Chairman, I also join my colleagues, like the gentleman from Illinois [Mr. HYDE], who opposes those provisions of the resolution relating to the War Powers Act.

Senate Joint Resolution 45 effectively eliminates Congress' ability to insist that the President return for further congressional authorization, should our troops venture into harm's way at any time during the next 12 months.

I am sure that many of my colleagues would agree that we should not volunteer to omit Congress from deliberations regarding American involvement in hostilities when even the President has not asked us to do so.

I believe a long-term authorization in Somalia is a mistake. I ask all of my colleagues to support the Gilman substitute and to oppose the resolution in its current form.

Mr. GILMAN. Mr. Chairman, I thank the gentleman from New York for his remarks in support of the resolution.

Mr. Chairman, I yield 2 minutes to a member of the Committee on Armed Services, the gentleman from California [Mr. CUNNINGHAM].

Mr. CUNNINGHAM. Mr. Chairman, I would like to speak in favor of the Gilman resolution, that I agree with the senior majority leader, the gentleman from Missouri [Mr. GEPHARDT], that during the Bush administration, many

of us supported the efforts that are going forward in Somalia.

□ 1210

We saw children that were starving in a depressed country and that we could help when Africa did not help itself in that area. We also looked and thought that maybe we could be out of that by the inauguration itself. That has not come to pass.

I want to let the Members know that my position, whether President Bush would have been in power or President Clinton today, is that it is time that we get out. Let me tell the Members a few reasons why.

I would support the amendment of the gentleman from Indiana [Mr. HAMILTON] or the resolution if our economy was solvent; if we were not being asked, the American people, to be taxed at the highest rate they have ever been taxed at; if we didn't have a \$4 trillion deficit, and an increasing deficit under the upcoming budget that President Clinton is recommending.

On the other side, they say that health care is of No. 1 importance, education is of No. 1 importance, but yet we are giving billions of dollars to Russia. The RTC is going to ask us for nearly \$50 billion in the upcoming weeks to solve the RTC resolutions, but yet we still cut defense \$127 billion.

In an All-Volunteer Force, retention is the No. 1 issue. The No. 1 issue within that retention factor is family separation. Our people are being asked to go from Desert Storm to Somalia and even the potential of Bosnia in the future. Those families need to come back home. All 4,000 of our people, men and women, have families back here. They need to attend to those things.

Recently in the State of California two Democratic Members of the other body stood up and said, "Don't close any of the bases in California. It is not economically sound." Yet those same two Members stand up and say, on the Committee on the Budget, "Cut defense an additional \$127 billion," but yet we are still asking our people to do more and more and more. The future does not look good for them, Mr. Speaker.

I would ask that we support the gentleman from New York [Mr. GILMAN], and I understand and respect the gentleman from Indiana [Mr. HAMILTON] for what he is trying to do in Somalia, but I feel, Mr. Speaker, that this is a time past. We need to attend to our economy here and do the things we need for our people back here.

Mr. GILMAN. Mr. Chairman, I thank the gentleman from California for his arguments in support of the resolution.

Mr. Chairman, I am pleased to yield 2½ minutes to the gentleman from Pennsylvania [Mr. WELDON], a member of the Committee on Armed Services.

Mr. WELDON. Mr. Speaker, I want to thank my colleague for yielding time to me.

I rise in support of the Gilman substitute. I want to talk for a moment about what we have done in terms of Somalia.

As a member of the Committee on Armed Services, I try to focus as much of my time as possible on where we send our troops and under what conditions. I was over in Desert Storm and was down in Homestead, and we had them down in the Florida relief effort. I was over in Somalia in January with the gentleman from Pennsylvania [Mr. MURTHA] for several days, in Mogadishu and Baidoa. I can tell the Members I was absolutely impressed with the effort that was being put forth by our military. Their commitment and dedication always amazes me, as these young people respond to ever changing situations.

I am supportive of the role that we have played in Somalia. I wish we could have gotten our active duty troops out quicker than we did. I was very dismayed that the United Nations was in fact not in place in January to allow us to begin the process of changing the command from General Johnston to a command officer of the United Nations.

However, while I was in Somalia the one thing that I heard repeatedly from our troops that this body has got to keep in mind came from the mouths of the young marines in Mogadishu, who said, "Congressman, three of the last four Christmases I have been deployed. I have been away from my family." This included Desert Storm, it included military exercises that were a required part of training, it included Panama, and now it included Somalia.

What this body has got to understand is that we cannot keep sending our troops all over the world while at the same time we are cutting back military expenditures in such a draconian fashion.

This President and this administration has got to understand that as well. We cannot commit our troops to Bosnia and to Haiti and to Somalia and other places unless we are going to provide the funds to allow these troops to be replaced, to be properly trained, to have the resupply equipment brought in to allow them to meet their obligations.

The Marines did not even have the resupply capabilities necessary for Somalia because they have been continually deployed. That is because of a lack of funding for the Marines to keep adequate preparations for these kinds of missions. We cannot keep committing our troops in a vacuum.

While I support the effort in this case, and think it was well thought out and we did play a vital role, I would just say to my colleagues, as we debate defense authorization levels, we cannot do that in a vacuum, because the cuts we make have a direct impact not just on the Pentagon but on the men and

women who serve us in the military, out there putting their lives on the line, even if it is in a peacekeeping mode.

Mr. GILMAN. Mr. Chairman, I thank the gentleman from Pennsylvania for his supporting remarks.

Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Wisconsin [Mr. ROTH], our ranking member of the Subcommittee on Economic Policy, Trade and Environment of the Committee on Foreign Affairs.

Mr. ROTH. Mr. Speaker, I thank my friend, the gentleman from New York, for yielding time to me.

Mr. Speaker, I want to compliment the chairman of our Committee on Foreign Affairs. I know he is addressing the Somalia issue in the way that he feels is appropriate.

The history of what has happened in Somalia has been well documented in debate here this morning. The American people saw the starving children in Somalia. We acted, both the old administration and the new administration, hand in hand. We were told that our troops were going to be out by January 20, Inauguration Day. Then Inauguration Day came and went and we were still in Somalia.

Then we were told that our troops would be out by the spring. Now we are well into the spring, and we are told our troops will stay there for an additional year. A year from now, I predict, as I predicted in January, our troops will be in Somalia for many more years, unless we say no.

If we do not have a date certain when our troops will come out, they will be there at the turn of the century. What concerns me is that we are being bled to death by operations like Somalia. We already have spent nearly \$1 billion in Somalia. We have been told that the United Nations has taken over. If the United Nations has taken over, why are we still there? If we remain in this Somalia operation, we will spend another half billion dollars over the next year alone in Somalia.

We have deficits of \$400 billion. The majority in this House want to tax our Social Security recipients. We are cutting back on our domestic programs. However, Secretary Christopher was before our Committee on Foreign Affairs and said, "We have to have more money for foreign aid." Where is it all going to stop?

I am very concerned about what is happening in our country today. We are being totally overextended.

In our Committee on Foreign Affairs the other day, one of the leading thinkers in the Democrat Party told us that we have to be involved everywhere in the world. I asked this gentleman: "To be involved everywhere in the world?" And he said, "Yes, we have to be involved everywhere in the world, and I mean everywhere in the world." I appreciate his candor, but my friends,

can we be involved everywhere in the world? We are being bled to death. We cannot continue on this track. We just cannot. That is why a date certain on this Somalia operation is so important.

Mr. GILMAN. Mr. Chairman, we thank the gentleman from Wisconsin for his remarks.

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

The CHAIRMAN. The gentleman from New York [Mr. GILMAN] has 5 minutes remaining.

Mr. GILMAN. Mr. Chairman, in considering this measure, I urge the Members to consider the following critical facts regarding Somalia:

First, contrary to the impression left by recent press accounts, approximately 4,000 United States military personnel remain in Somalia today; second, the State Department currently plans for United States military personnel to remain in Somalia for 17 more months, with no assurance that they will all be withdrawn at the end of that time; and third, the United States has already spent at least \$800 million on military operations in Somalia, and the total military cost will rise to \$1.4 billion by the end of next year.

I would like to emphasize that the U.N. Security Council in Resolution 814 established UNOSOM II "for an initial period through 31 October 1993, unless previously renewed by the Security Council." Because the U.N. force took over on May 4, this equates to a 6-month authorization.

I have yet to hear a persuasive explanation as to why Congress needs to authorize U.S. participation in UNOSOM II for 12 months when the Security Council has only authorized that force for 6 months, and why we need to promise to extend our authorization when the Security Council hasn't promised to extend its authorization.

It is plain to me that the Security Council wanted to make sure that it would have an opportunity to review the Somalia operation and make any necessary changes to UNOSOM II's mandate after 6 months; the U.S. Congress should insist on no less.

My substitute amendment which we expect to consider next Tuesday, will ask Congress to choose between long-term, open-ended United States military involvement in Somalia and a prompt withdrawal of United States forces from that country.

Senate Joint Resolution 45 as reported by the Committee on Foreign Affairs authorizes the President to keep United States forces in Somalia for 12 months after the date of enactment, and goes on to commit the Congress to give strong consideration to extending the initial 12-month period. My substitute will reduce the authorization period from 12 months to 6, and provides that all U.S. forces should be withdrawn at the end of that period rather than promising to extend it.

In addition, my substitute will eliminate the authorization provided by Senate Joint Resolution 45 for the President to engage in hostilities in Somalia. The administration has not asked for such authority, and indeed has stated that it considers such authority unnecessary. Granting this authority now serves only to ensure that no one in Congress can insist that the President return to Congress for additional authorization under the War Powers Resolution to keep United States forces in Somalia if hostilities break out there in the future.

If you believe, as I do, that it is time to bring United States forces home from Somalia now that they have accomplished the mission originally outlined for them, I urge you to support my substitute amendment to Senate Joint Resolution 45.

□ 1220

Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Illinois [Mr. MANZULLO], a member of our committee.

Mr. MANZULLO. Mr. Chairman, I think we should take a look at why we are in Somalia. Our troops were sent there not as part of a military incursion, but for humanitarian purposes, and the United States has declared that those humanitarian purposes have been accomplished. Mission accomplished. And the issue becomes why are we still there.

We have spent nearly \$1 billion on this operation. Food is reaching the people of Somalia. Then why are we still there? Why does the President need an additional 1 year authority for our troops in Somalia? They should not be there in excess of 6 months, if that long.

The resolution before us can keep our troops there for another 2 years. The CIA estimates that the Somali operation will last until the end of the decade. The mission of the U.N. forces in Somalia has changed from securing humanitarian aid and delivery of that to rebuilding the ravaged country. That is not why we sent our brave personnel over to Somalia.

So unless the U.S. Congress is willing to change the nature of the purpose of our troops in Somalia, then the debate here has to center on a shift in policy from humanitarian aid to rebuilding the country, and then perhaps entering into hostilities. And that is why the 1-to-2-year period is dangerous.

Therefore, Mr. Chairman, I would suggest and strongly urge that my colleagues would consider the fact that American troops should be withdrawn in a period of time not to exceed 6 months.

Mr. GILMAN. Mr. Chairman, I yield back the balance of our time.

The CHAIRMAN. The gentleman from Indiana [Mr. HAMILTON] has 3 minutes remaining.

Mr. HAMILTON. Mr. Chairman, I yield the balance of our time to the distinguished gentleman from Florida [Mr. JOHNSTON], chairman of the Subcommittee on Africa. I want to say to him and to the gentleman from California [Mr. LANTOS], chairman of the other subcommittee, how much I appreciate their work on this resolution. That work has been superbly done.

Mr. JOHNSON of Florida. Mr. Chairman, the gentleman from Illinois [Mr. HYDE] said that the chairman of the committee [Mr. HAMILTON], had a great affection for the War Powers Act. It is my contention that the gentleman from Indiana [Mr. HAMILTON], has a great affection for this body, and a great affection for Congress, and a great affection for the separation of powers and the relevancy of the U.S. Congress when it comes to going to war or putting troops anywhere.

Did we have the opportunity to vote on the invasion of Grenada, unilaterally done by President Reagan? Did we have the opportunity to vote on the invasion of Panama, unilaterally done by President Bush? No, we did not.

I feel that some Members are not grasping the situation when the gentleman from Indiana [Mr. BURTON] gets up and says that we were to be out of there by Inauguration Day. Who was the President? It was Mr. Bush. On Inauguration Day Mr. Bush had 25,000 troops there and nothing was being done to remove them; 120 days later, 4 months to the date of the inauguration, we now have less than 4,000 troops there.

But the War Powers Act is the law of the land regardless of whether you like it or you do not like it. And I think for all of us to be involved in this, for us to have any relevancy at all in committing our troops, then I think we have to give dignity to this act and vote on it.

The gentleman from Indiana [Mr. BURTON] says that he wants General Schwarzkopf to be there. Under the Gilman amendment they will still be there under the Turkish commander, and so I think he has misrepresented the fact here that the Gilman amendment will still allow troops to be under the presence of, American troops under the presence of a Turkish general. We will have Reserve forces out there in the Red Sea under command of the United States.

I would say to the gentleman from Illinois [Mr. HYDE] our mission is not completed. If our mission had been completed, then President Bush should have gotten the troops out of there on January 20. We cannot allow the clans to sit there with AK-47's and completely destroy anything we have done in the last 6 months since we have had troops there. If we do nothing, if we do nothing the administration can continue there indefinitely. The administration does not like this, because no

administration likes the War Powers Act. But what we have done is limited it to 1 year at the most, and if we inject the War Powers Act, we can pull our troops out of there at any time by congressional declaration. But to say that they are for 2 years, for 17 months, for an indefinite period of time is misrepresenting what this resolution says.

I am saying that this is a compromise between the Republican resolution for 6 months and the administration resolution which says they can stay there indefinitely to come in in 1 year. Everything Members have read requires the Congress to come back and act again, and I strongly request that this body adopt this amendment to make Congress relevant to the War Powers Act and to committing troops anywhere in the world.

Mr. SPENCE. Mr. Chairman, I rise in opposition to the resolution before the House.

I commend the gentleman from Indiana [Mr. HAMILTON] for pushing legislation through the Foreign Affairs Committee that provides the House with the opportunity to debate the question of continued U.S. military involvement in Somalia.

To Mr. HAMILTON's credit, his legislation addresses many critical issues that the Senate version of Senate Joint Resolution 45 ignored in its granting to the administration a virtual blank check in Somalia.

But, having said this, this bill is still too little, too late.

Too little because it provides the administration with too much authority to conduct operations beyond the stated peacekeeping mission and for a time period that extends beyond that authorized by even the U.N. Security Council.

Too late because we are debating a legislative barn door long after the horse has escaped.

We are considering a resolution authorizing a military operation that began over 6 months ago, involved at its peak up to 28,000 troops, and entered a new critical phase over 3 weeks ago.

This House, therefore, is in the untenable position of debating the authorization for a military operation after the operation has commenced.

Mr. Chairman, as the House considers this resolution and, by extension, the policy that led to the deployment of U.S. troops in Somalia, I want to comment on three important issues from my vantage point as the ranking Republican member on the Armed Services Committee—control of U.S. forces, impact on military readiness, and the operational implications for the future.

COMMAND AND CONTROL

The first issue involves the important question of who retains control of U.S. forces participating in multilateral peacekeeping operations.

The operation authorized by this resolution will place, for the first time, a significant number of U.S. troops under the direct operational control of a foreign U.N. commander.

This is the same United Nations that was responsible for UNOSOM I, the peacekeeping operation that allowed security in Somalia to

deteriorate to the point of anarchy by permitting bands of technicals and irregulars to terrorize a starving population.

The same United Nations that is apparently and unfortunately an object of derision among the Somali population for its history of intervention in Somalia.

And the same United Nations that has no experience in conducting large-scale military operations nor empowers its forces with the authority and rules of engagement necessary to execute such operations consistent with U.S. military doctrine.

Mr. Chairman, based on my concern over placing the fate of a large number of young Americans in the hands of an unaccountable foreign national, I have repeatedly attempted to extract from the Pentagon basic information on the details of the command and control arrangement for UNOSOM II in Somalia.

In February and then again on March 10, I wrote Secretary of Defense Aspin requesting legitimate information based on numerous questions associated with the proposal to subordinate the command of American forces to a foreign national.

To this day, I have received no response, no acknowledgment, no information.

While the Pentagon has briefed the Congress on the broad outlines of the UNOSOM II operation, these briefings have not answered many important questions that Congress should already have considered in order to assess the wisdom of taking this unprecedented step. They include:

Questions over the assigned role and mission of the 2,600 Americans left behind to serve as U.N. blue-helmeted troops.

Questions over who will be responsible for the day-to-day security of these largely logistics and support forces.

Questions over the competence and capability of non-U.S. forces responsible for the day-to-day security of the U.S. support contingent.

Questions over the ability of the UNOSOM II headquarters staff to conduct basic military planning and respond to operational requirements as the operation expands into northern Somalia.

Questions over who retains the authority to withdraw or deploy U.S. forces in the face of a deterioration in the security situation and how quickly such authority can be exercised.

Questions over the rules of engagement supplied to U.S. support forces and to the U.S. Quick Reaction Force.

Questions over the precise nature of the memorandum of understanding between the United States and the United Nations detailing how and under what conditions the American Quick Reaction Force would be used and commanded.

Like these, there are many more questions that remain unanswered about the operation in Somalia either because there are no answers or because the administration is refusing to provide the Congress with information we are entitled to in order to carry out our constitutional responsibilities.

READINESS

The second area of concern I want to address briefly is the impact that Operation Restore Hope and our continued participation in UNOSOM II is having on the day-to-day readiness of U.S. forces.

In terms of dollars, the Department of Defense estimated the cost to the American taxpayer for Operation Restore Hope to be approximately \$750 million. However, according to the GAO, the total cost for U.S. involvement in Somalia, factoring in all other past and current operations, is estimated at \$1.5 billion through the end of this fiscal year.

Neither estimate takes into account the many other fiscal and human costs to readiness.

First, the Pentagon's \$750 million reflects only what the Secretary of Defense approved to be counted as costs.

When you look at what the military services claim they are actually spending out of pocket to fund operations in Somalia, you find that almost \$400 million in costs are not included in the Pentagon's official figures.

This means that, even if Congress ends up providing the Pentagon with the full \$750 million requested, the services will still have to find approximately \$400 million in incremental and unanticipated costs for Somali operations—funds that will almost inevitably come straight out of the readiness accounts.

Second, because of the unplanned nature of the Somali operation and the delay in getting Congress to consider paying the bill, some of the services have had to absorb huge spending cuts in their operating budgets while they wait to be reimbursed.

For example, the Navy and Marine Corps have both been canceling training exercises in the Pacific during most of the year because the funds budgeted for these purposes were instead used to pay for operations in Somalia.

The situation facing the Marines is so bad that GAO estimates they will start running out of critical operations and maintenance funds sometime next month unless immediate reimbursement is received for the cost of operations in Somalia.

Third, many Marine units were sent to Somalia last year on the heels of arriving home from an extended deployment in the Persian Gulf for Desert Storm.

This pattern of back-to-back deployments imposes a high human cost on thousands of young Marines and their families that is impossible to quantify and can only lead to a higher than normal separation rate when quality soldiers decide that the costs of reenlisting to them and their families are too high.

Operation Restore Hope has also exacerbated a debilitating readiness problem relative to equipment that did not have time to go through the normal depot maintenance process necessary to keep it at the appropriate combat readiness levels following Desert Storm.

This means, for instance, that a large portion of our Marine Corps units have equipment in desperate need of maintenance overhaul that will not be back to combat ready standards for many months, perhaps years to come.

In fact, most of the funds necessary to fix this kind of maintenance backlog were specifically excluded by the Pentagon from the calculation of costs incurred by operations in Somalia, further underestimating the true readiness impact of Operation Restore Hope.

IMPLICATIONS FOR THE FUTURE

While most of the American public and political attention has shifted from Somalia to the

turmoil in the Balkans, I believe that we must take the time to consider what lessons our involvement in Somalia provide for the future.

In many respects, the Somalia operation could prove to be the model for peacekeeping/peacemaking operations of the future.

While the specifics may vary, generally speaking, the situation in Somalia is not much different than what historically has occurred and will continue to occur in Third World countries around the globe—situations where internal political strife has led to a breakdown of civil order with high loss of human life and decimated local economies.

Time and time again, the United Nations and the international community has proven that the standard response of deploying modest peacekeeping forces with little or no meaningful mandate has not worked or made much of a difference.

A quick review of the United Nations inability to act effectively in Cambodia bears this out.

What is apt to work more successfully is the injection of credible and capable military forces with an international mandate to use force when and if necessary to stabilize internal conflicts.

Whether we like it or not, the United States remains the sole Nation with the necessary military resources, expertise, reputation, and political will to initiate and sustain such operations with or without allied participation.

Our European friends are great followers, but have shown great hesitation to lead in such matters, even when the conflict is in their own front yard.

This means that every time that the collective global conscience is sufficiently aroused by poignant television images coming from one internal conflict or another, it remains likely that U.S. political and military leadership will remain the solution of choice for many.

You do not have to read beyond the daily headlines to recognize that this is not a theoretical scenario, it happened yesterday in Somalia, it is happening today in Bosnia and will certainly happen again somewhere else tomorrow.

I raise these matters because, as a member of the Armed Services Committee, I have a responsibility to examine the lessons of Somalia and pay careful attention to the impacts such operations have on our ability to maintain an effective military capability to, first and foremost, protect U.S. national interests regardless of global humanitarian interests and pressures.

While the U.S. military presence in Somalia has indeed declined, the fact remains that the follow-on U.N. operation is dependent on U.S. security provided by our quick reaction force, U.S. operational support in the form of intelligence, communications, and other vital services, and U.S. logistical support which keeps the multinational military forces fed, equipped and armed in a nation with virtually no transportation infrastructure.

In fact, the tactical Quick Reaction Force from the 10th Mountain Division that is supposed to be transitioning out of Somalia was just deployed to Kismayu this past weekend to assist Belgian forces responsible for securing the town.

The point, Mr. Chairman, is that the burdens of being the sole remaining superpower will

likely place increasing pressures on the United States to use its preeminent military capabilities for the good of the global order.

These increasing commitments occur against a backdrop of severe defense budget cuts and reductions in force structure mandated by the Clinton budget plan.

At some point, something must give. And I am very concerned that the give will come in the form of reduced readiness, the emergence of hollow forces and, most importantly, a steadily diminished capability to have forces available and ready to engage in those instances when vital American interests are directly at stake.

In closing, I want to again commend the Foreign Affairs Committee for bringing this measure to the floor.

I would say to the gentleman from Indiana [Mr. HAMILTON] that he has taken the legislation adopted by the other body and greatly improved it. But, in my estimation, the bill before us still falls short of what Congress ought to be doing on this issue and I will have to oppose it.

Instead, it is my intention to support my colleague BEN GILMAN's substitute amendment when it is offered as a stronger, more meaningful expression of congressional direction to the administration that our objectives in Somalia have been met, and we should take every step to expedite the complete withdrawal of all U.S. forces within the specified period of 6 months.

I commend Mr. GILMAN for offering his amendment and urge all of my colleagues to support it.

Mr. PENNY. Mr. Chairman, today the House of Representatives considers Senate Joint Resolution 45, a resolution authorizing Operation Restore Hope in Somalia for the past 6 months, and to authorize the involvement of U.S. troops in a U.N. peacekeeping mission in Somalia for up to 1 additional year. The resolution includes language providing advance authorization for United States forces to engage in combat under the 1973 War Powers Act.

Mr. Chairman, while I strongly support this resolution, I am deeply troubled by the fact that we are just now taking up this important resolution. At the height of Operation Restore Hope, the United States had deployed some 25,000 soldiers in Somalia. This military involvement should have required a congressional vote soon after the initial deployment.

It was my understanding in December of last year that Congress would take up this resolution in early January of this year—some 5 months ago. Although I did not believe—and still do not believe—that the President needed prior congressional approval to intervene in Somalia for humanitarian purposes, I do feel that such interventions should be debated by Congress as soon after the deployment of U.S. troops in such situations as is possible. Congress has the constitutional responsibility to weigh in on these matters.

Unfortunately, in recent years, there has not been a clear and consistent pattern of legislative and executive branch cooperation in security and international matters. I would urge the Congress hold hearings in the near future on the issue of war powers to look at ways in which the War Power Act of 1973 could be re-

formed to reflect the post-cold-war era. Specifically, we need to look at ways in which Congress is required to vote in a timely manner on all overseas deployments of U.S. troops—whether in defensive military situations, peacekeeping operations, enforcement of no-fly zones, humanitarian interventions, or any other uses of American troops in hostile or potentially hostile situations overseas.

In any event, I am very pleased that Congress will have the opportunity to vote on United States involvement in the U.N. peacekeeping mission which began on May 1, 1993, in Somalia. It is, to my knowledge, the first time that a large U.S. force has been directly involved in any U.N. peacekeeping mission under the direction of a foreign commander. The United States has an important leadership role to play in the post-cold-war era, and I applaud the decision of the Foreign Affairs Committee in recognizing this vital role.

The CHAIRMAN. All time has expired.

Mr. HAMILTON. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose and the Speaker pro tempore (Mr. SKAGGS) having assumed the chair, Mr. DARDEN, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the Senate joint resolution (S.J. Res. 45) authorizing the use of U.S. Armed Forces in Somalia, had come to no resolution thereon.

CONFERENCE REPORT ON S. 1, NATIONAL INSTITUTES OF HEALTH REVITALIZATION ACT OF 1993

Mr. WYDEN submitted the following conference report and statement on the Senate bill (S. 1) to amend the Public Health Service Act to revise and extend the programs of the National Institutes of Health, and for other purposes.

CONFERENCE REPORT (H. REPT. 103-100)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1) to amend the Public Health Service Act to revise and extend the programs of the National Institutes of Health, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the House amendment, insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) *SHORT TITLE.*—This Act may be cited as the "National Institutes of Health Revitalization Act of 1993".

(b) *TABLE OF CONTENTS.*—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—GENERAL PROVISIONS REGARDING TITLE IV OF PUBLIC HEALTH SERVICE ACT

Subtitle A—Research Freedom

PART I—REVIEW OF PROPOSALS FOR BIOMEDICAL AND BEHAVIORAL RESEARCH

Sec. 101. Establishment of certain provisions regarding research conducted or supported by National Institutes of Health.

PART II—RESEARCH ON TRANSPLANTATION OF FETAL TISSUE

Sec. 111. Establishment of authorities.
 Sec. 112. Purchase of human fetal tissue; solicitation or acceptance of tissue as directed donation for use in transplantation.
 Sec. 113. Nullification of moratorium.
 Sec. 114. Report by General Accounting Office on adequacy of requirements.

PART III—MISCELLANEOUS REPEALS

Sec. 121. Repeals.
Subtitle B—Clinical Research Equity Regarding Women and Minorities

PART I—WOMEN AND MINORITIES AS SUBJECTS IN CLINICAL RESEARCH

Sec. 131. Requirement of inclusion in research.
 Sec. 132. Peer review.
 Sec. 133. Inapplicability to current projects.

PART II—OFFICE OF RESEARCH ON WOMEN'S HEALTH

Sec. 141. Establishment.
PART III—OFFICE OF RESEARCH ON MINORITY HEALTH

Sec. 151. Establishment.
Subtitle C—Research Integrity

Sec. 161. Establishment of Office of Research Integrity.
 Sec. 162. Commission on Research Integrity.
 Sec. 163. Protection of whistleblowers.
 Sec. 164. Requirement of regulations regarding protection against financial conflicts of interest in certain projects of research.
 Sec. 165. Regulations; applicability.

TITLE II—NATIONAL INSTITUTES OF HEALTH IN GENERAL

Sec. 201. Health promotion research dissemination.
 Sec. 202. Programs for increased support regarding certain States and researchers.
 Sec. 203. Establishment of Office of Behavioral and Social Sciences Research.
 Sec. 204. Children's vaccine initiative.
 Sec. 205. Plan for use of animals in research.
 Sec. 206. Increased participation of women and disadvantaged individuals in fields of biomedical and behavioral research.
 Sec. 207. Requirements regarding surveys of sexual behavior.
 Sec. 208. Discretionary fund of Director of National Institutes of Health.
 Sec. 209. Establishment of Office of Alternative Medicine.
 Sec. 210. Miscellaneous provisions.

TITLE III—GENERAL PROVISIONS RESPECTING NATIONAL RESEARCH INSTITUTES

Sec. 301. Appointment and authority of Directors of national research institutes.
 Sec. 302. Program of research on osteoporosis, Paget's disease, and related disorders.
 Sec. 303. Establishment of interagency program for trauma research.

TITLE IV—NATIONAL CANCER INSTITUTE

Sec. 401. Expansion and intensification of activities regarding breast cancer.

Sec. 402. Expansion and intensification of activities regarding prostate cancer.
 Sec. 403. Authorization of appropriations.

TITLE V—NATIONAL HEART, LUNG, AND BLOOD INSTITUTE

Sec. 501. Education and training.
 Sec. 502. Centers for the study of pediatric cardiovascular diseases.
 Sec. 503. National Center on Sleep Disorders Research.
 Sec. 504. Authorization of appropriations.
 Sec. 505. Prevention and control programs.

TITLE VI—NATIONAL INSTITUTE ON DIABETES AND DIGESTIVE AND KIDNEY DISEASES

Sec. 601. Provisions regarding nutritional disorders.

TITLE VII—NATIONAL INSTITUTE ON ARTHRITIS AND MUSCULOSKELETAL AND SKIN DISEASES

Sec. 701. Juvenile arthritis.

TITLE VIII—NATIONAL INSTITUTE ON AGING

Sec. 801. Alzheimer's disease registry.
 Sec. 802. Aging processes regarding women.
 Sec. 803. Authorization of appropriations.
 Sec. 804. Conforming amendment.

TITLE IX—NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES

Sec. 901. Tropical diseases.
 Sec. 902. Chronic fatigue syndrome.

TITLE X—NATIONAL INSTITUTE OF CHILD HEALTH AND HUMAN DEVELOPMENT

Subtitle A—Research Centers With Respect to Contraception and Research Centers With Respect to Infertility

Sec. 1001. Grants and contracts for research centers.
 Sec. 1002. Loan repayment program for research with respect to contraception and infertility.

Subtitle B—Program Regarding Obstetrics and Gynecology

Sec. 1011. Establishment of program.
Subtitle C—Child Health Research Centers

Sec. 1021. Establishment of centers.
Subtitle D—Study Regarding Adolescent Health

TITLE XI—NATIONAL EYE INSTITUTE

Sec. 1101. Clinical and health services research on eye care and diabetes.

TITLE XII—NATIONAL INSTITUTE OF NEUROLOGICAL DISORDERS AND STROKE

Sec. 1201. Research on multiple sclerosis.

TITLE XIII—NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES

Sec. 1301. Applied Toxicological Research and Testing Program.

TITLE XIV—NATIONAL LIBRARY OF MEDICINE

Subtitle A—General Provisions

Sec. 1401. Additional authorities.
 Sec. 1402. Authorization of appropriations.

Subtitle B—Financial Assistance

Sec. 1411. Establishment of program of grants for development of education technologies.

Subtitle C—National Information Center on Health Services Research and Health Care Technology

Sec. 1421. Establishment of Center.
 Sec. 1422. Conforming provisions.

TITLE XV—OTHER AGENCIES OF NATIONAL INSTITUTES OF HEALTH

Subtitle A—Division of Research Resources

Sec. 1501. Redesignation of Division as National Center for Research Resources.

Sec. 1502. Biomedical and behavioral research facilities.

Sec. 1503. Construction program for national primate research center.

Subtitle B—National Center for Nursing Research

Sec. 1511. Redesignation of National Center for Nursing Research as National Institute of Nursing Research.
 Sec. 1512. Study on adequacy of number of nurses.

Subtitle C—National Center for Human Genome Research

Sec. 1521. Purpose of Center.

TITLE XVI—AWARDS AND TRAINING

Subtitle A—National Research Service Awards

Sec. 1601. Requirement regarding women and individuals from disadvantaged backgrounds.
 Sec. 1602. Service payback requirements.

Subtitle B—Acquired Immune Deficiency Syndrome

Sec. 1611. Loan repayment program.
Subtitle C—Loan Repayment for Research Generally

Sec. 1621. Establishment of program.
Subtitle D—Scholarship and Loan Repayment Programs Regarding Professional Skills Needed by National Institutes of Health

Sec. 1631. Establishment of programs.
 Sec. 1632. Funding.

Subtitle E—Funding for Awards and Training Generally

Sec. 1641. Authorization of appropriations.

TITLE XVII—NATIONAL FOUNDATION FOR BIOMEDICAL RESEARCH

Sec. 1701. National Foundation for Biomedical Research.

TITLE XVIII—RESEARCH WITH RESPECT TO ACQUIRED IMMUNE DEFICIENCY SYNDROME

Subtitle A—Office of AIDS Research

Sec. 1801. Establishment of Office.
 Sec. 1802. Establishment of emergency discretionary fund.

Subtitle B—Certain Programs

Sec. 1803. General provisions.
 Sec. 1811. Revision and extension of certain programs.

TITLE XIX—STUDIES

Sec. 1901. Life-threatening illnesses.
 Sec. 1902. Malnutrition in the elderly.
 Sec. 1903. Research activities on chronic fatigue syndrome.

Sec. 1904. Report on medical uses of biological agents in development of defenses against biological warfare.

Sec. 1905. Personnel study of recruitment, retention and turnover.

Sec. 1906. Procurement.
 Sec. 1907. Chronic pain conditions.

Sec. 1908. Relationship between the consumption of legal and illegal drugs.
 Sec. 1909. Reducing administrative health care costs.

Sec. 1910. Sentinel disease concept study.
 Sec. 1911. Study of potential environmental and other risks contributing to incidence of breast cancer.

Sec. 1912. Support for bioengineering research.
 Sec. 1913. Cost of care in last 6 months of life.

TITLE XX—MISCELLANEOUS PROVISIONS

Sec. 2001. Designation of Senior Biomedical Research Service in honor of Silvio O. Conte; limitation on number of members.

Sec. 2002. Master plan for physical infrastructure for research.

- Sec. 2003. Certain authorization of appropriations.
- Sec. 2004. Buy-American provisions.
- Sec. 2005. Prohibition against further funding of Project Aries.
- Sec. 2006. Loan repayment program.
- Sec. 2007. Exclusion of aliens infected with the agent for acquired immune deficiency syndrome.
- Sec. 2008. Technical corrections.
- Sec. 2009. Biennial report on carcinogens.
- Sec. 2010. Transfer of provisions of title XXVII.
- Sec. 2011. Authorization of appropriations.
- Sec. 2012. Vaccine injury compensation program.
- Sec. 2013. Technical corrections with respect to the Agency for Health Care Policy and Research.
- Sec. 2014. Technical corrections with respect to the Health Professions Education Extension Amendments of 1992.
- Sec. 2015. Restrictions regarding SHARP adult sex survey and the American teenage sex survey.
- Sec. 2016. Health services research.
- Sec. 2017. Childhood mental health.
- Sec. 2018. Expenditures from certain account.
- TITLE XXI—EFFECTIVE DATES
- Sec. 2101. Effective dates.

TITLE I—GENERAL PROVISIONS REGARDING TITLE IV OF PUBLIC HEALTH SERVICE ACT

Subtitle A—Research Freedom

PART I—REVIEW OF PROPOSALS FOR BIOMEDICAL AND BEHAVIORAL RESEARCH

SEC. 101. ESTABLISHMENT OF CERTAIN PROVISIONS REGARDING RESEARCH CONDUCTED OR SUPPORTED BY NATIONAL INSTITUTES OF HEALTH.

Part G of title IV of the Public Health Service Act (42 U.S.C. 289 et seq.) is amended by inserting after section 492 the following section:

"CERTAIN PROVISIONS REGARDING REVIEW AND APPROVAL OF PROPOSALS FOR RESEARCH

"SEC. 492A. (a) REVIEW AS PRECONDITION TO RESEARCH.—

"(1) PROTECTION OF HUMAN RESEARCH SUBJECTS.—

"(A) In the case of any application submitted to the Secretary for financial assistance to conduct research, the Secretary may not approve or fund any application that is subject to review under section 491(a) by an Institutional Review Board unless the application has undergone review in accordance with such section and has been recommended for approval by a majority of the members of the Board conducting such review.

"(B) In the case of research that is subject to review under procedures established by the Secretary for the protection of human subjects in clinical research conducted by the National Institutes of Health, the Secretary may not authorize the conduct of the research unless the research has, pursuant to such procedures, been recommended for approval.

"(2) PEER REVIEW.—In the case of any proposal for the National Institutes of Health to conduct or support research, the Secretary may not approve or fund any proposal that is subject to technical and scientific peer review under section 492 unless the proposal has undergone such review in accordance with such section and has been recommended for approval by a majority of the members of the entity conducting such review.

"(b) ETHICAL REVIEW OF RESEARCH.—

"(1) PROCEDURES REGARDING WITHHOLDING OF FUNDS.—If research has been recommended for approval for purposes of subsection (a), the Secretary may not withhold funds for the research because of ethical considerations unless—

"(A) the Secretary convenes an advisory board in accordance with paragraph (5) to study such considerations; and

"(B)(i) the majority of the advisory board recommends that, because of such considerations, the Secretary withhold funds for the research; or

(ii) the majority of such board recommends that the Secretary not withhold funds for the research because of such considerations, but the Secretary finds, on the basis of the report submitted under paragraph (5)(B)(ii), that the recommendation is arbitrary and capricious.

"(2) RULES OF CONSTRUCTION.—Paragraph (1) may not be construed as prohibiting the Secretary from withholding funds for research on the basis of—

"(A) the inadequacy of the qualifications of the entities that would be involved with the conduct of the research (including the entity that would directly receive the funds from the Secretary), subject to the condition that, with respect to the process of review through which the research was recommended for approval for purposes of subsection (a), all findings regarding such qualifications made in such process are conclusive; or

"(B) the priorities established by the Secretary for the allocation of funds among projects of research that have been so recommended.

"(3) APPLICABILITY.—The limitation established in paragraph (1) regarding the authority to withhold funds because of ethical considerations shall apply without regard to whether the withholding of funds on such basis is characterized as a disapproval, a moratorium, a prohibition, or other characterization.

"(4) PRELIMINARY MATTERS REGARDING USE OF PROCEDURES.—

"(A) If the Secretary makes a determination that an advisory board should be convened for purposes of paragraph (1), the Secretary shall, through a statement published in the Federal Register, announce the intention of the Secretary to convene such a board.

"(B) A statement issued under subparagraph (A) shall include a request that interested individuals submit to the Secretary recommendations specifying the particular individuals who should be appointed to the advisory board involved. The Secretary shall consider such recommendations in making appointments to the board.

"(C) The Secretary may not make appointments to an advisory board under paragraph (1) until the expiration of the 30-day period beginning on the date on which the statement required in subparagraph (A) is made with respect to the board.

"(5) ETHICS ADVISORY BOARDS.—

"(A) Any advisory board convened for purposes of paragraph (1) shall be known as an ethics advisory board (in this paragraph referred to as an 'ethics board').

"(B)(i) An ethics board shall advise, consult with, and make recommendations to the Secretary regarding the ethics of the project of biomedical or behavioral research with respect to which the board has been convened.

"(ii) Not later than 180 days after the date on which the statement required in paragraph (4)(A) is made with respect to an ethics board, the board shall submit to the Secretary, and to the Committee on Energy and Commerce of the House of Representatives and the Committee on Labor and Human Resources of the Senate, a report describing the findings of the board regarding the project of research involved and making a recommendation under clause (i) of whether the Secretary should or should not withhold funds for the project. The report shall include the information considered in making the findings.

"(C) An ethics board shall be composed of no fewer than 14, and no more than 20, individuals who are not officers or employees of the United States. The Secretary shall make appointments

to the board from among individuals with special qualifications and competence to provide advice and recommendations regarding ethical matters in biomedical and behavioral research.

Of the members of the board—

"(i) no fewer than 1 shall be an attorney;

"(ii) no fewer than 1 shall be an ethicist;

"(iii) no fewer than 1 shall be a practicing physician;

"(iv) no fewer than 1 shall be a theologian; and

"(v) no fewer than one-third, and no more than one-half, shall be scientists with substantial accomplishments in biomedical or behavioral research.

"(D) The term of service as a member of an ethics board shall be for the life of the board. If such a member does not serve the full term of such service, the individual appointed to fill the resulting vacancy shall be appointed for the remainder of the term of the predecessor of the individual.

"(E) A member of an ethics board shall be subject to removal from the board by the Secretary for neglect of duty or malfeasance or for other good cause shown.

"(F) The Secretary shall designate an individual from among the members of an ethics board to serve as the chair of the board.

"(G) In carrying out subparagraph (B)(i) with respect to a project of research, an ethics board shall conduct inquiries and hold public hearings.

"(H) In carrying out subparagraph (B)(i) with respect to a project of research, an ethics board shall have access to all relevant information possessed by the Department of Health and Human Services, or available to the Secretary from other agencies.

"(I) Members of an ethics board shall receive compensation for each day engaged in carrying out the duties of the board, including time engaged in traveling for purposes of such duties. Such compensation may not be provided in an amount in excess of the maximum rate of basic pay payable for GS-18 of the General Schedule.

"(J) The Secretary, acting through the Director of the National Institutes of Health, shall provide to each ethics board reasonable staff and assistance to carry out the duties of the board.

"(K) An ethics board shall terminate 30 days after the date on which the report required in subparagraph (B)(ii) is submitted to the Secretary and the congressional committees specified in such subparagraph.

"(6) DEFINITION.—For purposes of this subsection, the term 'ethical considerations' means considerations as to whether the nature of the research involved is such that it is unethical to conduct or support the research."

PART II—RESEARCH ON TRANSPLANTATION OF FETAL TISSUE

SEC. 111. ESTABLISHMENT OF AUTHORITIES.

Part G of title IV of the Public Health Service Act (42 U.S.C. 289 et seq.) is amended by inserting after section 498 the following section:

"RESEARCH ON TRANSPLANTATION OF FETAL TISSUE

"SEC. 498A. (a) ESTABLISHMENT OF PROGRAM.—

"(1) IN GENERAL.—The Secretary may conduct or support research on the transplantation of human fetal tissue for therapeutic purposes.

"(2) SOURCE OF TISSUE.—Human fetal tissue may be used in research carried out under paragraph (1) regardless of whether the tissue is obtained pursuant to a spontaneous or induced abortion or pursuant to a stillbirth.

"(b) INFORMED CONSENT OF DONOR.—

"(1) IN GENERAL.—In research carried out under subsection (a), human fetal tissue may be used only if the woman providing the tissue makes a statement, made in writing and signed by the woman, declaring that—

"(A) the woman donates the fetal tissue for use in research described in subsection (a);

"(B) the donation is made without any restriction regarding the identity of individuals who may be the recipients of transplantations of the tissue; and

"(C) the woman has not been informed of the identity of any such individuals.

"(2) **ADDITIONAL STATEMENT.**—In research carried out under subsection (a), human fetal tissue may be used only if the attending physician with respect to obtaining the tissue from the woman involved makes a statement, made in writing and signed by the physician, declaring that—

"(A) in the case of tissue obtained pursuant to an induced abortion—

"(i) the consent of the woman for the abortion was obtained prior to requesting or obtaining consent for a donation of the tissue for use in such research;

"(ii) no alteration of the timing, method, or procedures used to terminate the pregnancy was made solely for the purposes of obtaining the tissue; and

"(iii) the abortion was performed in accordance with applicable State law;

"(B) the tissue has been donated by the woman in accordance with paragraph (1); and

"(C) full disclosure has been provided to the woman with regard to—

"(i) such physician's interest, if any, in the research to be conducted with the tissue; and

"(ii) any known medical risks to the woman or risks to her privacy that might be associated with the donation of the tissue and that are in addition to risks of such type that are associated with the woman's medical care.

"(c) **INFORMED CONSENT OF RESEARCHER AND DONEE.**—In research carried out under subsection (a), human fetal tissue may be used only if the individual with the principal responsibility for conducting the research involved makes a statement, made in writing and signed by the individual, declaring that the individual—

"(1) is aware that—

"(A) the tissue is human fetal tissue;

"(B) the tissue may have been obtained pursuant to a spontaneous or induced abortion or pursuant to a stillbirth; and

"(C) the tissue was donated for research purposes;

"(2) has provided such information to other individuals with responsibilities regarding the research;

"(3) will require, prior to obtaining the consent of an individual to be a recipient of a transplantation of the tissue, written acknowledgment of receipt of such information by such recipient; and

"(4) has had no part in any decisions as to the timing, method, or procedures used to terminate the pregnancy made solely for the purposes of the research.

"(d) **AVAILABILITY OF STATEMENTS FOR AUDIT.**—

"(1) **IN GENERAL.**—In research carried out under subsection (a), human fetal tissue may be used only if the head of the agency or other entity conducting the research involved certifies to the Secretary that the statements required under subsections (b) (2) and (c) will be available for audit by the Secretary.

"(2) **CONFIDENTIALITY OF AUDIT.**—Any audit conducted by the Secretary pursuant to paragraph (1) shall be conducted in a confidential manner to protect the privacy rights of the individuals and entities involved in such research, including such individuals and entities involved in the donation, transfer, receipt, or transplantation of human fetal tissue. With respect to any material or information obtained pursuant to such audit, the Secretary shall—

"(A) use such material or information only for the purposes of verifying compliance with the requirements of this section;

"(B) not disclose or publish such material or information, except where required by Federal law, in which case such material or information shall be coded in a manner such that the identities of such individuals and entities are protected; and

"(C) not maintain such material or information after completion of such audit, except where necessary for the purposes of such audit.

"(e) **APPLICABILITY OF STATE AND LOCAL LAW.**—

"(1) **RESEARCH CONDUCTED BY RECIPIENTS OF ASSISTANCE.**—The Secretary may not provide support for research under subsection (a) unless the applicant for the financial assistance involved agrees to conduct the research in accordance with applicable State law.

"(2) **RESEARCH CONDUCTED BY SECRETARY.**—The Secretary may conduct research under subsection (a) only in accordance with applicable State and local law.

"(f) **REPORT.**—The Secretary shall annually submit to the Committee on Energy and Commerce of the House of Representatives, and to the Committee on Labor and Human Resources of the Senate, a report describing the activities carried out under this section during the preceding fiscal year, including a description of whether and to what extent research under subsection (a) has been conducted in accordance with this section.

"(g) **DEFINITION.**—For purposes of this section, the term "human fetal tissue" means tissue or cells obtained from a dead human embryo or fetus after a spontaneous or induced abortion, or after a stillbirth."

SEC. 112. PURCHASE OF HUMAN FETAL TISSUE; SOLICITATION OR ACCEPTANCE OF TISSUE AS DIRECTED DONATION FOR USE IN TRANSPLANTATION.

Part G of title IV of the Public Health Service Act, as amended by section 111 of this Act, is amended by inserting after section 498A the following section:

"PROHIBITIONS REGARDING HUMAN FETAL TISSUE

"SEC. 498B. (a) PURCHASE OF TISSUE.—It shall be unlawful for any person to knowingly acquire, receive, or otherwise transfer any human fetal tissue for valuable consideration if the transfer affects interstate commerce.

"(b) SOLICITATION OR ACCEPTANCE OF TISSUE AS DIRECTED DONATION FOR USE IN TRANSPLANTATION.—It shall be unlawful for any person to solicit or knowingly acquire, receive, or accept a donation of human fetal tissue for the purpose of transplantation of such tissue into another person if the donation affects interstate commerce, the tissue will be or is obtained pursuant to an induced abortion, and—

"(1) the donation will be or is made pursuant to a promise to the donating individual that the donated tissue will be transplanted into a recipient specified by such individual;

"(2) the donated tissue will be transplanted into a relative of the donating individual; or

"(3) the person who solicits or knowingly acquires, receives, or accepts the donation has provided valuable consideration for the costs associated with such abortion.

"(c) CRIMINAL PENALTIES FOR VIOLATIONS.—

"(1) **IN GENERAL.**—Any person who violates subsection (a) or (b) shall be fined in accordance with title 18, United States Code, subject to paragraph (2), or imprisoned for not more than 10 years, or both.

"(2) **PENALTIES APPLICABLE TO PERSONS RECEIVING CONSIDERATION.**—With respect to the imposition of a fine under paragraph (1), if the person involved violates subsection (a) or (b)(3), a fine shall be imposed in an amount not less than twice the amount of the valuable consideration received.

"(d) **DEFINITIONS.**—For purposes of this section:

"(1) The term "human fetal tissue" has the meaning given such term in section 498A(f).

"(2) The term "interstate commerce" has the meaning given such term in section 201(b) of the Federal Food, Drug, and Cosmetic Act.

"(3) The term "valuable consideration" does not include reasonable payments associated with the transportation, implantation, processing, preservation, quality control, or storage of human fetal tissue."

SEC. 113. NULLIFICATION OF MORATORIUM.

(a) **IN GENERAL.**—Except as provided in subsection (c), no official of the executive branch may impose a policy that the Department of Health and Human Services is prohibited from conducting or supporting any research on the transplantation of human fetal tissue for therapeutic purposes. Such research shall be carried out in accordance with section 498A of the Public Health Service Act (as added by section 111 of this Act), without regard to any such policy that may have been in effect prior to the date of the enactment of this Act.

(b) **PROHIBITION AGAINST WITHHOLDING OF FUNDS IN CASES OF TECHNICAL AND SCIENTIFIC MERIT.**—

(1) **IN GENERAL.**—Subject to subsection (b)(2) of section 492A of the Public Health Service Act (as added by section 101 of this Act), in the case of any proposal for research on the transplantation of human fetal tissue for therapeutic purposes, the Secretary of Health and Human Services may not withhold funds for the research if—

(A) the research has been approved for purposes of subsection (a) of such section 492A;

(B) the research will be carried out in accordance with section 498A of such Act (as added by section 111 of this Act); and

(C) there are reasonable assurances that the research will not utilize any human fetal tissue that has been obtained in violation of section 498B(a) of such Act (as added by section 112 of this Act).

(2) **STANDING APPROVAL REGARDING ETHICAL STATUS.**—In the case of any proposal for research on the transplantation of human fetal tissue for therapeutic purposes, the issuance in December 1988 of the Report of the Human Fetal Tissue Transplantation Research Panel shall be deemed to be a report—

(A) issued by an ethics advisory board pursuant to section 492A(b)(5)(B)(ii) of the Public Health Service Act (as added by section 101 of this Act); and

(B) finding, on a basis that is neither arbitrary nor capricious, that the nature of the research is such that it is not unethical to conduct or support the research.

(c) **AUTHORITY FOR WITHHOLDING FUNDS FROM RESEARCH.**—In the case of any research on the transplantation of human fetal tissue for therapeutic purposes, the Secretary of Health and Human Services may withhold funds for the research if any of the conditions specified in any of subparagraphs (A) through (C) of subsection (b)(1) are not met with respect to the research.

(d) **DEFINITION.**—For purposes of this section, the term "human fetal tissue" has the meaning given such term in section 498A(f) of the Public Health Service Act (as added by section 111 of this Act).

SEC. 114. REPORT BY GENERAL ACCOUNTING OFFICE ON ADEQUACY OF REQUIREMENTS.

(a) **IN GENERAL.**—With respect to research on the transplantation of human fetal tissue for therapeutic purposes, the Comptroller General of the United States shall conduct an audit for the purpose of determining—

(1) whether and to what extent such research conducted or supported by the Secretary of Health and Human Services has been conducted

in accordance with section 498A of the Public Health Service Act (as added by section 111 of this Act); and

(2) whether and to what extent there have been violations of section 498B of such Act (as added by section 112 of this Act).

(b) REPORT.—Not later than May 19, 1995, the Comptroller General of the United States shall complete the audit required in subsection (a) and submit to the Committee on Energy and Commerce of the House of Representatives, and to the Committee on Labor and Human Resources of the Senate, a report describing the findings made pursuant to the audit.

PART III—MISCELLANEOUS REPEALS

SEC. 121. REPEALS.

(a) CERTAIN BIOMEDICAL ETHICS BOARD.—Title III of the Public Health Service Act (42 U.S.C. 241 et seq.) is amended by striking part J.

(b) OTHER REPEALS.—Part G of title IV of the Public Health Service Act (42 U.S.C. 289 et seq.) is amended—

(1) in section 498, by striking subsection (c); and

(2) by striking section 499; and

(3) by redesignating section 499A as section 499.

(c) NULLIFICATION OF CERTAIN PROVISIONS.—The provisions of Executive Order 12806 (57 Fed. Reg. 21589 (May 21, 1992)) shall not have any legal effect. The provisions of section 204(d) of part 46 of title 45 of the Code of Federal Regulations (45 CFR 46.204(d)) shall not have any legal effect.

Subtitle B—Clinical Research Equity Regarding Women and Minorities

PART I—WOMEN AND MINORITIES AS SUBJECTS IN CLINICAL RESEARCH

SEC. 131. REQUIREMENT OF INCLUSION IN RESEARCH.

Part G of title IV of the Public Health Service Act, as amended by section 101 of this Act, is amended by inserting after section 492A the following section:

"INCLUSION OF WOMEN AND MINORITIES IN CLINICAL RESEARCH

"SEC. 492B. (a) REQUIREMENT OF INCLUSION.—

"(1) IN GENERAL.—In conducting or supporting clinical research for purposes of this title, the Director of NIH shall, subject to subsection (b), ensure that—

"(A) women are included as subjects in each project of such research; and

"(B) members of minority groups are included as subjects in such research.

"(2) OUTREACH REGARDING PARTICIPATION AS SUBJECTS.—The Director of NIH, in consultation with the Director of the Office of Research on Women's Health and the Director of the Office of Research on Minority Health, shall conduct or support outreach programs for the recruitment of women and members of minority groups as subjects in projects of clinical research.

"(b) INAPPLICABILITY OF REQUIREMENT.—The requirement established in subsection (a) regarding women and members of minority groups shall not apply to a project of clinical research if the inclusion, as subjects in the project, of women and members of minority groups, respectively—

"(1) is inappropriate with respect to the health of the subjects;

"(2) is inappropriate with respect to the purpose of the research; or

"(3) is inappropriate under such other circumstances as the Director of NIH may designate.

"(c) DESIGN OF CLINICAL TRIALS.—In the case of any clinical trial in which women or members of minority groups will under subsection (a) be included as subjects, the Director of NIH shall ensure that the trial is designed and carried out in a manner sufficient to provide for a valid

analysis of whether the variables being studied in the trial affect women or members of minority groups, as the case may be, differently than other subjects in the trial.

"(d) GUIDELINES.—

"(1) IN GENERAL.—Subject to paragraph (2), the Director of NIH, in consultation with the Director of the Office of Research on Women's Health and the Director of the Office of Research on Minority Health, shall establish guidelines regarding the requirements of this section. The guidelines shall include guidelines regarding—

"(A) the circumstances under which the inclusion of women and minorities as subjects in projects of clinical research is inappropriate for purposes of subsection (b);

"(B) the manner in which clinical trials are required to be designed and carried out for purposes of subsection (c); and

"(C) the operation of outreach programs under subsection (a).

"(2) CERTAIN PROVISIONS.—With respect to the circumstances under which the inclusion of women or members of minority groups (as the case may be) as subjects in a project of clinical research is inappropriate for purposes of subsection (b), the following applies to guidelines under paragraph (1):

"(A)(i) In the case of a clinical trial, the guidelines shall provide that the costs of such inclusion in the trial is not a permissible consideration in determining whether such inclusion is inappropriate.

"(ii) In the case of other projects of clinical research, the guidelines shall provide that the costs of such inclusion in the project is not a permissible consideration in determining whether such inclusion is inappropriate unless the data regarding women or members of minority groups, respectively, that would be obtained in such project (in the event that such inclusion were required) have been or are being obtained through other means that provide data of comparable quality.

"(B) In the case of a clinical trial, the guidelines may provide that such inclusion in the trial is not required if there is substantial scientific data demonstrating that there is no significant difference between—

"(i) the effects that the variables to be studied in the trial have on women or members of minority groups, respectively; and

"(ii) the effects that the variables have on the individuals who would serve as subjects in the trial in the event that such inclusion were not required.

"(e) DATE CERTAIN FOR GUIDELINES; APPLICABILITY.—

"(1) DATE CERTAIN.—The guidelines required in subsection (d) shall be established and published in the Federal Register not later than 180 days after the date of the enactment of the National Institutes of Health Revitalization Act of 1993.

"(2) APPLICABILITY.—For fiscal year 1995 and subsequent fiscal years, the Director of NIH may not approve any proposal of clinical research to be conducted or supported by any agency of the National Institutes of Health unless the proposal specifies the manner in which the research will comply with this section.

"(f) REPORTS BY ADVISORY COUNCILS.—The advisory council of each national research institute shall prepare biennial reports describing the manner in which the institute has complied with this section. Each such report shall be submitted to the Director of the institute involved for inclusion in the biennial report under section 403.

"(g) DEFINITIONS.—For purposes of this section:

"(1) The term 'project of clinical research' includes a clinical trial.

"(2) The term 'minority group' includes subpopulations of minority groups. The Director of NIH shall, through the guidelines established under subsection (d), define the terms 'minority group' and 'subpopulation' for purposes of the preceding sentence."

SEC. 132. PEER REVIEW.

Section 492 of the Public Health Service Act (42 U.S.C. 289a) is amended by adding at the end the following subsection:

"(c)(1) In technical and scientific peer review under this section of proposals for clinical research, the consideration of any such proposal (including the initial consideration) shall, except as provided in paragraph (2), include an evaluation of the technical and scientific merit of the proposal regarding compliance with section 492B.

"(2) Paragraph (1) shall not apply to any proposal for clinical research that, pursuant to subsection (b) of section 492B, is not subject to the requirement of subsection (a) of such section regarding the inclusion of women and members of minority groups as subjects in clinical research."

SEC. 133. INAPPLICABILITY TO CURRENT PROJECTS.

Section 492B of the Public Health Service Act, as added by section 131 of this Act, shall not apply with respect to projects of clinical research for which initial funding was provided prior to the date of the enactment of this Act. With respect to the inclusion of women and minorities as subjects in clinical research conducted or supported by the National Institutes of Health, any policies of the Secretary of Health and Human Services regarding such inclusion that are in effect on the day before the date of the enactment of this Act shall continue to apply to the projects referred to in the preceding sentence.

PART II—OFFICE OF RESEARCH ON WOMEN'S HEALTH

SEC. 141. ESTABLISHMENT.

(a) IN GENERAL.—Title IV of the Public Health Service Act, as amended by the preceding provisions of this title, is amended—

(1) by redesignating section 486 as section 485A;

(2) by redesignating parts F through H as parts G through I, respectively; and

(3) by inserting after part E the following part:

"PART F—RESEARCH ON WOMEN'S HEALTH

"SEC. 486. OFFICE OF RESEARCH ON WOMEN'S HEALTH.

"(a) ESTABLISHMENT.—There is established within the Office of the Director of NIH an office to be known as the Office of Research on Women's Health (in this part referred to as the 'Office'). The Office shall be headed by a director, who shall be appointed by the Director of NIH.

"(b) PURPOSE.—The Director of the Office shall—

"(1) identify projects of research on women's health that should be conducted or supported by the national research institutes;

"(2) identify multidisciplinary research relating to research on women's health that should be so conducted or supported;

"(3) carry out paragraphs (1) and (2) with respect to the aging process in women, with priority given to menopause;

"(4) promote coordination and collaboration among entities conducting research identified under any of paragraphs (1) through (3);

"(5) encourage the conduct of such research by entities receiving funds from the national research institutes;

"(6) recommend an agenda for conducting and supporting such research;

"(7) promote the sufficient allocation of the resources of the national research institutes for conducting and supporting such research;

"(8) assist in the administration of section 492B with respect to the inclusion of women as subjects in clinical research; and

"(9) prepare the report required in section 486B.

"(c) COORDINATING COMMITTEE.—

"(1) In carrying out subsection (b), the Director of the Office shall establish a committee to be known as the Coordinating Committee on Research on Women's Health (in this subsection referred to as the 'Coordinating Committee').

"(2) The Coordinating Committee shall be composed of the Directors of the national research institutes (or the designees of the Directors).

"(3) The Director of the Office shall serve as the chair of the Coordinating Committee.

"(4) With respect to research on women's health, the Coordinating Committee shall assist the Director of the Office in—

"(A) identifying the need for such research, and making an estimate each fiscal year of the funds needed to adequately support the research;

"(B) identifying needs regarding the coordination of research activities, including intramural and extramural multidisciplinary activities;

"(C) supporting the development of methodologies to determine the circumstances in which obtaining data specific to women (including data relating to the age of women and the membership of women in ethnic or racial groups) is an appropriate function of clinical trials of treatments and therapies;

"(D) supporting the development and expansion of clinical trials of treatments and therapies for which obtaining such data has been determined to be an appropriate function; and

"(E) encouraging the national research institutes to conduct and support such research, including such clinical trials.

"(d) ADVISORY COMMITTEE.—

"(1) In carrying out subsection (b), the Director of the Office shall establish an advisory committee to be known as the Advisory Committee on Research on Women's Health (in this subsection referred to as the 'Advisory Committee').

"(2) The Advisory Committee shall be composed of no fewer than 12, and not more than 18 individuals, who are not officers or employees of the Federal Government. The Director of the Office shall make appointments to the Advisory Committee from among physicians, practitioners, scientists, and other health professionals, whose clinical practice, research specialization, or professional expertise includes a significant focus on research on women's health. A majority of the members of the Advisory Committee shall be women.

"(3) The Director of the Office shall serve as the chair of the Advisory Committee.

"(4) The Advisory Committee shall—

"(A) advise the Director of the Office on appropriate research activities to be undertaken by the national research institutes with respect to—

"(i) research on women's health;

"(ii) research on gender differences in clinical drug trials, including responses to pharmacological drugs;

"(iii) research on gender differences in disease etiology, course, and treatment;

"(iv) research on obstetrical and gynecological health conditions, diseases, and treatments; and

"(v) research on women's health conditions which require a multidisciplinary approach;

"(B) report to the Director of the Office on such research;

"(C) provide recommendations to such Director regarding activities of the Office (including recommendations on the development of the methodologies described in subsection (c)(4)(C) and recommendations on priorities in carrying

out research described in subparagraph (A)); and

"(D) assist in monitoring compliance with section 492B regarding the inclusion of women in clinical research.

"(5)(A) The Advisory Committee shall prepare a biennial report describing the activities of the Committee, including findings made by the Committee regarding—

"(i) compliance with section 492B;

"(ii) the extent of expenditures made for research on women's health by the agencies of the National Institutes of Health; and

"(iii) the level of funding needed for such research.

"(B) The report required in subparagraph (A) shall be submitted to the Director of NIH for inclusion in the report required in section 403.

"(e) REPRESENTATION OF WOMEN AMONG RESEARCHERS.—The Secretary, acting through the Assistant Secretary for Personnel and in collaboration with the Director of the Office, shall determine the extent to which women are represented among senior physicians and scientists of the national research institutes and among physicians and scientists conducting research with funds provided by such institutes, and as appropriate, carry out activities to increase the extent of such representation.

"(f) DEFINITIONS.—For purposes of this part:

"(1) The term 'women's health conditions', with respect to women of all age, ethnic, and racial groups, means all diseases, disorders, and conditions (including with respect to mental health)—

"(A) unique to, more serious, or more prevalent in women;

"(B) for which the factors of medical risk or types of medical intervention are different for women, or for which it is unknown whether such factors or types are different for women; or

"(C) with respect to which there has been insufficient clinical research involving women as subjects or insufficient clinical data on women.

"(2) The term 'research on women's health' means research on women's health conditions, including research on preventing such conditions.

"SEC. 486A. NATIONAL DATA SYSTEM AND CLEARINGHOUSE ON RESEARCH ON WOMEN'S HEALTH.

"(a) DATA SYSTEM.—

"(1) The Director of NIH, in consultation with the Director of the Office and the Director of the National Library of Medicine, shall establish a data system for the collection, storage, analysis, retrieval, and dissemination of information regarding research on women's health that is conducted or supported by the national research institutes. Information from the data system shall be available through information systems available to health care professionals and providers, researchers, and members of the public.

"(2) The data system established under paragraph (1) shall include a registry of clinical trials of experimental treatments that have been developed for research on women's health. Such registry shall include information on subject eligibility criteria, sex, age, ethnicity or race, and the location of the trial site or sites. Principal investigators of such clinical trials shall provide this information to the registry within 30 days after it is available. Once a trial has been completed, the principal investigator shall provide the registry with information pertaining to the results, including potential toxicities or adverse effects associated with the experimental treatment or treatments evaluated.

"(b) CLEARINGHOUSE.—The Director of NIH, in consultation with the Director of the Office and with the National Library of Medicine, shall establish, maintain, and operate a program to provide information on research and

prevention activities of the national research institutes that relate to research on women's health.

"SEC. 486B. BIENNIAL REPORT.

"(a) IN GENERAL.—With respect to research on women's health, the Director of the Office shall, not later than February 1, 1994, and biennially thereafter, prepare a report—

"(1) describing and evaluating the progress made during the preceding 2 fiscal years in research and treatment conducted or supported by the National Institutes of Health;

"(2) describing and analyzing the professional status of women physicians and scientists of such Institutes, including the identification of problems and barriers regarding advancements;

"(3) summarizing and analyzing expenditures made by the agencies of such Institutes (and by such Office) during the preceding 2 fiscal years; and

"(4) making such recommendations for legislative and administrative initiatives as the Director of the Office determines to be appropriate.

"(b) INCLUSION IN BIENNIAL REPORT OF DIRECTOR OF NIH.—The Director of the Office shall submit each report prepared under subsection (a) to the Director of NIH for inclusion in the report submitted to the President and the Congress under section 403."

(b) REQUIREMENT OF SUFFICIENT ALLOCATION OF RESOURCES OF INSTITUTES.—Section 402(b) of the Public Health Service Act (42 U.S.C. 282(b)) is amended—

(1) in paragraph (10), by striking "and" after the semicolon at the end;

(2) in paragraph (11), by striking the period at the end and inserting "; and"; and

(3) by inserting after paragraph (11) the following paragraph:

"(12) after consultation with the Director of the Office of Research on Women's Health, shall ensure that resources of the National Institutes of Health are sufficiently allocated for projects of research on women's health that are identified under section 486(b)."

PART III—OFFICE OF RESEARCH ON MINORITY HEALTH

SEC. 151. ESTABLISHMENT.

Part A of title IV of the Public Health Service Act (42 U.S.C. 281 et seq.) is amended by adding at the end the following section:

"OFFICE OF RESEARCH ON MINORITY HEALTH

"SEC. 404. (a) ESTABLISHMENT.—There is established within the Office of the Director of NIH an office to be known as the Office of Research on Minority Health (in this section referred to as the 'Office'). The Office shall be headed by a director, who shall be appointed by the Director of NIH.

"(b) PURPOSE.—The Director of the Office shall—

"(1) identify projects of research on minority health that should be conducted or supported by the national research institutes;

"(2) identify multidisciplinary research relating to research on minority health that should be so conducted or supported;

"(3) promote coordination and collaboration among entities conducting research identified under paragraph (1) or (2);

"(4) encourage the conduct of such research by entities receiving funds from the national research institutes;

"(5) recommend an agenda for conducting and supporting such research;

"(6) promote the sufficient allocation of the resources of the national research institutes for conducting and supporting such research; and

"(7) assist in the administration of section 492B with respect to the inclusion of members of minority groups as subjects in clinical research."

Subtitle C—Research Integrity**SEC. 161. ESTABLISHMENT OF OFFICE OF RESEARCH INTEGRITY.**

Section 493 of the Public Health Service Act (42 U.S.C. 289b) is amended to read as follows:

"OFFICE OF RESEARCH INTEGRITY**"SEC. 493. (a) IN GENERAL.—**

"(1) ESTABLISHMENT OF OFFICE.—Not later than 90 days after the date of enactment of this section, the Secretary shall establish an office to be known as the Office of Research Integrity (referred to in this section as the "Office"), which shall be established as an independent entity in the Department of Health and Human Services.

"(2) APPOINTMENT OF DIRECTOR.—The Office shall be headed by a Director, who shall be appointed by the Secretary, be experienced and specially trained in the conduct of research, and have experience in the conduct of investigations of research misconduct. The Secretary shall carry out this section acting through the Director of the Office. The Director shall report to the Secretary.

"(3) DEFINITIONS.—

"(A) The Secretary shall by regulation establish a definition for the term "research misconduct" for purposes of this section.

"(B) For purposes of this section, the term "financial assistance" means a grant, contract, or cooperative agreement.

"(b) EXISTENCE OF ADMINISTRATIVE PROCESSES AS CONDITION OF FUNDING FOR RESEARCH.—The Secretary shall by regulation require that each entity that applies for financial assistance under this Act for any project or program that involves the conduct of biomedical or behavioral research submit in or with its application for such assistance—

"(1) assurances satisfactory to the Secretary that such entity has established and has in effect (in accordance with regulations which the Secretary shall prescribe) an administrative process to review reports of research misconduct in connection with biomedical and behavioral research conducted at or sponsored by such entity;

"(2) an agreement that the entity will report to the Director any investigation of alleged research misconduct in connection with projects for which funds have been made available under this Act that appears substantial; and

"(3) an agreement that the entity will comply with regulations issued under this section.

"(c) PROCESS FOR RESPONSE OF DIRECTOR.—The Secretary shall by regulation establish a process to be followed by the Director for the prompt and appropriate—

"(1) response to information provided to the Director respecting research misconduct in connection with projects for which funds have been made available under this Act;

"(2) receipt of reports by the Director of such information from recipients of funds under this Act;

"(3) conduct of investigations, when appropriate; and

"(4) taking of other actions, including appropriate remedies, with respect to such misconduct.

"(d) MONITORING BY DIRECTOR.—The Secretary shall by regulation establish procedures for the Director to monitor administrative processes and investigations that have been established or carried out under this section."

SEC. 162. COMMISSION ON RESEARCH INTEGRITY.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Health and Human Services shall establish a commission to be known as the Commission on Research Integrity (in this section referred to as the "Commission").

(b) DUTIES.—The Commission shall develop recommendations for the Secretary of Health

and Human Services on the administration of section 493 of the Public Health Service Act (as amended and added by section 161 of this Act).

(c) COMPOSITION.—The Commission shall be composed of 12 members to be appointed by the Secretary of Health and Human Services. Not more than 3 members of the Commission may be officers or employees of the United States. Of the members of the Commission—

(1) three shall be scientists with substantial accomplishments in biomedical or behavioral research;

(2) three shall be individuals with experience in investigating allegations of misconduct with respect to research;

(3) three shall be representatives of institutions of higher education at which biomedical or behavioral research is conducted; and

(4) three shall be individuals who are not described in paragraph (1), (2), or (3), at least one of whom shall be an attorney and at least one of whom shall be an ethicist.

(d) COMPENSATION.—Members of the Commission may not receive compensation for service on the Commission. Members may be reimbursed for travel, subsistence, and other necessary expenses incurred in carrying out the duties of the Commission.

(e) REPORT.—Not later than 120 days after the date on which the Commission is established under subsection (a), the Commission shall prepare and submit to the Secretary of Health and Human Services, the Committee on Energy and Commerce of the House of Representatives, and the Committee on Labor and Human Resources of the Senate, a report containing the recommendations developed under subsection (b).

SEC. 163. PROTECTION OF WHISTLEBLOWERS.

Section 493 of the Public Health Service Act, as amended by section 161 of this Act, is amended by adding at the end the following subsection:

"(e) PROTECTION OF WHISTLEBLOWERS.—

"(1) IN GENERAL.—In the case of any entity required to establish administrative processes under subsection (b), the Secretary shall by regulation establish standards for preventing, and for responding to the occurrence of retaliation by such entity, its officials or agents, against an employee in the terms and conditions of employment in response to the employee having in good faith—

"(A) made an allegation that the entity, its officials or agents, has engaged in or failed to adequately respond to an allegation of research misconduct; or

"(B) cooperated with an investigation of such an allegation.

"(2) MONITORING BY SECRETARY.—The Secretary shall by regulation establish procedures for the Director to monitor the implementation of the standards established by an entity under paragraph (1) for the purpose of determining whether the procedures have been established, and are being utilized, in accordance with the standards established under such paragraph.

"(3) NONCOMPLIANCE.—The Secretary shall by regulation establish remedies for noncompliance by an entity, its officials or agents, which has engaged in retaliation in violation of the standards established under paragraph (1). Such remedies may include termination of funding provided by the Secretary for such project or recovery of funding being provided by the Secretary for such project, or other actions as appropriate."

SEC. 164. REQUIREMENT OF REGULATIONS REGARDING PROTECTION AGAINST FINANCIAL CONFLICTS OF INTEREST IN CERTAIN PROJECTS OF RESEARCH.

Part H of title IV of the Public Health Service Act, as redesignated by section 141(a)(2) of this Act, is amended by inserting after section 493 the following new section:

"PROTECTION AGAINST FINANCIAL CONFLICTS OF INTEREST IN CERTAIN PROJECTS OF RESEARCH

"SEC. 493A. (a) ISSUANCE OF REGULATIONS.—The Secretary shall by regulation define the specific circumstances that constitute the existence of a financial interest in a project on the part of an entity or individual that will, or may be reasonably expected to, create a bias in favor of obtaining results in such project that are consistent with such financial interest. Such definition shall apply uniformly to each entity or individual conducting a research project under this Act. In the case of any entity or individual receiving assistance from the Secretary for a project of research described in subsection (b), the Secretary shall by regulation establish standards for responding to, including managing, reducing, or eliminating, the existence of such a financial interest. The entity may adopt individualized procedures for implementing the standards.

"(b) RELEVANT PROJECTS.—A project of research referred to in subsection (a) is a project of clinical research whose purpose is to evaluate the safety or effectiveness of a drug, medical device, or treatment and for which such entity is receiving assistance from the Secretary.

"(c) IDENTIFYING AND REPORTING TO SECRETARY.—The Secretary shall by regulation require that each entity described in subsection (a) that applies for assistance under this Act for any project described in subsection (b) submit in or with its application for such assistance—

"(1) assurances satisfactory to the Secretary that such entity has established and has in effect an administrative process under subsection (a) to identify financial interests (as defined under subsection (a)) that exist regarding the project; and

"(2) an agreement that the entity will report to the Secretary such interests identified by the entity and how any such interests identified by the entity will be managed or eliminated in order that the project in question will be protected from bias that may stem from such interests; and

"(3) an agreement that the entity will comply with regulations issued under this section.

"(d) MONITORING OF PROCESS.—The Secretary shall monitor the establishment and conduct of the administrative process established by an entity pursuant to subsection (a).

"(e) RESPONSE.—In any case in which the Secretary determines that an entity has failed to comply with subsection (c) regarding a project of research described in subsection (b), the Secretary—

"(1) shall require that, as a condition of receiving assistance, the entity disclose the existence of a financial interest (as defined under subsection (a)) in each public presentation of the results of such project; and

"(2) may take such other actions as the Secretary determines to be appropriate.

"(f) DEFINITIONS.—For purposes of this section:

"(1) The term "financial interest" includes the receipt of consulting fees or honoraria and the ownership of stock or equity.

"(2) The term "assistance", with respect to conducting a project of research, means a grant, contract, or cooperative agreement."

SEC. 165. REGULATIONS.

(a) ISSUANCE OF FINAL RULES.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall, subject to paragraph (2), issue the final rule for each regulation required in section 493 or 493A of the Public Health Service Act.

(2) DEFINITION OF RESEARCH MISCONDUCT.—Not later than 90 days after the date on which the report required in section 162(e) is submitted to the Secretary, the Secretary shall issue the final rule for the regulations required in section

493 of the Public Health Service Act with respect to the definition of the term "research misconduct".

(b) **APPLICABILITY TO ONGOING INVESTIGATIONS.**—The final rule issued pursuant to subsection (a) for investigations under section 493 of the Public Health Service Act does not apply to investigations commenced before the date of the enactment of this Act under authority of such section as in effect before such date.

(c) **DEFINITIONS.**—For purposes of this section: (1) The term "section 493 of the Public Health Service Act" means such section as amended by sections 161 and 163 of this Act, except as indicated otherwise in subsection (b)(2).

(2) The term "section 493A of the Public Health Service Act" means such section as added by section 164 of this Act.

(3) The term "Secretary" means the Secretary of Health and Human Services.

TITLE II—NATIONAL INSTITUTES OF HEALTH IN GENERAL

SEC. 201. HEALTH PROMOTION RESEARCH DISSEMINATION.

Section 402(f) of the Public Health Service Act (42 U.S.C. 282(f)) is amended by striking "other public and private entities." and all that follows through the end and inserting "other public and private entities, including elementary, secondary, and post-secondary schools. The Associate Director shall—

"(1) annually review the efficacy of existing policies and techniques used by the national research institutes to disseminate the results of disease prevention and behavioral research programs;

"(2) recommend, coordinate, and oversee the modification or reconstruction of such policies and techniques to ensure maximum dissemination, using advanced technologies to the maximum extent practicable, of research results to such entities; and

"(3) annually prepare and submit to the Director of NIH a report concerning the prevention and dissemination activities undertaken by the Associate Director, including—

"(A) a summary of the Associate Director's review of existing dissemination policies and techniques together with a detailed statement concerning any modification or restructuring, or recommendations for modification or restructuring, of such policies and techniques; and

"(B) a detailed statement of the expenditures made for the prevention and dissemination activities reported on and the personnel used in connection with such activities."

SEC. 202. PROGRAMS FOR INCREASED SUPPORT REGARDING CERTAIN STATES AND RESEARCHERS.

Section 402 of the Public Health Service Act (42 U.S.C. 282) is amended by adding at the end the following subsection:

"(g)(1)(A) In the case of entities described in subparagraph (B), the Director of NIH, acting through the Director of the National Center for Research Resources, shall establish a program to enhance the competitiveness of such entities in obtaining funds from the national research institutes for conducting biomedical and behavioral research.

"(B) The entities referred to in subparagraph (A) are entities that conduct biomedical and behavioral research and are located in a State in which the aggregate success rate for applications to the national research institutes for assistance for such research by the entities in the State has historically constituted a low success rate of obtaining such funds, relative to such aggregate rate for such entities in other States.

"(C) With respect to enhancing competitiveness for purposes of subparagraph (A), the Director of NIH, in carrying out the program established under such subparagraph, may—

"(i) provide technical assistance to the entities involved, including technical assistance in the

preparation of applications for obtaining funds from the national research institutes;

"(ii) assist the entities in developing a plan for biomedical or behavioral research proposals; and

"(iii) assist the entities in implementing such plan.

"(2) The Director of NIH shall establish a program of supporting projects of biomedical or behavioral research whose principal researchers are individuals who have not previously served as the principal researchers of such projects supported by the Director."

SEC. 203. ESTABLISHMENT OF OFFICE OF BEHAVIORAL AND SOCIAL SCIENCES RESEARCH.

(a) **IN GENERAL.**—Part A of title IV of the Public Health Service Act, as amended by section 151 of this Act, is amended by adding at the end the following section:

"OFFICE OF BEHAVIORAL AND SOCIAL SCIENCES RESEARCH

"SEC. 404A. (a) There is established within the Office of the Director of NIH an office to be known as the Office of Behavioral and Social Sciences Research (in this section referred to as the "Office"). The Office shall be headed by a director, who shall be appointed by the Director of NIH.

"(b)(1) With respect to research on the relationship between human behavior and the development, treatment, and prevention of medical conditions, the Director of the Office shall—

"(A) coordinate research conducted or supported by the agencies of the National Institutes of Health; and

"(B) identify projects of behavioral and social sciences research that should be conducted or supported by the national research institutes, and develop such projects in cooperation with such institutes.

"(2) Research authorized under paragraph (1) includes research on teen pregnancy, infant mortality, violent behavior, suicide, and homelessness. Such research does not include neurobiological research, or research in which the behavior of an organism is observed for the purpose of determining activity at the cellular or molecular level."

(b) **REPORT.**—Not later than February 1, 1994, the Director of the Office of Behavioral and Social Sciences Research (established in section 404A of the Public Health Service Act, as added by subsection (a) of this section) shall submit to the Committee on Energy and Commerce of the House of Representatives, and to the Committee on Labor and Human Resources of the Senate, a report describing the extent to which the national research institutes of the National Institutes of Health conduct and support behavioral research and social sciences research. In preparing the report, such Director shall (subject to subsection (b)(2) of such section 404A) state the definitions used in the report for the terms "behavioral research" and "social sciences research", and shall apply the definitions uniformly to such institutes for purposes of the report.

(c) **EFFECTIVE DATES.**—The amendment described in subsection (a) is made upon the date of the enactment of this Act and takes effect July 1, 1993. Subsection (b) takes effect on such date.

SEC. 204. CHILDREN'S VACCINE INITIATIVE.

Part A of title IV of the Public Health Service Act, as amended by section 203 of this Act, is amended by adding at the end the following section:

"CHILDREN'S VACCINE INITIATIVE

"SEC. 404B. (a) **DEVELOPMENT OF NEW VACCINES.**—The Secretary, in consultation with the Director of the National Vaccine Program under title XXI and acting through the Directors of the National Institute for Allergy and Infectious

Diseases, the National Institute for Child Health and Human Development, the National Institute for Aging, and other public and private programs, shall carry out activities, which shall be consistent with the global Children's Vaccine Initiative, to develop affordable new and improved vaccines to be used in the United States and in the developing world that will increase the efficacy and efficiency of the prevention of infectious diseases. In carrying out such activities, the Secretary shall, to the extent practicable, develop and make available vaccines that require fewer contacts to deliver, that can be given early in life, that provide long lasting protection, that obviate refrigeration, needles and syringes, and that protect against a larger number of diseases.

"(b) **REPORT.**—In the report required in section 2104, the Secretary, acting through the Director of the National Vaccine Program under title XXI, shall include information with respect to activities and the progress made in implementing the provisions of this section and achieving its goals.

"(c) **AUTHORIZATION OF APPROPRIATIONS.**—In addition to any other amounts authorized to be appropriated for activities of the type described in this section, there are authorized to be appropriated to carry out this section \$20,000,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 and 1996."

SEC. 205. PLAN FOR USE OF ANIMALS IN RESEARCH.

(a) **IN GENERAL.**—Part A of title IV of the Public Health Service Act, as amended by section 204 of this Act, is amended by adding at the end the following section:

"PLAN FOR USE OF ANIMALS IN RESEARCH

"SEC. 404C. (a) The Director of NIH, after consultation with the committee established under subsection (e), shall prepare a plan—

"(1) for the National Institutes of Health to conduct or support research into—

"(A) methods of biomedical research and experimentation that do not require the use of animals;

"(B) methods of such research and experimentation that reduce the number of animals used in such research;

"(C) methods of such research and experimentation that produce less pain and distress in such animals; and

"(D) methods of such research and experimentation that involve the use of marine life (other than marine mammals);

"(2) for establishing the validity and reliability of the methods described in paragraph (1);

"(3) for encouraging the acceptance by the scientific community of such methods that have been found to be valid and reliable; and

"(4) for training scientists in the use of such methods that have been found to be valid and reliable.

"(b) Not later than October 1, 1993, the Director of NIH shall submit to the Committee on Energy and Commerce of the House of Representatives, and to the Committee on Labor and Human Resources of the Senate, the plan required in subsection (a) and shall begin implementation of the plan.

"(c) The Director of NIH shall periodically review, and as appropriate, make revisions in the plan required under subsection (a). A description of any revision made in the plan shall be included in the first biennial report under section 403 that is submitted after the revision is made.

"(d) The Director of NIH shall take such actions as may be appropriate to convey to scientists and others who use animals in biomedical or behavioral research or experimentation information respecting the methods found to be valid and reliable under subsection (a)(2).

"(e)(1) The Director of NIH shall establish within the National Institutes of Health a committee to be known as the Interagency Coordinating Committee on the Use of Animals in Research (in this subsection referred to as the 'Committee')."

"(2) The Committee shall provide advice to the Director of NIH on the preparation of the plan required in subsection (a)."

"(3) The Committee shall be composed of—
"(A) the Directors of each of the national research institutes and the Director of the Center for Research Resources (or the designees of such Directors); and

"(B) representatives of the Environmental Protection Agency, the Food and Drug Administration, the Consumer Product Safety Commission, the National Science Foundation, and such additional agencies as the Director of NIH determines to be appropriate, which representatives shall include not less than one veterinarian with expertise in laboratory-animal medicine."

(b) CONFORMING AMENDMENT.—Section 4 of the Health Research Extension Act of 1985 (Public Law 99-158; 99 Stat. 880) is repealed.

SEC. 206. INCREASED PARTICIPATION OF WOMEN AND DISADVANTAGED INDIVIDUALS IN FIELDS OF BIOMEDICAL AND BEHAVIORAL RESEARCH.

Section 402 of the Public Health Service Act, as amended by section 202 of this Act, is amended by adding at the end the following subsection:

"(h) The Secretary, acting through the Director of NIH and the Directors of the agencies of the National Institutes of Health, shall, in conducting and supporting programs for research, research training, recruitment, and other activities, provide for an increase in the number of women and individuals from disadvantaged backgrounds (including racial and ethnic minorities) in the fields of biomedical and behavioral research."

SEC. 207. REQUIREMENTS REGARDING SURVEYS OF SEXUAL BEHAVIOR.

Part A of title IV of the Public Health Service Act, as amended by section 205 of this Act, is amended by adding at the end the following section:

"REQUIREMENTS REGARDING SURVEYS OF SEXUAL BEHAVIOR"

"SEC. 404D. With respect to any survey of human sexual behavior proposed to be conducted or supported through the National Institutes of Health, the survey may not be carried out unless—

"(1) the proposal has undergone review in accordance with any applicable requirements of sections 491 and 492; and

"(2) the Secretary, in accordance with section 492A, makes a determination that the information expected to be obtained through the survey will assist—

"(A) in reducing the incidence of sexually transmitted diseases, the incidence of infection with the human immunodeficiency virus, or the incidence of any other infectious disease; or

"(B) in improving reproductive health or other conditions of health."

SEC. 208. DISCRETIONARY FUND OF DIRECTOR OF NATIONAL INSTITUTES OF HEALTH.

Section 402 of the Public Health Service Act, as amended by section 206 of this Act, is amended by adding at the end the following subsection:

"(i)(1) There is established a fund, consisting of amounts appropriated under paragraph (3) and made available for the fund, for use by the Director of NIH to carry out the activities authorized in this Act for the National Institutes of Health. The purposes for which such fund may be expended include—

"(A) providing for research on matters that have not received significant funding relative to other matters, responding to new issues and scientific emergencies, and acting on research opportunities of high priority;

"(B) supporting research that is not exclusively within the authority of any single agency of such Institutes; and

"(C) purchasing or renting equipment and quarters for activities of such Institutes.

"(2) Not later than February 10 of each fiscal year, the Secretary shall submit to the Committee on Energy and Commerce of the House of Representatives, and to the Committee on Labor and Human Resources of the Senate, a report describing the activities undertaken and expenditures made under this section during the preceding fiscal year. The report may contain such comments of the Secretary regarding this section as the Secretary determines to be appropriate.

"(3) For the purpose of carrying out this subsection, there are authorized to be appropriated \$25,000,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 and 1996."

SEC. 209. ESTABLISHMENT OF OFFICE OF ALTERNATIVE MEDICINE.

Part A of title IV of the Public Health Service Act, as amended by section 207 of this Act, is amended by adding at the end the following section:

"OFFICE OF ALTERNATIVE MEDICINE"

"SEC. 404E. (a) There is established within the Office of the Director of NIH an office to be known as the Office of Alternative Medicine (in this section referred to as the 'Office'), which shall be headed by a director appointed by the Director of NIH.

"(b) The purpose of the Office is to facilitate the evaluation of alternative medical treatment modalities, including acupuncture and Oriental medicine, homeopathic medicine, and physical manipulation therapies.

"(c) The Secretary shall establish an advisory council for the purpose of providing advice to the Director of the Office on carrying out this section. Section 222 applies to such council to the same extent and in the same manner as such section applies to committees or councils established under such section.

"(d) In carrying out subsection (b), the Director of the Office shall—

"(1) establish an information clearinghouse to exchange information with the public about alternative medicine;

"(2) support research training—
"(A) for which fellowship support is not provided under section 487; and

"(B) that is not residency training of physicians or other health professionals; and

"(3)(A) prepare biennial reports on the activities carried out or to be carried out by the Office; and

"(B) submit each such report to the Director of NIH for inclusion in the biennial report under section 403."

SEC. 210. MISCELLANEOUS PROVISIONS.

(a) TERM OF OFFICE FOR MEMBERS OF ADVISORY COUNCILS.—Section 406(c) of the Public Health Service Act (42 U.S.C. 284a(c)) is amended in the second sentence by striking "until a successor has taken office" and inserting the following: "for 180 days after the date of such expiration".

(b) LITERACY REQUIREMENTS.—Section 402(e) of the Public Health Service Act (42 U.S.C. 282(e)) is amended—

(1) in paragraph (3), by striking "and" at the end;

(2) in paragraph (4), by striking the period and inserting "; and"; and

(3) by adding at the end the following paragraph:

"(5) ensure that, after January 1, 1994, all new or revised health education and promotion materials developed or funded by the National Institutes of Health and intended for the general public are in a form that does not exceed a level of functional literacy, as defined in the National Literacy Act of 1991 (Public Law 102-73)."

(c) DAY CARE REGARDING CHILDREN OF EMPLOYEES.—Section 402 of the Public Health Service Act, as amended by section 208 of this Act, is amended by adding at the end the following subsection:

"(j)(1) The Director of NIH may establish a program to provide day care services for the employees of the National Institutes of Health similar to those services provided by other Federal agencies (including the availability of day care service on a 24-hour-a-day basis).

"(2) Any day care provider at the National Institutes of Health shall establish a sliding scale of fees that takes into consideration the income and needs of the employee.

"(3) For purposes regarding the provision of day care services, the Director of NIH may enter into rental or lease purchase agreements."

TITLE III—GENERAL PROVISIONS RESPECTING NATIONAL RESEARCH INSTITUTES

SEC. 301. APPOINTMENT AND AUTHORITY OF DIRECTORS OF NATIONAL RESEARCH INSTITUTES.

(a) ESTABLISHMENT OF GENERAL AUTHORITY REGARDING DIRECT FUNDING.—

(1) IN GENERAL.—Section 405(b)(2) of the Public Health Service Act (42 U.S.C. 284(b)(2)) is amended—

(A) in subparagraph (A), by striking "and" after the semicolon at the end;

(B) in subparagraph (B), by striking the period at the end and inserting "; and"; and

(C) by adding at the end the following subparagraph:

"(C) shall, subject to section 2353(d)(2), receive from the President and the Office of Management and Budget directly all funds appropriated by the Congress for obligation and expenditure by the Institute."

(2) CONFORMING AMENDMENT.—Section 413(b)(9) of the Public Health Service Act (42 U.S.C. 285a-2(b)(9)) is amended—

(A) by striking "(A)" after "(9)"; and

(B) by striking "advisory council;" and all that follows and inserting "advisory council."

(b) APPOINTMENT AND DURATION OF TECHNICAL AND SCIENTIFIC PEER REVIEW GROUPS.—Section 405(c) of the Public Health Service Act (42 U.S.C. 284(c)) is amended—

(1) by amending paragraph (3) to read as follows:

"(3) may, in consultation with the advisory council for the Institute and with the approval of the Director of NIH—

"(A) establish technical and scientific peer review groups in addition to those appointed under section 402(b)(6); and

"(B) appoint the members of peer review groups established under subparagraph (A); and"; and

(2) by adding after and below paragraph (4) the following:

"The Federal Advisory Committee Act shall not apply to the duration of a peer review group appointed under paragraph (3)."

SEC. 302. PROGRAM OF RESEARCH ON OSTEOPOROSIS, PAGET'S DISEASE, AND RELATED BONE DISORDERS.

Part B of title IV of the Public Health Service Act (42 U.S.C. 284 et seq.), as amended by section 121(b) of Public Law 102-321 (106 Stat. 358), is amended by adding at the end the following section:

"RESEARCH ON OSTEOPOROSIS, PAGET'S DISEASE, AND RELATED BONE DISORDERS"

"SEC. 409A. (a) ESTABLISHMENT.—The Directors of the National Institute of Arthritis and

Musculoskeletal and Skin Diseases, the National Institute on Aging, the National Institute of Dental Research, and the National Institute of Diabetes and Digestive and Kidney Diseases, shall expand and intensify the programs of such Institutes with respect to research and related activities concerning osteoporosis, Paget's disease, and related bone disorders.

"(b) **COORDINATION.**—The Directors referred to in subsection (a) shall jointly coordinate the programs referred to in such subsection and consult with the Arthritis and Musculoskeletal Diseases Interagency Coordinating Committee and the Interagency Task Force on Aging Research.

"(c) **INFORMATION CLEARINGHOUSE.**—

"(1) **IN GENERAL.**—In order to assist in carrying out the purpose described in subsection (a), the Director of NIH shall provide for the establishment of an information clearinghouse on osteoporosis and related bone disorders to facilitate and enhance knowledge and understanding on the part of health professionals, patients, and the public through the effective dissemination of information.

"(2) **ESTABLISHMENT THROUGH GRANT OR CONTRACT.**—For the purpose of carrying out paragraph (1), the Director of NIH shall enter into a grant, cooperative agreement, or contract with a nonprofit private entity involved in activities regarding the prevention and control of osteoporosis and related bone disorders.

"(d) **AUTHORIZATION OF APPROPRIATIONS.**—For the purpose of carrying out this section, there are authorized to be appropriated \$40,000,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 and 1996."

SEC. 303. ESTABLISHMENT OF INTERAGENCY PROGRAM FOR TRAUMA RESEARCH.

(a) **IN GENERAL.**—Title XII of the Public Health Service Act (42 U.S.C. 300d et seq.), as amended by title VI of Public Law 102-321 (106 Stat. 433) and section 304 of Public Law 102-408 (106 Stat. 2084), is amended by adding at the end the following part:

"PART F—INTERAGENCY PROGRAM FOR TRAUMA RESEARCH

"SEC. 1261. ESTABLISHMENT OF PROGRAM.

"(a) **IN GENERAL.**—The Secretary, acting through the Director of the National Institutes of Health (in this section referred to as the 'Director'), shall establish a comprehensive program of conducting basic and clinical research on trauma (in this section referred to as the 'Program'). The Program shall include research regarding the diagnosis, treatment, rehabilitation, and general management of trauma.

"(b) **PLAN FOR PROGRAM.**—

"(1) **IN GENERAL.**—The Director, in consultation with the Trauma Research Interagency Coordinating Committee established under subsection (g), shall establish and implement a plan for carrying out the activities of the Program, including the activities described in subsection (d). All such activities shall be carried out in accordance with the plan. The plan shall be periodically reviewed, and revised as appropriate.

"(2) **SUBMISSION TO CONGRESS.**—Not later than December 1, 1993, the Director shall submit the plan required in paragraph (1) to the Committee on Energy and Commerce of the House of Representatives, and to the Committee on Labor and Human Resources of the Senate, together with an estimate of the funds needed for each of the fiscal years 1994 through 1996 to implement the plan.

"(c) **PARTICIPATING AGENCIES; COORDINATION AND COLLABORATION.**—The Director—

"(1) shall provide for the conduct of activities under the Program by the Directors of the agencies of the National Institutes of Health involved in research with respect to trauma;

"(2) shall ensure that the activities of the Program are coordinated among such agencies; and

"(3) shall, as appropriate, provide for collaboration among such agencies in carrying out such activities.

"(d) **CERTAIN ACTIVITIES OF PROGRAM.**—The Program shall include—

"(1) studies with respect to all phases of trauma care, including prehospital, resuscitation, surgical intervention, critical care, infection control, wound healing, nutritional care and support, and medical rehabilitation care;

"(2) basic and clinical research regarding the response of the body to trauma and the acute treatment and medical rehabilitation of individuals who are the victims of trauma; and

"(3) basic and clinical research regarding trauma care for pediatric and geriatric patients.

"(e) **MECHANISMS OF SUPPORT.**—In carrying out the Program, the Director, acting through the Directors of the agencies referred to in subsection (c)(1), may make grants to public and nonprofit entities, including designated trauma centers.

"(f) **RESOURCES.**—The Director shall assure the availability of appropriate resources to carry out the Program, including the plan established under subsection (b) (including the activities described in subsection (d)).

"(g) **COORDINATING COMMITTEE.**—

"(1) **IN GENERAL.**—There shall be established a Trauma Research Interagency Coordinating Committee (in this section referred to as the 'Coordinating Committee').

"(2) **DUTIES.**—The Coordinating Committee shall make recommendations regarding—

"(A) the activities of the Program to be carried out by each of the agencies represented on the Committee and the amount of funds needed by each of the agencies for such activities; and

"(B) effective collaboration among the agencies in carrying out the activities.

"(3) **COMPOSITION.**—The Coordinating Committee shall be composed of the Directors of each of the agencies that, under subsection (c), have responsibilities under the Program, and any other individuals who are practitioners in the trauma field as designated by the Director of the National Institutes of Health.

"(h) **DEFINITIONS.**—For purposes of this section:

"(1) The term 'designated trauma center' has the meaning given such term in section 1231(1).

"(2) The term 'Director' means the Director of the National Institutes of Health.

"(3) The term 'trauma' means any serious injury that could result in loss of life or in significant disability and that would meet pre-hospital triage criteria for transport to a designated trauma center."

(b) **CONFORMING AMENDMENT.**—Section 402 of the Public Health Service Act, as amended by section 210(c) of this Act, is amended by adding at the end the following subsection:

"(k) The Director of NIH shall carry out the program established in part F of title XII (relating to interagency research on trauma)."

TITLE IV—NATIONAL CANCER INSTITUTE
SEC. 401. EXPANSION AND INTENSIFICATION OF ACTIVITIES REGARDING BREAST CANCER.

Subpart 1 of part C of title IV of the Public Health Service Act (42 U.S.C. 285 et seq.) is amended by adding at the end the following section:

"BREAST AND GYNECOLOGICAL CANCERS

"SEC. 417. (a) **EXPANSION AND COORDINATION OF ACTIVITIES.**—The Director of the Institute, in consultation with the National Cancer Advisory Board, shall expand, intensify, and coordinate the activities of the Institute with respect to research on breast cancer, ovarian cancer, and other cancers of the reproductive system of women.

"(b) **COORDINATION WITH OTHER INSTITUTES.**—The Director of the Institute shall co-

ordinate the activities of the Director under subsection (a) with similar activities conducted by other national research institutes and agencies of the National Institutes of Health to the extent that such Institutes and agencies have responsibilities that are related to breast cancer and other cancers of the reproductive system of women.

"(c) **PROGRAMS FOR BREAST CANCER.**—

"(1) **IN GENERAL.**—In carrying out subsection (a), the Director of the Institute shall conduct or support research to expand the understanding of the cause of, and to find a cure for, breast cancer. Activities under such subsection shall provide for an expansion and intensification of the conduct and support of—

"(A) basic research concerning the etiology and causes of breast cancer;

"(B) clinical research and related activities concerning the causes, prevention, detection and treatment of breast cancer;

"(C) control programs with respect to breast cancer in accordance with section 412, including community-based programs designed to assist women who are members of medically underserved populations, low-income populations, or minority groups;

"(D) information and education programs with respect to breast cancer in accordance with section 413; and

"(E) research and demonstration centers with respect to breast cancer in accordance with section 414, including the development and operation of centers for breast cancer research to bring together basic and clinical, biomedical and behavioral scientists to conduct basic, clinical, epidemiological, psychosocial, prevention and treatment research and related activities on breast cancer.

Not less than six centers shall be operated under subparagraph (E). Activities of such centers should include supporting new and innovative research and training programs for new researchers. Such centers shall give priority to expediting the transfer of research advances to clinical applications.

"(2) **IMPLEMENTATION OF PLAN FOR PROGRAMS.**—

"(A) The Director of the Institute shall ensure that the research programs described in paragraph (1) are implemented in accordance with a plan for the programs. Such plan shall include comments and recommendations that the Director of the Institute considers appropriate, with due consideration provided to the professional judgment needs of the Institute as expressed in the annual budget estimate prepared in accordance with section 413(9). The Director of the Institute, in consultation with the National Cancer Advisory Board, shall periodically review and revise such plan.

"(B) Not later than October 1, 1993, the Director of the Institute shall submit a copy of the plan to the President's Cancer Panel, the Secretary and the Director of NIH.

"(C) The Director of the Institute shall submit any revisions of the plan to the President's Cancer Panel, the Secretary, and the Director of NIH.

"(D) The Secretary shall provide a copy of the plan submitted under subparagraph (A), and any revisions submitted under subparagraph (C), to the Committee on Energy and Commerce of the House of Representatives and the Committee on Labor and Human Resources of the Senate.

"(d) **OTHER CANCERS.**—In carrying out subsection (a), the Director of the Institute shall conduct or support research on ovarian cancer and other cancers of the reproductive system of women. Activities under such subsection shall provide for the conduct and support of—

"(1) basic research concerning the etiology and causes of ovarian cancer and other cancers of the reproductive system of women;

"(2) clinical research and related activities into the causes, prevention, detection and treatment of ovarian cancer and other cancers of the reproductive system of women;

"(3) control programs with respect to ovarian cancer and other cancers of the reproductive system of women in accordance with section 412;

"(4) information and education programs with respect to ovarian cancer and other cancers of the reproductive system of women in accordance with section 413; and

"(5) research and demonstration centers with respect to ovarian cancer and cancers of the reproductive system in accordance with section 414.

"(e) REPORT.—The Director of the Institute shall prepare, for inclusion in the biennial report submitted under section 407, a report that describes the activities of the National Cancer Institute under the research programs referred to in subsection (a), that shall include—

"(1) a description of the research plan with respect to breast cancer prepared under subsection (c);

"(2) an assessment of the development, revision, and implementation of such plan;

"(3) a description and evaluation of the progress made, during the period for which such report is prepared, in the research programs on breast cancer and cancers of the reproductive system of women;

"(4) a summary and analysis of expenditures made, during the period for which such report is made, for activities with respect to breast cancer and cancers of the reproductive system of women conducted and supported by the National Institutes of Health; and

"(5) such comments and recommendations as the Director considers appropriate."

SEC. 402. EXPANSION AND INTENSIFICATION OF ACTIVITIES REGARDING PROSTATE CANCER.

Subpart 1 of part C of title IV of the Public Health Service Act, as amended by section 401 of this Act, is amended by adding at the end the following section:

"PROSTATE CANCER

"SEC. 417A. (a) EXPANSION AND COORDINATION OF ACTIVITIES.—The Director of the Institute, in consultation with the National Cancer Advisory Board, shall expand, intensify, and coordinate the activities of the Institute with respect to research on prostate cancer.

"(b) COORDINATION WITH OTHER INSTITUTES.—The Director of the Institute shall coordinate the activities of the Director under subsection (a) with similar activities conducted by other national research institutes and agencies of the National Institutes of Health to the extent that such Institutes and agencies have responsibilities that are related to prostate cancer.

"(c) PROGRAMS.—

"(1) IN GENERAL.—In carrying out subsection (a), the Director of the Institute shall conduct or support research to expand the understanding of the cause of, and to find a cure for, prostate cancer. Activities under such subsection shall provide for an expansion and intensification of the conduct and support of—

"(A) basic research concerning the etiology and causes of prostate cancer;

"(B) clinical research and related activities concerning the causes, prevention, detection and treatment of prostate cancer;

"(C) prevention and control and early detection programs with respect to prostate cancer in accordance with section 412, particularly as it relates to intensifying research on the role of prostate specific antigen for the screening and early detection of prostate cancer;

"(D) an Inter-Institute Task Force, under the direction of the Director of the Institute, to provide coordination between relevant National Institutes of Health components of research efforts on prostate cancer;

"(E) control programs with respect to prostate cancer in accordance with section 412;

"(F) information and education programs with respect to prostate cancer in accordance with section 413; and

"(G) research and demonstration centers with respect to prostate cancer in accordance with section 414, including the development and operation of centers for prostate cancer research to bring together basic and clinical, biomedical and behavioral scientists to conduct basic, clinical, epidemiological, psychosocial, prevention and control, treatment, research, and related activities on prostate cancer.

Not less than six centers shall be operated under subparagraph (G). Activities of such centers should include supporting new and innovative research and training programs for new researchers. Such centers shall give priority to expediting the transfer of research advances to clinical applications.

"(2) IMPLEMENTATION OF PLAN FOR PROGRAMS.—

"(A) The Director of the Institute shall ensure that the research programs described in paragraph (1) are implemented in accordance with a plan for the programs. Such plan shall include comments and recommendations that the Director of the Institute considers appropriate, with due consideration provided to the professional judgment needs of the Institute as expressed in the annual budget estimate prepared in accordance with section 413(9). The Director of the Institute, in consultation with the National Cancer Advisory Board, shall periodically review and revise such plan.

"(B) Not later than October 1, 1993, the Director of the Institute shall submit a copy of the plan to the President's Cancer Panel, the Secretary, and the Director of NIH.

"(C) The Director of the Institute shall submit any revisions of the plan to the President's Cancer Panel, the Secretary, and the Director of NIH.

"(D) The Secretary shall provide a copy of the plan submitted under subparagraph (A), and any revisions submitted under subparagraph (C), to the Committee on Energy and Commerce of the House of Representatives and the Committee on Labor and Human Resources of the Senate."

SEC. 403. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—Subpart 1 of part C of title IV of the Public Health Service Act, as amended by section 402 of this Act, is amended by adding at the end the following section:

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 417B. (a) ACTIVITIES GENERALLY.—For the purpose of carrying out this subpart, there are authorized to be appropriated \$2,728,000,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 and 1996.

"(b) BREAST CANCER AND GYNECOLOGICAL CANCERS.—

"(1) BREAST CANCER.—

"(A) For the purpose of carrying out subparagraph (A) of section 417(c)(1), there are authorized to be appropriated \$225,000,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 and 1996. Such authorizations of appropriations are in addition to the authorizations of appropriations established in subsection (a) with respect to such purpose.

"(B) For the purpose of carrying out subparagraphs (B) through (E) of section 417(c)(1), there are authorized to be appropriated \$100,000,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 and 1996. Such authorizations of appropriations are in addition to the authorizations of appropriations established in subsection (a) with respect to such purpose.

"(2) OTHER CANCERS.—For the purpose of carrying out subsection (d) of section 417, there are authorized to be appropriated \$75,000,000 for fiscal year 1994, and such sums as are necessary for each of the fiscal years 1995 and 1996. Such authorizations of appropriations are in addition to the authorizations of appropriations established in subsection (a) with respect to such purpose.

"(c) PROSTATE CANCER.—For the purpose of carrying out section 417A, there are authorized to be appropriated \$72,000,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 and 1996. Such authorizations of appropriations are in addition to the authorizations of appropriations established in subsection (a) with respect to such purpose.

"(d) ALLOCATION REGARDING CANCER CONTROL.—

"(1) IN GENERAL.—Of the amounts appropriated for the National Cancer Institute for a fiscal year, the Director of the Institute shall make available not less than the applicable percentage specified in paragraph (2) for carrying out the cancer control activities authorized in section 412 and for which budget estimates are made under section 413(b)(9) for the fiscal year.

"(2) APPLICABLE PERCENTAGE.—The percentage referred to in paragraph (1) is—

"(A) 7 percent, in the case of fiscal year 1994;

"(B) 9 percent, in the case of fiscal year 1995; and

"(C) 10 percent, in the case of fiscal year 1996 and each subsequent fiscal year."

(b) CONFORMING AMENDMENTS.—

(1) IN GENERAL.—Section 408 of the Public Health Service Act (42 U.S.C. 284c) is amended—

(A) by striking subsection (a);

(B) by redesignating subsection (b) as subsection (a);

(C) by redesignating paragraph (5) of subsection (a) (as so redesignated) as subsection (b); and

(D) by amending the heading for the section to read as follows:

"CERTAIN USES OF FUNDS"

(2) CROSS-REFERENCE.—Section 464F of the Public Health Service Act (42 U.S.C. 285m-6) is amended by striking "section 408(b)(1)" and inserting "section 408(a)(1)".

TITLE V—NATIONAL HEART, LUNG, AND BLOOD INSTITUTE

SEC. 501. EDUCATION AND TRAINING.

Section 421(b) of the Public Health Service Act (42 U.S.C. 285b-3(b)) is amended—

(1) in paragraph (3), by striking "and" after the semicolon at the end;

(2) in paragraph (4), by striking the period at the end and inserting "; and"; and

(3) by inserting after paragraph (4) the following paragraph:

"(5) shall, in consultation with the advisory council for the Institute, conduct appropriate intramural training and education programs, including continuing education and laboratory and clinical research training programs."

SEC. 502. CENTERS FOR THE STUDY OF PEDIATRIC CARDIOVASCULAR DISEASES.

Section 422(a)(1) of the Public Health Service Act (42 U.S.C. 285b-4(a)(1)) is amended—

(1) in subparagraph (B), by striking "and" at the end;

(2) in subparagraph (C), by striking the period and inserting "; and"; and

(3) by adding at the end the following subparagraph:

"(D) three centers for basic and clinical research into, training in, and demonstration of, advanced diagnostic, prevention, and treatment (including genetic studies, intrauterine environment studies, postnatal studies, heart arrhythmias, and acquired heart disease and preventive cardiology) for cardiovascular diseases in children."

SEC. 503. NATIONAL CENTER ON SLEEP DISORDERS RESEARCH.

Subpart 2 of part C of title IV of the Public Health Service Act (42 U.S.C. 285b et seq.) is amended by adding at the end the following section:

"NATIONAL CENTER ON SLEEP DISORDERS RESEARCH

"SEC. 424. (a) Not later than 1 year after the date of the enactment of the National Institutes of Health Revitalization Act of 1993, the Director of the Institute shall establish the National Center on Sleep Disorders Research (in this section referred to as the 'Center'). The Center shall be headed by a director, who shall be appointed by the Director of the Institute.

"(b) The general purpose of the Center is—

"(1) the conduct and support of research, training, health information dissemination, and other activities with respect to sleep disorders, including biological and circadian rhythm research, basic understanding of sleep, chronobiological and other sleep related research; and

"(2) to coordinate the activities of the Center with similar activities of other Federal agencies, including the other agencies of the National Institutes of Health, and similar activities of other public entities and nonprofit entities.

"(c)(1) The Director of the National Institutes of Health shall establish a board to be known as the Sleep Disorders Research Advisory Board (in this section referred to as the 'Advisory Board').

"(2) The Advisory Board shall advise, assist, consult with, and make recommendations to the Director of the National Institutes of Health, through the Director of the Institute, and the Director of the Center concerning matters relating to the scientific activities carried out by and through the Center and the policies respecting such activities, including recommendations with respect to the plan required in subsection (c).

"(3)(A) The Director of the National Institutes of Health shall appoint to the Advisory Board 12 appropriately qualified representatives of the public who are not officers or employees of the Federal Government. Of such members, eight shall be representatives of health and scientific disciplines with respect to sleep disorders and four shall be individuals representing the interests of individuals with or undergoing treatment for sleep disorders.

"(B) The following officials shall serve as ex officio members of the Advisory Board:

"(i) The Director of the National Institutes of Health.

"(ii) The Director of the Center.

"(iii) The Director of the National Heart, Lung and Blood Institute.

"(iv) The Director of the National Institute of Mental Health.

"(v) The Director of the National Institute on Aging.

"(vi) The Director of the National Institute of Child Health and Human Development.

"(vii) The Director of the National Institute of Neurological Disorders and Stroke.

"(viii) The Assistant Secretary for Health.

"(ix) The Assistant Secretary of Defense (Health Affairs).

"(x) The Chief Medical Director of the Veterans' Administration.

"(4) The members of the Advisory Board shall, from among the members of the Advisory Board, designate an individual to serve as the chair of the Advisory Board.

"(5) Except as inconsistent with, or inapplicable to, this section, the provisions of section 406 shall apply to the advisory board established under this section in the same manner as such provisions apply to any advisory council established under such section.

"(d)(1) After consultation with the Director of the Center and the advisory board established

under subsection (c), the Director of the National Institutes of Health shall develop a comprehensive plan for the conduct and support of sleep disorders research.

"(2) The plan developed under paragraph (1) shall identify priorities with respect to such research and shall provide for the coordination of such research conducted or supported by the agencies of the National Institutes of Health.

"(3) The Director of the National Institutes of Health (after consultation with the Director of the Center and the advisory board established under subsection (c)) shall revise the plan developed under paragraph (1) as appropriate.

"(e) The Director of the Center, in cooperation with the Centers for Disease Control and Prevention, is authorized to coordinate activities with the Department of Transportation, the Department of Defense, the Department of Education, the Department of Labor, and the Department of Commerce to collect data, conduct studies, and disseminate public information concerning the impact of sleep disorders and sleep deprivation."

SEC. 504. AUTHORIZATION OF APPROPRIATIONS.

Subpart 2 of part C of title IV of the Public Health Service Act, as amended by section 503 of this Act, is amended by adding at the end the following section:

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 425. For the purpose of carrying out this subpart, there are authorized to be appropriated \$1,500,000,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 and 1996."

SEC. 505. PREVENTION AND CONTROL PROGRAMS.

Section 419 of the Public Health Service Act (42 U.S.C. 285b-1) is amended by striking "The Director of the Institute" and all that follows and inserting the following: "(a) The Director of the Institute shall conduct and support programs for the prevention and control of heart, blood vessel, lung, and blood diseases. Such programs shall include community-based and population-based programs carried out in cooperation with other Federal agencies, with public health agencies of State or local governments, with nonprofit private entities that are community-based health agencies, or with other appropriate public or nonprofit private entities.

"(b) In carrying out programs under subsection (a), the Director of the Institute shall give special consideration to the prevention and control of heart, blood vessel, lung, and blood diseases in children, and in populations that are at increased risk with respect to such diseases."

TITLE VI—NATIONAL INSTITUTE ON DIABETES AND DIGESTIVE AND KIDNEY DISEASES**SEC. 601. PROVISIONS REGARDING NUTRITIONAL DISORDERS.**

Subpart 3 of part C of title IV of the Public Health Service Act (42 U.S.C. 285c et seq.) is amended by adding at the end the following section:

"NUTRITIONAL DISORDERS PROGRAM

"SEC. 434. (a) The Director of the Institute, in consultation with the Director of NIH, shall establish a program of conducting and supporting research, training, health information dissemination, and other activities with respect to nutritional disorders, including obesity.

"(b) In carrying out the program established under subsection (a), the Director of the Institute shall conduct and support each of the activities described in such subsection.

"(c) In carrying out the program established under subsection (a), the Director of the Institute shall carry out activities to facilitate and enhance knowledge and understanding of nutritional disorders, including obesity, on the part of health professionals, patients, and the public

through the effective dissemination of information."

(b) DEVELOPMENT AND EXPANSION OF RESEARCH AND TRAINING CENTERS.—Section 431 of the Public Health Service Act (42 U.S.C. 285c-5) is amended—

(1) by redesignating subsection (d) as subsection (e); and

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

"(d)(1) The Director of the Institute shall, subject to the extent of amounts made available in appropriations Acts, provide for the development or substantial expansion of centers for research and training regarding nutritional disorders, including obesity.

"(2) The Director of the Institute shall carry out paragraph (1) in collaboration with the Director of the National Cancer Institute and with the Directors of such other agencies of the National Institutes of Health as the Director of NIH determines to be appropriate.

"(3) Each center developed or expanded under paragraph (1) shall—

"(A) utilize the facilities of a single institution, or be formed from a consortium of cooperating institutions, meeting such research and training qualifications as may be prescribed by the Director;

"(B) conduct basic and clinical research into the cause, diagnosis, early detection, prevention, control and treatment of nutritional disorders, including obesity and the impact of nutrition and diet on child development;

"(C) conduct training programs for physicians and allied health professionals in current methods of diagnosis and treatment of such diseases and complications, and in research in such disorders; and

"(D) conduct information programs for physicians and allied health professionals who provide primary care for patients with such disorders or complications."

TITLE VII—NATIONAL INSTITUTE ON ARTHRITIS AND MUSCULOSKELETAL AND SKIN DISEASES**SEC. 701. JUVENILE ARTHRITIS.**

(a) PURPOSE.—Section 435 of the Public Health Service Act (42 U.S.C. 285d) is amended by striking "and other programs" and all that follows and inserting the following: "and other programs with respect to arthritis and musculoskeletal and skin diseases (including sports-related disorders), with particular attention to the effect of these diseases on children."

(b) PROGRAMS.—Section 436 (42 U.S.C. 285d-1) is amended—

(1) in subsection (a), by inserting after the second sentence, the following: "The plan shall place particular emphasis upon expanding research into better understanding the causes and the development of effective treatments for arthritis affecting children."; and

(2) in subsection (b)—

(A) by striking "and" at the end of paragraph (3);

(B) by striking the period at the end of paragraph (4) and inserting "; and"; and

(C) by adding at the end the following paragraph:

"(5) research into the causes of arthritis affecting children and the development, trial, and evaluation of techniques, drugs and devices used in the diagnosis, treatment (including medical rehabilitation), and prevention of arthritis in children."

(c) CENTERS.—Section 441 of the Public Health Service Act (42 U.S.C. 286d-6) is amended by adding at the end the following subsection:

"(f) Not later than October 1, 1993, the Director shall establish a multipurpose arthritis and musculoskeletal disease center for the purpose of expanding the level of research into the cause, diagnosis, early detection, prevention, control,

and treatment of, and rehabilitation of children with arthritis and musculoskeletal diseases."

(d) **ADVISORY BOARD.**

(1) **TITLE.**—Section 442(a) of the Public Health Service Act (42 U.S.C. 285d-7(a)) is amended by inserting after "Arthritis" the following: "and Musculoskeletal and Skin Diseases".

(2) **COMPOSITION.**—Section 442(b) of the Public Health Service Act (42 U.S.C. 285d-7(b)) is amended—

(A) in the matter preceding paragraph (1), by striking "eighteen" and inserting "twenty"; and

(B) in paragraph (1)(B)—

(i) by striking "six" and inserting "eight"; and

(ii) by striking "including" and all that follows and inserting the following: "including one member who is a person who has such a disease, one person who is the parent of an adult with such a disease, and two members who are parents of children with arthritis."

(3) **ANNUAL REPORT.**—Section 442(j) of the Public Health Service Act (42 U.S.C. 285d-7(j)) is amended—

(1) by striking "and" at the end of paragraph (3);

(2) by striking the period at the end of paragraph (4) and inserting "; and"; and

(3) by adding at the end the following paragraph:

"(5) contains recommendations for expanding the Institute's funding of research directly applicable to the cause, diagnosis, early detection, prevention, control, and treatment of, and rehabilitation of children with arthritis and musculoskeletal diseases."

TITLE VIII—NATIONAL INSTITUTE ON AGING

SEC. 801. ALZHEIMER'S DISEASE REGISTRY.

(a) **IN GENERAL.**—Section 12 of Public Law 99-158 (99 Stat. 885) is—

(1) transferred to subpart 5 of part C of title IV of the Public Health Service Act (42 U.S.C. 285e et seq.);

(2) redesignated as section 445G; and

(3) inserted after section 445F of such Act.

(b) **TECHNICAL AND CONFORMING AMENDMENTS.**—Section 445G of the Public Health Service Act, as transferred and inserted by subsection (a) of this section, is amended—

(1) by striking the section heading and all that follows through "may make a grant" in subsection (a) and inserting the following:

"ALZHEIMER'S DISEASE REGISTRY

"SEC. 445G. (a) **IN GENERAL.**—The Director of the Institute may make a grant"; and

(2) by striking subsection (c).

SEC. 802. AGING PROCESSES REGARDING WOMEN.

Subpart 5 of part C of title IV of the Public Health Service Act, as amended by section 801 of this Act, is amended by adding at the end the following section:

"AGING PROCESSES REGARDING WOMEN

"SEC. 445H. The Director of the Institute, in addition to other special functions specified in section 444 and in cooperation with the Directors of the other national research institutes and agencies of the National Institutes of Health, shall conduct research into the aging processes of women, with particular emphasis given to the effects of menopause and the physiological and behavioral changes occurring during the transition from pre- to post-menopause, and into the diagnosis, disorders, and complications related to aging and loss of ovarian hormones in women."

SEC. 803. AUTHORIZATION OF APPROPRIATIONS.

Subpart 5 of part C of title IV of the Public Health Service Act, as amended by section 802 of this Act, is amended by adding at the end the following section:

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 445I. For the purpose of carrying out this subpart, there are authorized to be appro-

riated \$500,000,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 and 1996."

SEC. 804. CONFORMING AMENDMENT.

Section 445C of the Public Health Service Act (42 U.S.C. 285e-5), as amended by section 9 of Public Law 102-507 (106 Stat. 3287), is amended—

(1) in subsection (b)(1), in the first sentence, by inserting after "Council" the following: "on Alzheimer's Disease (in this section referred to as the 'Council')"; and

(2) by adding at the end the following subsection:

"(e) For purposes of this section, the term 'Council on Alzheimer's Disease' means the council established in section 911(a) of Public Law 99-660."

TITLE IX—NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES

SEC. 901. TROPICAL DISEASES.

Section 446 of the Public Health Service Act (42 U.S.C. 285f) is amended by inserting before the period the following: ", including tropical diseases".

SEC. 902. CHRONIC FATIGUE SYNDROME.

(a) **RESEARCH CENTERS.**—Subpart 6 of part C of title IV of the Public Health Service Act (42 U.S.C. 285f) is amended by adding at the end the following section:

"RESEARCH CENTERS REGARDING CHRONIC FATIGUE SYNDROME

"SEC. 447. (a) The Director of the Institute, after consultation with the advisory council for the Institute, may make grants to, or enter into contracts with, public or nonprofit private entities for the development and operation of centers to conduct basic and clinical research on chronic fatigue syndrome.

"(b) Each center assisted under this section shall use the facilities of a single institution, or be formed from a consortium of cooperating institutions, meeting such requirements as may be prescribed by the Director of the Institute."

(b) **EXTRAMURAL STUDY SECTION.**—Not later than 6 months after the date of enactment of this Act, the Secretary of Health and Human Services shall establish an extramural study section for chronic fatigue syndrome research.

(c) **REPRESENTATIVES.**—The Secretary of Health and Human Services, acting through the Director of the National Institutes of Health, shall ensure that appropriate individuals with expertise in chronic fatigue syndrome or neuromuscular diseases and representative of a variety of disciplines and fields within the research community are appointed to appropriate National Institutes of Health advisory committees and boards.

TITLE X—NATIONAL INSTITUTE OF CHILD HEALTH AND HUMAN DEVELOPMENT

Subtitle A—Research Centers With Respect to Contraception and Research Centers With Respect to Infertility

SEC. 1001. GRANTS AND CONTRACTS FOR RESEARCH CENTERS.

Subpart 7 of part C of title IV of the Public Health Service Act, as amended by section 3 of Public Law 101-613, is amended by adding at the end the following section:

"RESEARCH CENTERS WITH RESPECT TO CONTRACEPTION AND INFERTILITY

"SEC. 452A. (a) The Director of the Institute, after consultation with the advisory council for the Institute, shall make grants to, or enter into contracts with, public or nonprofit private entities for the development and operation of centers to conduct activities for the purpose of improving methods of contraception and centers to conduct activities for the purpose of improving methods of diagnosis and treatment of infertility.

"(b) In carrying out subsection (a), the Director of the Institute shall, subject to the extent of amounts made available in appropriations Acts, provide for the establishment of three centers with respect to contraception and for two centers with respect to infertility.

"(c)(1) Each center assisted under this section shall, in carrying out the purpose of the center involved—

"(A) conduct clinical and other applied research, including—

"(i) for centers with respect to contraception, clinical trials of new or improved drugs and devices for use by males and females (including barrier methods); and

"(ii) for centers with respect to infertility, clinical trials of new or improved drugs and devices for the diagnosis and treatment of infertility in males and females;

"(B) develop protocols for training physicians, scientists, nurses, and other health and allied health professionals;

"(C) conduct training programs for such individuals;

"(D) develop model continuing education programs for such professionals; and

"(E) disseminate information to such professionals and the public.

"(2) A center may use funds provided under subsection (a) to provide stipends for health and allied health professionals enrolled in programs described in subparagraph (C) of paragraph (1), and to provide fees to individuals serving as subjects in clinical trials conducted under such paragraph.

"(d) The Director of the Institute shall, as appropriate, provide for the coordination of information among the centers assisted under this section.

"(e) Each center assisted under subsection (a) shall use the facilities of a single institution, or be formed from a consortium of cooperating institutions, meeting such requirements as may be prescribed by the Director of the Institute.

"(f) Support of a center under subsection (a) may be for a period not exceeding 5 years. Such period may be extended for one or more additional periods not exceeding 5 years if the operations of such center have been reviewed by an appropriate technical and scientific peer review group established by the Director and if such group has recommended to the Director that such period should be extended.

"(g) For the purpose of carrying out this section, there are authorized to be appropriated \$30,000,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 and 1996."

SEC. 1002. LOAN REPAYMENT PROGRAM FOR RESEARCH WITH RESPECT TO CONTRACEPTION AND INFERTILITY.

Part G of title IV of the Public Health Service Act, as redesignated by section 141(a)(2) of this Act, is amended by inserting after section 487A the following section:

"LOAN REPAYMENT PROGRAM FOR RESEARCH WITH RESPECT TO CONTRACEPTION AND INFERTILITY

"SEC. 487B. (a) The Secretary, in consultation with the Director of the National Institute of Child Health and Human Development, shall establish a program of entering into contracts with qualified health professionals (including graduate students) under which such health professionals agree to conduct research with respect to contraception, or with respect to infertility, in consideration of the Federal Government agreeing to repay, for each year of such service, not more than \$20,000 of the principal and interest of the educational loans of such health professionals.

"(b) The provisions of sections 338B, 338C, and 338E shall, except as inconsistent with subsection (a) of this section, apply to the program

established in subsection (a) to the same extent and in the same manner as such provisions apply to the National Health Service Corps Loan Repayment Program established in subpart III of part D of title III.

"(c) Amounts available for carrying out this section shall remain available until the expiration of the second fiscal year beginning after the fiscal year for which the amounts were made available."

Subtitle B—Program Regarding Obstetrics and Gynecology

SEC. 1011. ESTABLISHMENT OF PROGRAM.

Subpart 7 of part C of title IV of the Public Health Service Act, as amended by section 1001 of this Act, is amended by adding at the end the following section:

"PROGRAM REGARDING OBSTETRICS AND GYNECOLOGY

"SEC. 452B. The Director of the Institute shall establish and maintain within the Institute an intramural laboratory and clinical research program in obstetrics and gynecology."

Subtitle C—Child Health Research Centers

SEC. 1021. ESTABLISHMENT OF CENTERS.

Subpart 7 of part C of title IV of the Public Health Service Act, as amended by section 1011 of this Act, is amended by adding at the end the following section:

"CHILD HEALTH RESEARCH CENTERS

"SEC. 452C. The Director of the Institute shall develop and support centers for conducting research with respect to child health. Such centers shall give priority to the expeditious transfer of advances from basic science to clinical applications and improving the care of infants and children."

Subtitle D—Study Regarding Adolescent Health

SEC. 1031. PROSPECTIVE LONGITUDINAL STUDY.

Subpart 7 of part C of title IV of the Public Health Service Act, as amended by section 1021 of this Act, is amended by adding at the end the following section:

"PROSPECTIVE LONGITUDINAL STUDY ON ADOLESCENT HEALTH

"SEC. 452D. (a) IN GENERAL.—Not later than October 1, 1993, the Director of the Institute shall commence a study for the purpose of providing information on the general health and well-being of adolescents in the United States, including, with respect to such adolescents, information on—

"(1) the behaviors that promote health and the behaviors that are detrimental to health; and

"(2) the influence on health of factors particular to the communities in which the adolescents reside.

"(b) DESIGN OF STUDY.—

"(1) IN GENERAL.—The study required in subsection (a) shall be a longitudinal study in which a substantial number of adolescents participate as subjects. With respect to the purpose described in such subsection, the study shall monitor the subjects throughout the period of the study to determine the health status of the subjects and any change in such status over time.

"(2) POPULATION-SPECIFIC ANALYSES.—The study required in subsection (a) shall be conducted with respect to the population of adolescents who are female, the population of adolescents who are male, various socioeconomic populations of adolescents, and various racial and ethnic populations of adolescents. The study shall be designed and conducted in a manner sufficient to provide for a valid analysis of whether there are significant differences among such populations in health status and whether and to what extent any such differences are due to factors particular to the populations involved.

"(c) COORDINATION WITH WOMEN'S HEALTH INITIATIVE.—With respect to the national study of women being conducted by the Secretary and known as the Women's Health Initiative, the Secretary shall ensure that such study is coordinated with the component of the study required in subsection (a) that concerns adolescent females, including coordination in the design of the 2 studies."

TITLE XI—NATIONAL EYE INSTITUTE

SEC. 1101. CLINICAL AND HEALTH SERVICES RESEARCH ON EYE CARE AND DIABETES.

(a) IN GENERAL.—Subpart 9 of part C of title IV of the Public Health Service Act (42 U.S.C. 285i) is amended by adding at the end the following section:

"CLINICAL RESEARCH ON EYE CARE AND DIABETES

"SEC. 456. (a) PROGRAM OF GRANTS.—The Director of the Institute, in consultation with the advisory council for the Institute, may award research grants to one or more Diabetes Eye Research Institutions for the support of programs in clinical or health services aimed at—

"(1) providing comprehensive eye care services for people with diabetes, including a full complement of preventive, diagnostic and treatment procedures;

"(2) developing new and improved techniques of patient care through basic and clinical research;

"(3) assisting in translation of the latest research advances into clinical practice; and

"(4) expanding the knowledge of the eye and diabetes through further research.

"(b) USE OF FUNDS.—Amounts received under a grant awarded under this section shall be used for the following:

"(1) Establishing the biochemical, cellular, and genetic mechanisms associated with diabetic eye disease and the earlier detection of pending eye abnormalities. The focus of work under this paragraph shall require that ophthalmologists have training in the most up-to-date molecular and cell biological methods.

"(2) Establishing new frontiers in technology, such as video-based diagnostic and research resources, to—

"(A) provide improved patient care;

"(B) provide for the evaluation of retinal physiology and its affect on diabetes; and

"(C) provide for the assessment of risks for the development and progression of diabetic eye disease and a more immediate evaluation of various therapies aimed at preventing diabetic eye disease.

Such technologies shall be designed to permit evaluations to be performed both in humans and in animal models.

"(3) The translation of the results of vision research into the improved care of patients with diabetic eye disease. Such translation shall require the application of institutional resources that encompass patient care, clinical research and basic laboratory research.

"(4) The conduct of research concerning the outcomes of eye care treatments and eye health education programs as they relate to patients with diabetic eye disease, including the evaluation of regional approaches to such research.

"(c) AUTHORIZED EXPENDITURES.—The purposes for which a grant under subsection (a) may be expended include equipment for the research described in such subsection."

(b) CONFORMING AMENDMENT.—Section 455 of the Public Health Service Act (42 U.S.C. 285i) is amended in the second sentence by striking "The Director" and inserting "Subject to section 456, the Director".

TITLE XII—NATIONAL INSTITUTE OF NEUROLOGICAL DISORDERS AND STROKE

SEC. 1201. RESEARCH ON MULTIPLE SCLEROSIS.

Subpart 10 of part C of title IV of the Public Health Service Act (42 U.S.C. 285j et seq.) is

amended by adding at the end the following section:

"RESEARCH ON MULTIPLE SCLEROSIS

"SEC. 460. The Director of the Institute shall conduct and support research on multiple sclerosis, especially research on effects of genetics and hormonal changes on the progress of the disease."

TITLE XIII—NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES

SEC. 1301. APPLIED TOXICOLOGICAL RESEARCH AND TESTING PROGRAM.

(a) IN GENERAL.—Subpart 12 of part C of title IV of the Public Health Service Act (42 U.S.C. 285l) is amended by adding at the end the following section:

"APPLIED TOXICOLOGICAL RESEARCH AND TESTING PROGRAM

"SEC. 463A. (a) There is established within the Institute a program for conducting applied research and testing regarding toxicology, which program shall be known as the Applied Toxicological Research and Testing Program.

"(b) In carrying out the program established under subsection (a), the Director of the Institute shall, with respect to toxicology, carry out activities—

"(1) to expand knowledge of the health effects of environmental agents;

"(2) to broaden the spectrum of toxicology information that is obtained on selected chemicals;

"(3) to develop and validate assays and protocols, including alternative methods that can reduce or eliminate the use of animals in acute or chronic safety testing;

"(4) to establish criteria for the validation and regulatory acceptance of alternative testing and to recommend a process through which scientifically validated alternative methods can be accepted for regulatory use;

"(5) to communicate the results of research to government agencies, to medical, scientific, and regulatory communities, and to the public; and

"(6) to integrate related activities of the Department of Health and Human Services."

(b) TECHNICAL AMENDMENT.—Section 463 of the Public Health Service Act (42 U.S.C. 285l) is amended by inserting after "Sciences" the following: "(in this subpart referred to as the 'Institute')".

TITLE XIV—NATIONAL LIBRARY OF MEDICINE

Subtitle A—General Provisions

SEC. 1401. ADDITIONAL AUTHORITIES.

(a) IN GENERAL.—Section 465(b) of the Public Health Service Act (42 U.S.C. 286(b)) is amended—

(1) by striking "and" after the semicolon at the end of paragraph (5);

(2) by redesignating paragraph (6) as paragraph (8); and

(3) by inserting after paragraph (5) the following paragraphs:

"(6) publicize the availability from the Library of the products and services described in any of paragraphs (1) through (5);

"(7) promote the use of computers and telecommunications by health professionals (including health professionals in rural areas) for the purpose of improving access to biomedical information for health care delivery and medical research; and"

(b) LIMITATION REGARDING GRANTS.—Section 474(b)(2) of the Public Health Service Act (42 U.S.C. 286b-S(b)(2)) is amended by striking "\$750,000" and inserting "\$1,000,000".

(c) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) REPEAL OF CERTAIN AUTHORITY.—Section 215 of the Department of Health and Human Services Appropriations Act, 1988, as contained in section 101(h) of Public Law 100-202 (101 Stat. 1329-275), is repealed.

(2) **APPLICABILITY OF CERTAIN NEW AUTHORITY.**—With respect to the authority established for the National Library of Medicine in section 465(b)(6) of the Public Health Service Act, as added by subsection (a) of this section, such authority shall be effective as if the authority had been established on December 22, 1987.

SEC. 1402. AUTHORIZATION OF APPROPRIATIONS.

(a) **ESTABLISHMENT OF SINGLE AUTHORIZATION.**—Subpart 1 of part D of title IV of the Public Health Service Act (42 U.S.C. 286 et seq.) is amended by adding at the end the following section:

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 468. (a) For the purpose of carrying out this part, there are authorized to be appropriated \$150,000,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 and 1996.

"(b) Amounts appropriated under subsection (a) and made available for grants or contracts under any of sections 472 through 476 shall remain available until the end of the fiscal year following the fiscal year for which the amounts were appropriated."

(b) CONFORMING AMENDMENTS.—Part D of title IV of the Public Health Service Act (42 U.S.C. 286 et seq.) is amended by striking section 469 and section 478(c).

Subtitle B—Financial Assistance

SEC. 1411. ESTABLISHMENT OF PROGRAM OF GRANTS FOR DEVELOPMENT OF EDUCATION TECHNOLOGIES.

Section 473 of the Public Health Service Act (42 U.S.C. 286b-4) is amended by adding at the end the following subsection:

"(c)(1) The Secretary shall make grants to public or nonprofit private institutions for the purpose of carrying out projects of research on, and development and demonstration of, new education technologies.

"(2) The purposes for which a grant under paragraph (1) may be made include projects concerning—

"(A) computer-assisted teaching and testing of clinical competence at health professions and research institutions;

"(B) the effective transfer of new information from research laboratories to appropriate clinical applications;

"(C) the expansion of the laboratory and clinical uses of computer-stored research databases; and

"(D) the testing of new technologies for training health care professionals.

"(3) The Secretary may not make a grant under paragraph (1) unless the applicant for the grant agrees to make the projects available with respect to—

"(A) assisting in the training of health professions students; and

"(B) enhancing and improving the capabilities of health professionals regarding research and teaching."

Subtitle C—National Information Center on Health Services Research and Health Care Technology

SEC. 1421. ESTABLISHMENT OF CENTER.

Part D of title IV of the Public Health Service Act (42 U.S.C. 286 et seq.) is amended by adding at the end the following subpart:

"Subpart 4—National Information Center on Health Services Research and Health Care Technology

"NATIONAL INFORMATION CENTER

"SEC. 478A. (a) There is established within the Library an entity to be known as the National Information Center on Health Services Research and Health Care Technology (in this section referred to as the 'Center').

"(b) The purpose of the Center is the collection, storage, analysis, retrieval, and dissemination

of information on health services research, clinical practice guidelines, and on health care technology, including the assessment of such technology. Such purpose includes developing and maintaining data bases and developing and implementing methods of carrying out such purpose.

"(c) The Director of the Center shall ensure that information under subsection (b) concerning clinical practice guidelines is collected and maintained electronically and in a convenient format. Such Director shall develop and publish criteria for the inclusion of practice guidelines and technology assessments in the information center database.

"(d) The Secretary, acting through the Center, shall coordinate the activities carried out under this section through the Center with related activities of the Administrator for Health Care Policy and Research."

SEC. 1422. CONFORMING PROVISIONS.

(a) IN GENERAL.—Section 903 of the Public Health Service Act, as amended by section 3 of Public Law 102-410 (106 Stat. 2094), is amended by amending subsection (e) to read as follows:

"(e) REQUIRED INTERAGENCY AGREEMENT.—The Administrator and the Director of the National Library of Medicine shall enter into an agreement providing for the implementation of section 478A."

(b) RULE OF CONSTRUCTION.—The amendments made by section 3 of Public Law 102-410 (106 Stat. 2094), by section 1421 of this Act, and by subsection (a) of this section may not be construed as terminating the information center on health care technologies and health care technology assessment established under section 904 of the Public Health Service Act, as in effect on the day before the date of the enactment of Public Law 102-410. Such center shall be considered to be the center established in section 478A of the Public Health Service Act, as added by section 1421 of this Act, and shall be subject to the provisions of such section 478A.

TITLE XV—OTHER AGENCIES OF NATIONAL INSTITUTES OF HEALTH

Subtitle A—Division of Research Resources

SEC. 1501. REDESIGNATION OF DIVISION AS NATIONAL CENTER FOR RESEARCH RESOURCES.

Title IV of the Public Health Service Act (42 U.S.C. 281 et seq.) is amended—

(1) in section 401(b)(2)(B), by amending such subparagraph to read as follows:

"(B) The National Center for Research Resources"; and

(2) in part E—

(A) in the heading for subpart 1, by striking "Division of" and inserting "National Center for";

(B) in section 479, by striking "the Division of Research Resources" and inserting the following: "the National Center for Research Resources (in this subpart referred to as the 'Center')";

(C) in sections 480 and 481, by striking "the Division of Research Resources" each place such term appears and inserting "the Center"; and

(D) in sections 480 and 481, as amended by subparagraph (C), by striking "the Division" each place such term appears and inserting "the Center".

SEC. 1502. BIOMEDICAL AND BEHAVIORAL RESEARCH FACILITIES.

Subpart 1 of part E of title IV of the Public Health Service Act (42 U.S.C. 287 et seq.) is amended by adding at the end the following section:

"BIOMEDICAL AND BEHAVIORAL RESEARCH FACILITIES

"SEC. 481A. (a) MODERNIZATION AND CONSTRUCTION OF FACILITIES.—

"(1) IN GENERAL.—The Director of NIH, acting through the Director of the Center, may make grants to public and nonprofit private entities to expand, remodel, renovate, or alter existing research facilities or construct new research facilities, subject to the provisions of this section.

"(2) CONSTRUCTION AND COST OF CONSTRUCTION.—For purposes of this section, the terms 'construction' and 'cost of construction' include the construction of new buildings and the expansion, renovation, remodeling, and alteration of existing buildings, including architects' fees, but do not include the cost of acquisition of land or off-site improvements.

"(b) SCIENTIFIC AND TECHNICAL REVIEW BOARDS FOR MERIT-BASED REVIEW OF PROPOSALS.—

"(1) IN GENERAL; APPROVAL AS PRECONDITION TO GRANTS.—

"(A) There is established within the Center a Scientific and Technical Review Board on Biomedical and Behavioral Research Facilities (referred to in this section as the 'Board').

"(B) The Director of the Center may approve an application for a grant under subsection (a) only if the Board has under paragraph (2) recommended the application for approval.

"(2) DUTIES.—

"(A) The Board shall provide advice to the Director of the Center and the advisory council established under section 480 (in this section referred to as the 'Advisory Council') on carrying out this section.

"(B) In carrying out subparagraph (A), the Board shall make a determination of the merit of each application submitted for a grant under subsection (a), after consideration of the requirements established in subsection (c), and shall report the results of the determination to the Director of the Center and the Advisory Council. Such determinations shall be conducted in a manner consistent with procedures established under section 492.

"(C) In carrying out subparagraph (A), the Board shall, in the case of applications recommended for approval, make recommendations to the Director and the Advisory Council on the amount that should be provided in the grant.

"(D) In carrying out subparagraph (A), the Board shall prepare an annual report for the Director of the Center and the Advisory Council describing the activities of the Board in the fiscal year for which the report is made. Each such report shall be available to the public, and shall—

"(i) summarize and analyze expenditures made under this section;

"(ii) provide a summary of the types, numbers, and amounts of applications that were recommended for grants under subsection (a) but that were not approved by the Director of the Center; and

"(iii) contain the recommendations of the Board for any changes in the administration of this section.

"(3) MEMBERSHIP.—

"(A) Subject to subparagraph (B), the Board shall be composed of 9 appointed members, and such ex officio members as the Director of the Center determines to be appropriate.

"(B) Not more than 3 individuals who are officers or employees of the Federal Government may serve as members of the Board.

"(4) CERTAIN REQUIREMENTS REGARDING MEMBERSHIP.—In selecting individuals for membership on the Board, the Director of the Center shall ensure that the members are individuals who, by virtue of their training or experience, are eminently qualified to perform peer review functions. In selecting such individuals for such membership, the Director of the Center shall ensure that the members of the Board collectively—

"(A) are experienced in the planning, construction, financing, and administration of enti-

ties that conduct biomedical or behavioral research sciences;

"(B) are knowledgeable in making determinations of the need of entities for biomedical or behavioral research facilities, including such facilities for the dentistry, nursing, pharmacy, and allied health professions;

"(C) are knowledgeable in evaluating the relative priorities for applications for grants under subsection (a) in view of the overall research needs of the United States; and

"(D) are experienced with emerging centers of excellence, as described in subsection (c)(3).

"(5) CERTAIN AUTHORITIES.—

"(A) In carrying out paragraph (2), the Board may convene workshops and conferences, and collect data as the Board considers appropriate.

"(B) In carrying out paragraph (2), the Board may establish subcommittees within the Board. Such subcommittees may hold meetings as determined necessary to enable the subcommittee to carry out its duties.

"(6) TERMS.—

"(A) Except as provided in subparagraph (B), each appointed member of the Board shall hold office for a term of 4 years. Any member appointed to fill a vacancy occurring prior to the expiration of the term for which such member's predecessor was appointed shall be appointed for the remainder of the term of the predecessor.

"(B) Of the initial members appointed to the Board (as specified by the Director of the Center when making the appointments)—

"(i) 3 shall hold office for a term of 3 years;

"(ii) 3 shall hold office for a term of 2 years;

and

"(iii) 3 shall hold office for a term of 1 year.

"(C) No member is eligible for reappointment to the Board until 1 year has elapsed after the end of the most recent term of the member.

"(7) COMPENSATION.—Members of the Board who are not officers or employees of the United States shall receive for each day the members are engaged in the performance of the functions of the Board compensation at the same rate received by members of other national advisory councils established under this title.

"(C) REQUIREMENTS FOR GRANTS.—

"(1) IN GENERAL.—The Director of the Center may make a grant under subsection (a) only if the applicant for the grant meets the following conditions:

"(A) The applicant is determined by such Director to be competent to engage in the type of research for which the proposed facility is to be constructed.

"(B) The applicant provides assurances satisfactory to the Director that—

"(i) for not less than 20 years after completion of the construction, the facility will be used for the purposes of research for which it is to be constructed;

"(ii) sufficient funds will be available to meet the non-Federal share of the cost of constructing the facility;

"(iii) sufficient funds will be available, when construction is completed, for the effective use of the facility for the research for which it is being constructed; and

"(iv) the proposed construction will expand the applicant's capacity for research, or is necessary to improve or maintain the quality of the applicant's research.

"(C) The applicant meets reasonable qualifications established by the Director with respect to—

"(i) the relative scientific and technical merit of the applications, and the relative effectiveness of the proposed facilities, in expanding the capacity for biomedical or behavioral research and in improving the quality of such research;

"(ii) the quality of the research or training, or both, to be carried out in the facilities involved;

"(iii) the need of the applicant for such facilities in order to maintain or expand the applicant's research and training mission;

"(iv) the congruence of the research activities to be carried out within the facility with the research and investigator manpower needs of the United States; and

"(v) the age and condition of existing research facilities and equipment.

"(D) The applicant has demonstrated a commitment to enhancing and expanding the research productivity of the applicant.

"(2) CONSIDERATION OF CERTAIN FACTORS.—In making grants under subsection (a), the Director of the Center may, in addition to the requirements established in paragraph (1), consider the following factors:

"(A) To what extent the applicant has the capacity to broaden the scope of research and research training programs of the applicant by promoting—

"(i) interdisciplinary research;

"(ii) research on emerging technologies, including those involving novel analytical techniques or computational methods; or

"(iii) other novel research mechanisms or programs.

"(B) To what extent the applicant has broadened the scope of research and research training programs of qualified institutions by promoting genomic research with an emphasis on interdisciplinary research, including research related to pediatric investigations.

"(3) INSTITUTIONS OF EMERGING EXCELLENCE.—Of the amounts appropriated under subsection (h) for a fiscal year, the Director of the Center shall make available 25 percent for grants under subsection (a) to applicants that, in addition to meeting the requirements established in paragraph (1), have demonstrated emerging excellence in biomedical or behavioral research, as follows:

"(A) The applicant has a plan for research or training advancement and possesses the ability to carry out the plan.

"(B) The applicant carries out research and research training programs that have a special relevance to a problem, concern, or unmet health need of the United States.

"(C) The applicant has been productive in research or research development and training.

"(D) The applicant—

"(i) has been designated as a center of excellence under section 739;

"(ii) is located in a geographic area whose population includes a significant number of individuals with a health-status deficit, and the applicant provides health services to such individuals; or

"(iii) is located in a geographic area in which a deficit in health care technology, services, or research resources may adversely affect health status of the population of the area in the future, and the applicant is carrying out activities with respect to protecting the health status of such population.

"(d) REQUIREMENT OF APPLICATION.—The Director of the Center may make a grant under subsection (a) only if an application for the grant is submitted to the Director and the application is in such form, is made in such manner, and contains such agreements, assurances, and information as the Director determines to be necessary to carry out this section.

"(e) AMOUNT OF GRANT; PAYMENTS.—

"(1) AMOUNT.—The amount of any grant awarded under subsection (a) shall be determined by the Director of the Center, except that such amount shall not exceed—

"(A) 50 percent of the necessary cost of the construction of a proposed facility as determined by the Director; or

"(B) in the case of a multipurpose facility, 40 percent of that part of the necessary cost of construction that the Director determines to be proportionate to the contemplated use of the facility.

"(2) RESERVATION OF AMOUNTS.—On approval of any application for a grant under subsection (a), the Director of the Center shall reserve, from any appropriation available therefore, the amount of such grant, and shall pay such amount, in advance or by way of reimbursement, and in such installments consistent with the construction progress, as the Director may determine appropriate. The reservation of the Director of any amount by the Director under this paragraph may be amended by the Director, either on the approval of an amendment of the application or on the revision of the estimated cost of construction of the facility.

"(3) EXCLUSION OF CERTAIN COSTS.—In determining the amount of any grant under this subsection (a), there shall be excluded from the cost of construction an amount equal to the sum of—

"(A) the amount of any other Federal grant that the applicant has obtained, or is assured of obtaining, with respect to construction that is to be financed in part by a grant authorized under this section; and

"(B) the amount of any non-Federal funds required to be expended as a condition of such other Federal grant.

"(4) WAIVER OF LIMITATIONS.—The limitations imposed by paragraph (1) may be waived at the discretion of the Director for applicants meeting the conditions described in paragraphs (1) and (2) of subsection (c).

"(f) RECAPTURE OF PAYMENTS.—If, not later than 20 years after the completion of construction for which a grant has been awarded under subsection (a)—

"(1) the applicant or other owner of the facility shall cease to be a public or nonprofit private entity; or

"(2) the facility shall cease to be used for the research purposes for which it was constructed (unless the Director determines, in accordance with regulations, that there is good cause for releasing the applicant or other owner from obligation to do so);

the United States shall be entitled to recover from the applicant or other owner of the facility the amount bearing the same ratio to the current value (as determined by an agreement between the parties or by action brought in the United States District Court for the district in which such facility is situated) of the facility as the amount of the Federal participation bore to the cost of the construction of such facility.

"(g) GUIDELINES.—Not later than 6 months after the date of the enactment of this section, the Director of the Center, after consultation with the Advisory Council, shall issue guidelines with respect to grants under subsection (a).

"(h) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated \$150,000,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 and 1996."

SEC. 1503. CONSTRUCTION PROGRAM FOR NATIONAL PRIMATE RESEARCH CENTER.

Subpart 1 of part E of title IV of the Public Health Service Act, as amended by section 1502 of this Act, is amended by adding at the end the following section:

"CONSTRUCTION OF REGIONAL CENTERS FOR RESEARCH ON PRIMATES

"SEC. 481B. (a) With respect to activities carried out by the National Center for Research Resources to support regional centers for research on primates, the Director of NIH shall, for each of the fiscal years 1994 through 1996, reserve from the amounts appropriated under section 481A(h) \$5,000,000 for the purpose of making awards of grants and contracts to public or nonprofit private entities to construct, renovate, or otherwise improve such regional centers. The reservation of such amounts for any fiscal year

is subject to the availability of qualified applicants for such awards.

"(b) The Director of NIH may not make a grant or enter into a contract under subsection (a) unless the applicant for such assistance agrees, with respect to the costs to be incurred by the applicant in carrying out the purpose described in such subsection, to make available (directly or through donations from public or private entities) non-Federal contributions in cash toward such costs in an amount equal to not less than \$1 for each \$4 of Federal funds provided in such assistance."

Subtitle B—National Center for Nursing Research

SEC. 1511. REDESIGNATION OF NATIONAL CENTER FOR NURSING RESEARCH AS NATIONAL INSTITUTE OF NURSING RESEARCH.

(a) IN GENERAL.—Subpart 3 of part E of title IV of the Public Health Service Act (42 U.S.C. 287c et seq.) is amended—

(1) in section 483—

(A) in the heading for the section, by striking "CENTER" and inserting "INSTITUTE"; and

(B) by striking "The general purpose" and all that follows through "is" and inserting the following: "The general purpose of the National Institute of Nursing Research (in this subpart referred to as the 'Institute') is";

(2) in section 484, by striking "Center" each place such term appears and inserting "Institute";

(3) in section 485—

(A) in subsection (a), in each of paragraphs (1) through (3), by striking "Center" each place such term appears and inserting "Institute";

(B) in subsection (b)—

(i) in paragraph (2)(A), by striking "Center" and inserting "Institute"; and

(ii) in paragraph (3)(A), in the first sentence, by striking "Center" and inserting "Institute"; and

(C) in subsections (d) through (g), by striking "Center" each place such term appears and inserting "Institute"; and

(4) in section 485A (as redesignated by section 141(a)(1) of this Act), by striking "Center" each place such term appears and inserting "Institute".

(b) CONFORMING AMENDMENTS.—

(1) ORGANIZATION OF NATIONAL INSTITUTES OF HEALTH.—Section 401(b) of the Public Health Service Act (42 U.S.C. 281(b)) is amended—

(A) in paragraph (1), by adding at the end the following subparagraph:

"(Q) The National Institute of Nursing Research."; and

(B) in paragraph (2), by striking subparagraph (D).

(2) TRANSFER OF STATUTORY PROVISIONS.—The Public Health Service Act, as amended by subsection (a) of this section and by section 124 of Public Law 102-321 (106 Stat. 364), is amended—

(A) by transferring sections 483 through 485A to part C of title IV;

(B) by redesignating such sections as sections 464V through 464Y of such part; and

(C) by adding such sections; in the appropriate sequence, at the end of such part.

(3) HEADING FOR NEW SUBPART.—Title IV of the Public Health Service Act, as amended by the preceding provisions of this section, is amended—

(A) in part C, by inserting before section 464V the following:

"Subpart 17—National Institute of Nursing Research";

and

(B) by striking the subpart designation and heading for subpart 3 of part E.

(4) CROSS-REFERENCES.—Title IV of the Public Health Service Act, as amended by the preceding provisions of this section, is amended in subpart 17 of part C—

(A) in section 464W, by striking "section 483" and inserting "section 464V";

(B) in section 464X(g), by striking "section 486" and inserting "section 464Y"; and

(C) in section 464Y, in the last sentence, by striking "section 485(g)" and inserting "section 464X(g)".

SEC. 1512. STUDY ON ADEQUACY OF NUMBER OF NURSES.

(a) IN GENERAL.—The Secretary of Health and Human Services, acting through the Director of the National Institute of Nursing Research, shall enter into a contract with a public or non-profit private entity to conduct a study for the purpose of determining whether and to what extent there is a need for an increase in the number of nurses in hospitals and nursing homes in order to promote the quality of patient care and reduce the incidence among nurses of work-related injuries and stress.

(b) NATIONAL ACADEMY OF SCIENCES.—The Secretary shall request the Institute of Medicine of the National Academy of Sciences to enter into the contract under subsection (a) to conduct the study described in such subsection. If such Institute declines to conduct the study, the Secretary shall carry out such subsection through another public or nonprofit private entity.

(c) DEFINITIONS.—For purposes of this section:

(1) The term "nurse" means a registered nurse, a licensed practical nurse, a licensed vocational nurse, and a nurse assistant.

(2) The term "Secretary" means the Secretary of Health and Human Services.

(d) REPORT.—The Secretary shall ensure that, not later than 18 months after the date of the enactment of this Act, the study required in subsection (a) is completed and a report describing the findings made as a result of the study is submitted to the Committee on Energy and Commerce of the House of Representatives and to the Committee on Labor and Human Resources of the Senate.

Subtitle C—National Center for Human Genome Research

SEC. 1521. PURPOSE OF CENTER.

Title IV of the Public Health Service Act, as amended by section 141(a)(1) of this Act and by paragraphs (1)(B) and (3)(B) of section 1511(b) of this Act, is amended—

(1) in section 401(b)(2), by adding at the end the following subparagraph:

"(D) The National Center for Human Genome Research."; and

(2) in part E, by adding at the end the following subpart:

"Subpart 3—National Center for Human Genome Research

"PURPOSE OF THE CENTER

"SEC. 485B. (a) The general purpose of the National Center for Human Genome Research (in this subpart referred to as the 'Center') is to characterize the structure and function of the human genome, including the mapping and sequencing of individual genes. Such purpose includes—

"(1) planning and coordinating the research goal of the genome project;

"(2) reviewing and funding research proposals;

"(3) developing training programs;

"(4) coordinating international genome research;

"(5) communicating advances in genome science to the public; and

"(6) reviewing and funding proposals to address the ethical and legal issues associated with the genome project (including legal issues regarding patents).

"(b) The Director of the Center may conduct and support research training—

"(1) for which fellowship support is not provided under section 487; and

"(2) that is not residency training of physicians or other health professionals.

"(c)(1) Except as provided in paragraph (2), of the amounts appropriated to carry out subsection (a) for a fiscal year, the Director of the Center shall make available not less than 5 percent for carrying out paragraph (6) of such subsection.

"(2) With respect to providing funds under subsection (a)(6) for proposals to address the ethical issues associated with the genome project, paragraph (1) shall not apply for a fiscal year if the Director of the Center certifies to the Committee on Energy and Commerce of the House of Representatives, and to the Committee on Labor and Human Resources of the Senate, that the Director has determined that an insufficient number of such proposals meet the applicable requirements of sections 491 and 492."

TITLE XVI—AWARDS AND TRAINING

Subtitle A—National Research Service Awards

SEC. 1601. REQUIREMENT REGARDING WOMEN AND INDIVIDUALS FROM DISADVANTAGED BACKGROUNDS.

Section 487(a) of the Public Health Service Act (42 U.S.C. 288(a)(4)) is amended by adding at the end the following paragraph:

"(4) The Secretary shall carry out paragraph (1) in a manner that will result in the recruitment of women, and individuals from disadvantaged backgrounds (including racial and ethnic minorities), into fields of biomedical or behavioral research and in the provision of research training to women and such individuals."

SEC. 1602. SERVICE PAYBACK REQUIREMENTS.

Section 487(c) of the Public Health Service Act (42 U.S.C. 288(c)) is amended by striking paragraphs (1) and (2) and inserting the following: "(1) Each individual who is awarded a National Research Service Award for postdoctoral research training shall, in accordance with paragraph (3), engage in research training, research, or teaching that is health-related (or any combination thereof) for the period specified in paragraph (2). Such period shall be served in accordance with the usual patterns of scientific employment.

"(2)(A) The period referred to in paragraph (1) is 12 months, or one month for each month for which the individual involved receives a National Research Service Award for postdoctoral research training, whichever is less.

"(B) With respect to postdoctoral research training, in any case in which an individual receives a National Research Service Award for more than 12 months, the 13th month and each subsequent month of performing activities under the Award shall be considered to be activities engaged in toward satisfaction of the requirement established in paragraph (1) regarding a period of service."

Subtitle B—Acquired Immune Deficiency Syndrome

SEC. 1611. LOAN REPAYMENT PROGRAM.

(a) IN GENERAL.—Section 487A of the Public Health Service Act (42 U.S.C. 288-1) is amended to read as follows:

"LOAN REPAYMENT PROGRAM FOR RESEARCH WITH RESPECT TO ACQUIRED IMMUNE DEFICIENCY SYNDROME

"SEC. 487A. (a) IN GENERAL.—The Secretary shall carry out a program of entering into agreements with appropriately qualified health professionals under which such health professionals agree to conduct, as employees of the National Institutes of Health, research with respect to acquired immune deficiency syndrome in consideration of the Federal Government agreeing to repay, for each year of such service, not more than \$20,000 of the principal and interest of the educational loans of such health professionals.

"(b) **APPLICABILITY OF CERTAIN PROVISIONS.**—With respect to the National Health Service Corps Loan Repayment Program established in subpart III of part D of title III, the provisions of such subpart shall, except as inconsistent with subsection (a) of this section, apply to the program established in such subsection (a) in the same manner and to the same extent as such provisions apply to the National Health Service Corps Loan Repayment Program established in such subpart.

"(c) **AUTHORIZATION OF APPROPRIATIONS.**—For the purpose of carrying out this section, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 1994 through 1996."

(b) **APPLICABILITY.**—The amendment made by subsection (a) does not apply to any agreement entered into under section 487A of the Public Health Service Act before the date of the enactment of this Act. Each such agreement continues to be subject to the terms of the agreement in effect on the day before such date.

Subtitle C—Loan Repayment for Research Generally

SEC. 1621. ESTABLISHMENT OF PROGRAM.

Part G of title IV of the Public Health Service Act, as redesignated by section 141(a)(2) of this Act and as amended by section 1002 of this Act, is amended by inserting after section 487B the following section:

"LOAN REPAYMENT PROGRAM FOR RESEARCH GENERALLY

"SEC. 487C. (a) IN GENERAL.—

"(1) **AUTHORITY FOR PROGRAM.**—Subject to paragraph (2), the Secretary shall carry out a program of entering into contracts with appropriately qualified health professionals under which such health professionals agree to conduct research, as employees of the National Institutes of Health, in consideration of the Federal Government agreeing to repay, for each year of such service, not more than \$20,000 of the principal and interest of the educational loans of such health professionals.

"(2) **LIMITATION.**—The Secretary may not enter into an agreement with a health professional pursuant to paragraph (1) unless such professional—

"(A) has a substantial amount of educational loans relative to income; and

"(B) agrees to serve as an employee of the National Institutes of Health for purposes of paragraph (1) for a period of not less than 3 years.

"(b) **APPLICABILITY OF CERTAIN PROVISIONS.**—With respect to the National Health Service Corps Loan Repayment Program established in subpart III of part D of title III, the provisions of such subpart shall, except as inconsistent with subsection (a) of this section, apply to the program established in such subsection (a) in the same manner and to the same extent as such provisions apply to the National Health Service Corps Loan Repayment Program established in such subpart."

Subtitle D—Scholarship and Loan Repayment Programs Regarding Professional Skills Needed by Certain Agencies

SEC. 1631. ESTABLISHMENT OF PROGRAMS FOR NATIONAL INSTITUTES OF HEALTH.

Part G of title IV of the Public Health Service Act, as redesignated by section 141(a)(2) of this Act and as amended by section 1621 of this Act, is amended by inserting after section 487C the following sections:

"UNDERGRADUATE SCHOLARSHIP PROGRAM REGARDING PROFESSIONS NEEDED BY NATIONAL RESEARCH INSTITUTES

"SEC. 487D. (a) ESTABLISHMENT OF PROGRAM.—

"(1) **IN GENERAL.**—Subject to section 487(a)(1)(C), the Secretary, acting through the Director of NIH, may carry out a program of en-

tering into contracts with individuals described in paragraph (2) under which—

"(A) the Director of NIH agrees to provide to the individuals scholarships for pursuing, as undergraduates at accredited institutions of higher education, academic programs appropriate for careers in professions needed by the National Institutes of Health; and

"(B) the individuals agree to serve as employees of the National Institutes of Health, for the period described in subsection (c), in positions that are needed by the National Institutes of Health and for which the individuals are qualified.

"(2) **INDIVIDUALS FROM DISADVANTAGED BACKGROUNDS.**—The individuals referred to in paragraph (1) are individuals who—

"(A) are enrolled or accepted for enrollment as full-time undergraduates at accredited institutions of higher education; and

"(B) are from disadvantaged backgrounds.

"(b) **FACILITATION OF INTEREST OF STUDENTS IN CAREERS AT NATIONAL INSTITUTES OF HEALTH.**—In providing employment to individuals pursuant to contracts under subsection (a)(1), the Director of NIH shall carry out activities to facilitate the interest of the individuals in pursuing careers as employees of the National Institutes of Health.

"(c) **PERIOD OF OBLIGATED SERVICE.—**

"(1) **DURATION OF SERVICE.**—For purposes of subparagraph (B) of subsection (a)(1), the period of service for which an individual is obligated to serve as an employee of the National Institutes of Health is, subject to paragraph (2)(A), 12 months for each academic year for which the scholarship under such subsection is provided.

"(2) **SCHEDULE FOR SERVICE.—**

"(A) Subject to subparagraph (B), the Director of NIH may not provide a scholarship under subsection (a) unless the individual applying for the scholarship agrees that—

"(i) the individual will serve as an employee of the National Institutes of Health full-time for not less than 10 consecutive weeks of each year during which the individual is attending the educational institution involved and receiving such a scholarship;

"(ii) the period of service as such an employee that the individual is obligated to provide under clause (i) is in addition to the period of service as such an employee that the individual is obligated to provide under subsection (a)(1)(B); and

"(iii) not later than 60 days after obtaining the educational degree involved, the individual will begin serving full-time as such an employee in satisfaction of the period of service that the individual is obligated to provide under subsection (a)(1)(B).

"(B) The Director of NIH may defer the obligation of an individual to provide a period of service under subsection (a)(1)(B), if the Director determines that such a deferral is appropriate.

"(3) **APPLICABILITY OF CERTAIN PROVISIONS RELATING TO APPOINTMENT AND COMPENSATION.**—For any period in which an individual provides service as an employee of the National Institutes of Health in satisfaction of the obligation of the individual under subsection (a)(1)(B) or paragraph (2)(A)(i), the individual may be appointed as such an employee without regard to the provisions of title 5, United States Code, relating to appointment and compensation.

"(d) **PROVISIONS REGARDING SCHOLARSHIP.—**

"(1) **APPROVAL OF ACADEMIC PROGRAM.**—The Director of NIH may not provide a scholarship under subsection (a) for an academic year unless—

"(A) the individual applying for the scholarship has submitted to the Director a proposed academic program for the year and the Director has approved the program; and

"(B) the individual agrees that the program will not be altered without the approval of the Director.

"(2) **ACADEMIC STANDING.**—The Director of NIH may not provide a scholarship under subsection (a) for an academic year unless the individual applying for the scholarship agrees to maintain an acceptable level of academic standing, as determined by the educational institution involved in accordance with regulations issued by the Secretary.

"(3) **LIMITATION ON AMOUNT.**—The Director of NIH may not provide a scholarship under subsection (a) for an academic year in an amount exceeding \$20,000.

"(4) **AUTHORIZED USES.**—A scholarship provided under subsection (a) may be expended only for tuition expenses, other reasonable educational expenses, and reasonable living expenses incurred in attending the school involved.

"(5) **CONTRACT REGARDING DIRECT PAYMENTS TO INSTITUTION.**—In the case of an institution of higher education with respect to which a scholarship under subsection (a) is provided, the Director of NIH may enter into a contract with the institution under which the amounts provided in the scholarship for tuition and other educational expenses are paid directly to the institution.

"(e) **PENALTIES FOR BREACH OF SCHOLARSHIP CONTRACT.**—The provisions of section 338E shall apply to the program established in subsection (a) to the same extent and in the same manner as such provisions apply to the National Health Service Corps Loan Repayment Program established in section 338B.

"(f) **REQUIREMENT OF APPLICATION.**—The Director of NIH may not provide a scholarship under subsection (a) unless an application for the scholarship is submitted to the Director and the application is in such form, is made in such manner, and contains such agreements, assurances, and information as the Director determines to be necessary to carry out this section.

"(g) **AVAILABILITY OF AUTHORIZATION OF APPROPRIATIONS.**—Amounts appropriated for a fiscal year for scholarships under this section shall remain available until the expiration of the second fiscal year beginning after the fiscal year for which the amounts were appropriated.

"LOAN REPAYMENT PROGRAM REGARDING CLINICAL RESEARCHERS FROM DISADVANTAGED BACKGROUNDS

"SEC. 487E. (a) IMPLEMENTATION OF PROGRAM.—

"(1) **IN GENERAL.**—Subject to section 487(a)(1)(C), the Secretary, acting through the Director of NIH may, subject to paragraph (2), carry out a program of entering into contracts with appropriately qualified health professionals who are from disadvantaged backgrounds under which such health professionals agree to conduct clinical research as employees of the National Institutes of Health in consideration of the Federal Government agreeing to pay, for each year of such service, not more than \$20,000 of the principal and interest of the educational loans of the health professionals.

"(2) **LIMITATION.**—The Director of NIH may not enter into a contract with a health professional pursuant to paragraph (1) unless such professional has a substantial amount of educational loans relative to income.

"(3) **APPLICABILITY OF CERTAIN PROVISIONS REGARDING OBLIGATED SERVICE.**—Except to the extent inconsistent with this section, the provisions of sections 338C and 338E shall apply to the program established in paragraph (1) to the same extent and in the same manner as such provisions apply to the National Health Service Corps Loan Repayment Program established in section 338B.

"(b) **AVAILABILITY OF AUTHORIZATION OF APPROPRIATIONS.**—Amounts appropriated for a fis-

cal year for contracts under subsection (a) shall remain available until the expiration of the second fiscal year beginning after the fiscal year for which the amounts were appropriated."

SEC. 1632. FUNDING.

Section 487(a)(1) of the Public Health Service Act (42 U.S.C. 288(a)(1)) is amended—

(1) in subparagraph (A), by striking "and" after the semicolon at the end;

(2) in subparagraph (B), by striking the period at the end and inserting "; and"; and

(3) by inserting after subparagraph (B) the following subparagraph:

"(C) provide contracts for scholarships and loan repayments in accordance with sections 487D and 487E, subject to providing not more than an aggregate 50 such contracts during the fiscal years 1994 through 1996."

Subtitle E—Funding

SEC. 1641. AUTHORIZATION OF APPROPRIATIONS.

Section 487(d) of the Public Health Service Act (42 U.S.C. 288(d)) is amended—

(1) in the first sentence, by amending the sentence to read as follows: "For the purpose of carrying out this section, there are authorized to be appropriated \$400,000,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 and 1996."; and

(2) in paragraph (3)—

(A) by striking "one-half of one percent" each place such term appears and inserting "1 percent"; and

(B) by striking "780, 784, or 786," and inserting "747, 748, or 749."

TITLE XVII—NATIONAL FOUNDATION FOR BIOMEDICAL RESEARCH

SEC. 1701. NATIONAL FOUNDATION FOR BIOMEDICAL RESEARCH.

Section 499 of the Public Health Service Act, as redesignated by section 121(b)(3) of this Act, is amended—

(1) in subsection (a)—

(A) by inserting ", acting through the Director of NIH," after "Secretary shall"; and

(B) by striking ", except for" and all that follows through "Transfer Act.";

(2) by redesignating subsections (c), (d), (e), (f), (g), (h), and (i) as subsections (d), (f), (g), (h), (i), (j), and (m), respectively;

(3) by striking subsection (b) and inserting the following subsections:

"(b) PURPOSE OF FOUNDATION.—The purpose of the Foundation shall be to support the National Institutes of Health in its mission, and to advance collaboration with biomedical researchers from universities, industry, and nonprofit organizations.

"(c) CERTAIN ACTIVITIES OF FOUNDATION.—

"(1) IN GENERAL.—In carrying out subsection (b), the Foundation may solicit and accept gifts, grants, and other donations, establish accounts, and invest and expend funds in support of the following activities with respect to the purpose described in such subsection:

"(A) A program to provide and administer endowed positions that are associated with the research program of the National Institutes of Health. Such endowments may be expended for the compensation of individuals holding the positions, for staff, equipment, quarters, travel, and other expenditures that are appropriate in supporting the endowed positions.

"(B) A program to provide and administer fellowships and grants to research personnel in order to work and study in association with the National Institutes of Health. Such fellowships and grants may include stipends, travel, health insurance benefits and other appropriate expenses. The recipients of fellowships shall be selected by the donors and the Foundation upon the recommendation of the National Institutes of Health employees in the laboratory where the fellow would serve, and shall be subject to the

agreement of the Director of the National Institutes of Health and the Executive Director of the Foundation.

"(C) Supplementary programs to provide for—

"(i) scientists of other countries to serve in research capacities in the United States in association with the National Institutes of Health or elsewhere, or opportunities for employees of the National Institutes of Health or other public health officials in the United States to serve in such capacities in other countries, or both;

"(ii) the conduct and support of studies, projects, and research, which may include stipends, travel and other support for personnel in collaboration with national and international non-profit and for-profit organizations;

"(iii) the conduct and support of forums, meetings, conferences, courses, and training workshops that may include undergraduate, graduate, post-graduate, and post-doctoral accredited courses and the maintenance of accreditation of such courses by the Foundation at the State and national level for college or continuing education credits or for degrees;

"(iv) programs to support and encourage teachers and students of science at all levels of education and programs for the general public which promote the understanding of science;

"(v) programs for writing, editing, printing, publishing, and vending of books and other materials; and

"(vi) the conduct of other activities to carry out and support the purpose described in subsection (b).

"(2) FEES.—The Foundation may assess fees for the provision of professional, administrative and management services by the Foundation in amounts determined reasonable and appropriate by the Executive Director.

"(3) AUTHORITY OF FOUNDATION.—The Foundation shall be the sole entity responsible for carrying out the activities described in this subsection."

(4) in subsection (d) (as so redesignated)—

(A) in paragraph (1)—

(i) by striking "members of the Foundation" in subparagraph (A) and inserting "appointed members of the Board";

(ii) by striking "Council" in subparagraph (B) and inserting "Board";

(iii) by striking "Council" in subparagraph (C) and inserting "Board"; and

(iv) by adding at the end the following subparagraphs:

"(D)(i) Not later than 30 days after the date of the enactment of the National Institutes of Health Revitalization Act of 1993, the Director of the National Institutes of Health shall convene a meeting of the ex officio members of the Board to—

"(I) incorporate the Foundation and establish the general policies of the Foundation for carrying out the purposes of subsection (b), including the establishment of the bylaws of the Foundation; and

"(II) appoint the members of the Board in accordance with subparagraph (C).

"(ii) Upon the appointment of the members of the Board under clause (i)(II), the terms of service of the ex officio members of the Board as members of the Board shall terminate.

"(E) The agreement of not less than three-fifths of the members of the ex officio members of the Board shall be required for the appointment of each member to the initial Board.

"(F) No employee of the National Institutes of Health shall be appointed as a member of the Board.

"(G) The Board may, through amendments to the bylaws of the Foundation, provide that the number of members of the Board shall be greater than the number specified in subparagraph (C).";

(B) in paragraph (2)—

(i) by striking "The ex officio" and inserting the following:

"(A) The ex officio";

(ii) by striking "an appointed member of the Board to serve as the Chair" and inserting "an individual to serve as the initial Chair"; and

(iii) by adding at the end the following subparagraph:

"(B) Upon the termination of the term of service of the initial Chair of the Board, the appointed members of the Board shall elect a member of the Board to serve as the Chair of the Board."

(C) in paragraph (3)(A), by striking "(2)(C)" and inserting "(1)(C)"; and

(D) by adding at the end the following paragraphs:

"(5) MEETINGS AND QUORUM.—A majority of the members of the Board shall constitute a quorum for purposes of conducting the business of the Board.

"(6) CERTAIN BYLAWS.—

"(A) In establishing bylaws under this subsection, the Board shall ensure that the following are provided for:

"(i) Policies for the selection of the officers, employees, agents, and contractors of the Foundation.

"(ii) Policies, including ethical standards, for the acceptance, solicitation, and disposition of donations and grants to the Foundation and for the disposition of the assets of the Foundation. Policies with respect to ethical standards shall ensure that officers, employees and agents of the Foundation (including members of the Board) avoid encumbrances that would result in a conflict of interest, including a financial conflict of interest or a divided allegiance. Such policies shall include requirements for the provision of information concerning any ownership or controlling interest in entities related to the activities of the Foundation by such officers, employees and agents and their spouses and relatives.

"(iii) Policies for the conduct of the general operations of the Foundation.

"(iv) Policies for writing, editing, printing, publishing, and vending of books and other materials.

"(B) In establishing bylaws under this subsection, the Board shall ensure that such bylaws (and activities carried out under the bylaws) do not—

"(i) reflect unfavorably upon the ability of the Foundation or the National Institutes of Health to carry out its responsibilities or official duties in a fair and objective manner; or

"(ii) compromise, or appear to compromise, the integrity of any governmental agency or program, or any officer or employee involved in such program.";

(5) in subsection (i) (as so redesignated)—

(A) in paragraph (4), by inserting ", and define the duties of the officers and employees" before the semicolon at the end;

(B) by striking paragraph (5);

(C) by redesignating paragraphs (6) through (14), as paragraphs (5) through (13), respectively;

(D) in paragraph (7) (as so redesignated), by striking "this subtitle" and inserting "this part";

(E) by striking paragraph (8) (as so redesignated), and inserting the following paragraph:

"(8) establish a process for the selection of candidates for positions under subsection (c);"

(F) by inserting "solicit" after the paragraph designation in paragraph (11) (as so redesignated);

(G) by striking "and" at the end of paragraph (13) (as so redesignated);

(H) by inserting after paragraph (13) (as so redesignated), the following paragraph:

"(14) enter into such other contracts, leases, cooperative agreements, and other transactions

as the Executive Director considers appropriate to conduct the activities of the Foundation; and"; and

(1) in paragraph (15), by striking "this subtitle" and inserting "this part";

(6) by inserting after subsection (j) (as so redesignated), the following subsections:

"(k) GENERAL PROVISIONS.—

"(1) FOUNDATION INTEGRITY.—The members of the Board shall be accountable for the integrity of the operations of the Foundation and shall ensure such integrity through the development and enforcement of criteria and procedures relating to standards of conduct (including those developed under subsection (d)(2)(B)(i)(II)), financial disclosure statements, conflict of interest rules, recusal and waiver rules, audits and other matter determined appropriate by the Board.

"(2) FINANCIAL CONFLICTS OF INTEREST.—Any individual who is an officer, employee, or member of the Board of the Foundation may not (in accordance with policies and requirements developed under subsection (d)(2)(B)(i)(II)) personally or substantially participate in the consideration or determination by the Foundation of any matter that would directly or predictably affect any financial interest of the individual or a relative (as such term is defined in section 109(16) of the Ethics in Government Act of 1978) of the individual, of any business organization or other entity, or of which the individual is an officer or employee, or is negotiating for employment, or in which the individual has any other financial interest.

"(3) AUDITS; AVAILABILITY OF RECORDS.—The Foundation shall—

"(A) provide for annual audits of the financial condition of the Foundation; and

"(B) make such audits, and all other records, documents, and other papers of the Foundation, available to the Secretary and the Comptroller General of the United States for examination or audit.

"(4) REPORTS.—

"(A) Not later than 5 months following the end of each fiscal year, the Foundation shall publish a report describing the activities of the Foundation during the preceding fiscal year. Each such report shall include for the fiscal year involved a comprehensive statement of the operations, activities, financial condition, and accomplishments of the Foundation.

"(B) With respect to the financial condition of the Foundation, each report under subparagraph (A) shall include the source, and a description of, all gifts or grants to the Foundation of real or personal property, and the source and amount of all gifts or grants to the Foundation of money. Each such report shall include a specification of any restrictions on the purposes for which gifts or grants to the Foundation may be used.

"(C) The Foundation shall make copies of each report submitted under subparagraph (A) available for public inspection, and shall upon request provide a copy of the report to any individual for a charge not exceeding the cost of providing the copy.

"(D) The Board shall annually hold a public meeting to summarize the activities of the Foundation and distribute written reports concerning such activities and the scientific results derived from such activities.

"(5) SERVICE OF FEDERAL EMPLOYEES.—Federal employees may serve on committees advisory to the Foundation and otherwise cooperate with and assist the Foundation in carrying out its function, so long as the employees do not direct or control Foundation activities.

"(6) RELATIONSHIP WITH EXISTING ENTITIES.—The Foundation may, pursuant to appropriate agreements, merge with, acquire, or use the resources of existing nonprofit private corpora-

tions with missions similar to the purposes of the Foundation, such as the Foundation for Advanced Education in the Sciences.

"(7) INTELLECTUAL PROPERTY RIGHTS.—The Board shall adopt written standards with respect to the ownership of any intellectual property rights derived from the collaborative efforts of the Foundation prior to the commencement of such efforts.

"(8) NATIONAL INSTITUTES OF HEALTH AMENDMENTS OF 1990.—The activities conducted in support of the National Institutes of Health Amendments of 1990 (Public Law 101-613), and the amendments made by such Act, shall not be nullified by the enactment of this section.

"(9) LIMITATION OF ACTIVITIES.—The Foundation shall exist solely as an entity to work in collaboration with the research programs of the National Institutes of Health. The Foundation may not undertake activities (such as the operation of independent laboratories or competing for Federal research funds) that are independent of those of the National Institutes of Health research programs.

"(10) TRANSFER OF FUNDS.—The Foundation may not transfer funds to the National Institutes of Health.

"(1) DUTIES OF THE DIRECTOR.—

"(1) APPLICABILITY OF CERTAIN STANDARDS TO NON-FEDERAL EMPLOYEES.—In the case of any individual who is not an employee of the Federal Government and who serves in association with the National Institutes of Health, with respect to financial assistance received from the Foundation, the Foundation may not provide the assistance of, or otherwise permit the work at the National Institutes of Health to begin until a memorandum of understanding between the individual and the Director of the National Institutes of Health, or the designee of such Director, has been executed specifying that the individual shall be subject to such ethical and procedural standards of conduct relating to duties performed at the National Institutes of Health, as the Director of the National Institutes of Health determines is appropriate.

"(2) SUPPORT SERVICES.—The Director of the National Institutes of Health may provide facilities, utilities and support services to the Foundation if it is determined by the Director to be advantageous to the research programs of the National Institutes of Health."

(7) in subsection (m) (as so redesignated), by amending the subsection to read as follows:

"(m) FUNDING.—

"(1) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this part, there is authorized to be appropriated an aggregate \$200,000 for the fiscal years 1994 and 1995.

"(2) LIMITATION REGARDING OTHER FUNDS.—Amounts appropriated under any provision of law other than paragraph (1) may not be expended to establish or operate the Foundation"; and

(8) by adding at the end the following subsection:

"(n) REPORT ON ADEQUACY OF COMPLIANCE.—

"(1) IN GENERAL.—With respect to the mission and function of the Foundation, the Comptroller General of the United States shall conduct an audit to determine—

"(A) whether the Foundation is in compliance with the guidelines established under this section; and

"(B) whether the procedures utilized under this section are adequate to prevent conflicts of interest involving the Foundation, the employees of the Foundation or members of the Board of the Foundation.

"(2) REPORT.—Not later than 18 months after the date on which the Foundation is incorporated, the Comptroller General of the United States shall complete the audit required under paragraph (1) and prepare and submit to the

Committee on Energy and Commerce of the House of Representatives and the Committee on Labor and Human Resources of the Senate, a report describing the findings made with respect to such audit."

TITLE XVIII—RESEARCH WITH RESPECT TO ACQUIRED IMMUNE DEFICIENCY SYNDROME

Subtitle A—Office of AIDS Research

SEC. 1801. ESTABLISHMENT OF OFFICE.

(a) IN GENERAL.—Part D of title XXIII of the Public Health Service Act (42 U.S.C. 300cc-41 et seq.) is amended—

(1) by striking the part designation and the heading for the part;

(2) by redesignating section 2351 as section 2354; and

(3) by inserting before section 2354 (as so redesignated) the following:

"PART D—OFFICE OF AIDS RESEARCH

"Subpart I—Interagency Coordination of Activities

"SEC. 2351. ESTABLISHMENT OF OFFICE.

"(a) IN GENERAL.—There is established within the National Institutes of Health an office to be known as the Office of AIDS Research. The Office shall be headed by a director, who shall be appointed by the Secretary.

"(b) DUTIES.—

"(1) INTERAGENCY COORDINATION OF AIDS ACTIVITIES.—With respect to acquired immune deficiency syndrome, the Director of the Office shall plan, coordinate, and evaluate research and other activities conducted or supported by the agencies of the National Institutes of Health. In carrying out the preceding sentence, the Director of the Office shall evaluate the AIDS activities of each of such agencies and shall provide for the periodic reevaluation of such activities.

"(2) CONSULTATIONS.—The Director of the Office shall carry out this subpart (including developing and revising the plan required in section 2353) in consultation with the heads of the agencies of the National Institutes of Health, with the advisory councils of the agencies, and with the advisory council established under section 2352.

"(3) COORDINATION.—The Director of the Office shall act as the primary Federal official with responsibility for overseeing all AIDS research conducted or supported by the National Institutes of Health, and

"(A) shall serve to represent the National Institutes of Health AIDS Research Program at all relevant Executive branch task forces and committees; and

"(B) shall maintain communications with all relevant Public Health Service agencies and with various other departments of the Federal Government, to ensure the timely transmission of information concerning advances in AIDS research and the clinical treatment of acquired immune deficiency syndrome and its related conditions, between these various agencies for dissemination to affected communities and health care providers.

"SEC. 2352. ADVISORY COUNCIL; COORDINATING COMMITTEES.

"(a) ADVISORY COUNCIL.—

"(1) IN GENERAL.—The Secretary shall establish an advisory council for the purpose of providing advice to the Director of the Office on carrying out this part. (Such council is referred to in this subsection as the 'Advisory Council'.)

"(2) COMPOSITION, COMPENSATION, TERMS, CHAIR, ETC.—Subsections (b) through (g) of section 406 apply to the Advisory Council to the same extent and in the same manner as such subsections apply to advisory councils for the national research institutes, except that—

"(A) in addition to the ex officio members specified in section 406(b)(2), there shall serve as such members of the Advisory Council a rep-

representative from the advisory council of each of the National Cancer Institute and the National Institute on Allergy and Infectious Diseases; and

"(B) with respect to the other national research institutes, there shall serve as ex officio members of such Council, in addition to such members specified in subparagraph (A), a representative from the advisory council of each of the 2 institutes that receive the greatest funding for AIDS activities.

"(b) **INDIVIDUAL COORDINATING COMMITTEES REGARDING RESEARCH DISCIPLINES.**—

"(1) **IN GENERAL.**—The Director of the Office shall establish, for each research discipline in which any activity under the plan required in section 2353 is carried out, a committee for the purpose of providing advice to the Director of the Office on carrying out this part with respect to such discipline. (Each such committee is referred to in this subsection as a 'coordinating committee'.)

"(2) **COMPOSITION.**—Each coordinating committee shall be composed of representatives of the agencies of the National Institutes of Health with significant responsibilities regarding the research discipline involved.

"**SEC. 2353. COMPREHENSIVE PLAN FOR EXPENDITURE OF APPROPRIATIONS.**

"(a) **IN GENERAL.**—Subject to the provisions of this section and other applicable law, the Director of the Office, in carrying out section 2351, shall—

"(1) establish a comprehensive plan for the conduct and support of all AIDS activities of the agencies of the National Institutes of Health (which plan shall be first established under this paragraph not later than 12 months after the date of the enactment of the National Institutes of Health Revitalization Act of 1993);

"(2) ensure that the Plan establishes priorities among the AIDS activities that such agencies are authorized to carry out;

"(3) ensure that the Plan establishes objectives regarding such activities, describes the means for achieving the objectives, and designates the date by which the objectives are expected to be achieved;

"(4) ensure that all amounts appropriated for such activities are expended in accordance with the Plan;

"(5) review the Plan not less than annually, and revise the Plan as appropriate; and

"(6) ensure that the Plan serves as a broad, binding statement of policies regarding AIDS activities of the agencies, but does not remove the responsibility of the heads of the agencies for the approval of specific programs or projects, or for other details of the daily administration of such activities, in accordance with the Plan.

"(b) **CERTAIN COMPONENTS OF PLAN.**—With respect to AIDS activities of the agencies of the National Institutes of Health, the Director of the Office shall ensure that the Plan—

"(1) provides for basic research;

"(2) provides for applied research;

"(3) provides for research that is conducted by the agencies;

"(4) provides for research that is supported by the agencies;

"(5) provides for proposals developed pursuant to solicitations by the agencies and for proposals developed independently of such solicitations; and

"(6) provides for behavioral research and social sciences research.

"(c) **BUDGET ESTIMATES.**—

"(1) **FULL-FUNDING BUDGET.**—

"(A) With respect to a fiscal year, the Director of the Office shall prepare and submit directly to the President, for review and transmittal to the Congress, a budget estimate for carrying out the Plan for the fiscal year, after reasonable opportunity for comment (but without change) by

the Secretary, the Director of the National Institutes of Health, and the advisory council established under section 2352. The budget estimate shall include an estimate of the number and type of personnel needs for the Office.

"(B) The budget estimate submitted under subparagraph (A) shall estimate the amounts necessary for the agencies of the National Institutes of Health to carry out all AIDS activities determined by the Director of the Office to be appropriate, without regard to the probability that such amounts will be appropriated.

"(2) **ALTERNATIVE BUDGETS.**—

"(A) With respect to a fiscal year, the Director of the Office shall prepare and submit to the Secretary and the Director of the National Institutes of Health the budget estimates described in subparagraph (B) for carrying out the Plan for the fiscal year. The Secretary and such Director shall consider each of such estimates in making recommendations to the President regarding a budget for the Plan for such year.

"(B) With respect to the fiscal year involved, the budget estimates referred to in subparagraph (A) for the Plan are as follows:

"(i) The budget estimate submitted under paragraph (1).

"(ii) A budget estimate developed on the assumption that the amounts appropriated will be sufficient only for—

"(I) continuing the conduct by the agencies of the National Institutes of Health of existing AIDS activities (if approved for continuation), and continuing the support of such activities by the agencies in the case of projects or programs for which the agencies have made a commitment of continued support; and

"(II) carrying out, of activities that are in addition to activities specified in subclause (I), only such activities for which the Director determines there is the most substantial need.

"(iii) Such other budget estimates as the Director of the Office determines to be appropriate.

"(d) **FUNDING.**—

"(1) **AUTHORIZATION OF APPROPRIATIONS.**—For the purpose of carrying out AIDS activities under the Plan, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 1994 through 1996.

"(2) **RECEIPT OF FUNDS.**—For the first fiscal year beginning after the date on which the Plan first established under section 2353(a)(1) has been in effect for 12 months, and for each subsequent fiscal year, the Director of the Office shall receive directly from the President and the Director of the Office of Management and Budget all funds available for AIDS activities of the National Institutes of Health.

"(3) **ALLOCATIONS FOR AGENCIES.**—

"(A) Each fiscal year the Director of the Office shall, from the amounts received under paragraph (2) for the fiscal year, allocate to the agencies of the National Institutes of Health (in accordance with the Plan) all amounts available for such year for carrying out the AIDS activities specified in subsection (c)(2)(B)(i)(I) for such year. Such allocation shall, to the extent practicable, be made not later than 15 days after the date on which the Director receives amounts under paragraph (2).

"(B) Each fiscal year the Director of the Office shall, from the amounts received under paragraph (2) for the fiscal year, allocate to the agencies of the National Institutes of Health (in accordance with the Plan) all amounts available for such year for carrying out AIDS activities that are not referred to in subparagraph (A). Such allocation shall, to the extent practicable, be made not later than 30 days after the date on which the Director receives amounts under paragraph (2)."

(b) **CONFORMING AMENDMENTS.**—Section 2354 of the Public Health Service Act, as redesignated by subsection (a)(2) of this section, is amended—

(1) in the heading for the section, by striking "**ESTABLISHMENT OF**" and inserting "**ADDITIONAL**";

(2) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking "In carrying out" and all that follows and inserting the following: "In carrying out AIDS research, the Director of the Office—";

(B) by striking paragraphs (1) and (2) and redesignating paragraphs (3) through (8) as paragraphs (1) through (6);

(C) in paragraph (3) (as so redesignated), by striking "may" and all that follows in the matter preceding subparagraph (A) and inserting the following: "may support—";

(D) in paragraph (5) (as so redesignated)—

(i) in subparagraph (A)—

"(I) by striking "may" and all that follows through "acquire," and inserting "may acquire,"; and

"(II) by striking "Director" and all that follows through "determines" and inserting "Director of the Office determines";

(ii) in subparagraph (B), by striking "may" and all that follows through "make grants" and inserting "may make grants"; and

(iii) in subparagraph (C), by striking "may" and all that follows through "acquire," and inserting "may acquire,"; and

(E) in each of paragraphs (2), (3)(A), and (4) (as so redesignated), by striking "research relating to acquired immune deficiency syndrome" and inserting "AIDS research";

(3) in subsection (b), in the matter preceding paragraph (1), by striking "The Director" and all that follows through "shall" and inserting "The Director of the Office shall"; and

(4) in subsection (c), by striking "the Director" and all that follows through "shall" and inserting "the Director of the Office shall".

SEC. 1802. ESTABLISHMENT OF EMERGENCY DISCRETIONARY FUND.

Part D of title XXIII of the Public Health Service Act, as amended by section 1801 of this Act, is amended by adding at the end the following subpart:

"Subpart II—Emergency Discretionary Fund

"**SEC. 2356. EMERGENCY DISCRETIONARY FUND.**

"(a) **IN GENERAL.**—

"(1) **ESTABLISHMENT.**—There is established a fund consisting of such amounts as may be appropriated under subsection (g). Subject to the provisions of this section, the Director of the Office, after consultation with the advisory council established under section 2352, may expend amounts in the Fund for the purpose of conducting and supporting such AIDS activities, including projects of AIDS research, as may be authorized in this Act for the National Institutes of Health.

"(2) **PRECONDITIONS TO USE OF FUND.**—Amounts in the Fund may be expended only if—

"(A) the Director identifies the particular set of AIDS activities for which such amounts are to be expended;

"(B) the set of activities so identified constitutes either a new project or additional AIDS activities for an existing project;

"(C) the Director of the Office has made a determination that there is a significant need for such set of activities; and

"(D) as of June 30 of the fiscal year preceding the fiscal year in which the determination is made, such need was not provided for in any appropriations Act passed by the House of Representatives to make appropriations for the Departments of Labor, Health and Human Services (including the National Institutes of Health), Education, and related agencies for the fiscal year in which the determination is made.

"(3) **TWO-YEAR USE OF FUND FOR PROJECT INVOLVED.**—In the case of an identified set of AIDS activities, obligations of amounts in the Fund may not be made for such set of activities

after the expiration of the 2-year period beginning on the date on which the initial obligation of such amounts is made for such set.

"(b) PEER REVIEW.—With respect to an identified set of AIDS activities carried out with amounts in the Fund, this section may not be construed as waiving applicable requirements for peer review.

"(c) LIMITATIONS ON USE OF FUND.—

"(1) CONSTRUCTION OF FACILITIES.—Amounts in the Fund may not be used for the construction, renovation, or relocation of facilities, or for the acquisition of land.

"(2) CONGRESSIONAL DISAPPROVAL OF PROJECTS.—

"(A) Amounts in the Fund may not be expended for the fiscal year involved for an identified set of AIDS activities, or a category of AIDS activities, for which—

"(i) amounts were made available in an appropriations Act for the preceding fiscal year; and

"(ii) amounts are not made available in any appropriations Act for the fiscal year in which; or

"(iii) amounts are by law prohibited from being expended.

"(B) A determination under subparagraph (A)(i) of whether amounts have been made available in appropriations Acts for a fiscal year shall be made without regard to whether such Acts make available amounts for the Fund.

"(3) INVESTMENT OF FUND AMOUNTS.—Amounts in the Fund may not be invested.

"(d) APPLICABILITY OF LIMITATION REGARDING NUMBER OF EMPLOYEES.—The purposes for which amounts in the Fund may be expended include the employment of individuals necessary to carry out identified sets of AIDS activities approved under subsection (a). Any individual employed under the preceding sentence may not be included in any determination of the number of full-time equivalent employees for the Department of Health and Human Services for the purpose of any limitation on the number of such employees established by law prior to, on, or after the date of the enactment of the National Institutes of Health Revitalization Act of 1993.

"(e) REPORT TO CONGRESS.—Not later than February 1 of each fiscal year, the Director of the Office shall submit to the Committee on Energy and Commerce of the House of Representatives, and to the Committee on Labor and Human Resources of the Senate, a report on the identified sets of AIDS activities carried out during the preceding fiscal year with amounts in the Fund. The report shall provide a description of each such set of activities and an explanation of the reasons underlying the use of the Fund for the set.

"(f) DEFINITIONS.—For purposes of this section:

"(1) The term 'Fund' means the fund established in subsection (a).

"(2) The term 'identified set of AIDS activities' means a particular set of AIDS activities identified under subsection (a)(2)(A).

"(g) FUNDING.—

"(1) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of providing amounts for the Fund, there is authorized to be appropriated \$100,000,000 for each of the fiscal years 1994 through 1996.

"(2) AVAILABILITY.—Amounts appropriated for the Fund are available until expended."

SEC. 1803. GENERAL PROVISIONS.

Part D of title XXIII of the Public Health Service Act, as amended by section 1802 of this Act, is amended by adding at the end the following subpart:

"Subpart III—General Provisions

"SEC. 2359. GENERAL PROVISIONS REGARDING THE OFFICE.

"(a) ADMINISTRATIVE SUPPORT FOR OFFICE.—The Secretary, acting through the Director of

the National Institutes of Health, shall provide administrative support and support services to the Director of the Office and shall ensure that such support takes maximum advantage of existing administrative structures at the agencies of the National Institutes of Health.

"(b) EVALUATION AND REPORT.—

"(1) EVALUATION.—Not later than 5 years after the date of the enactment of National Institutes of Health Revitalization Act of 1993, the Secretary shall conduct an evaluation to—

"(A) determine the effect of this section on the planning and coordination of the AIDS research programs at the institutes, centers and divisions of the National Institutes of Health;

"(B) evaluate the extent to which this part has eliminated the duplication of administrative resources among such Institutes, centers and divisions; and

"(C) provide recommendations concerning future alterations with respect to this part.

"(2) REPORT.—Not later than 1 year after the date on which the evaluation is commenced under paragraph (1), the Secretary shall prepare and submit to the Committee on Labor and Human Resources of the Senate, and the Committee on Energy and Commerce of the House of Representatives, a report concerning the results of such evaluation.

"(c) DEFINITIONS.—For purposes of this part:

"(1) The term 'AIDS activities' means AIDS research and other activities that relate to acquired immune deficiency syndrome.

"(2) The term 'AIDS research' means research with respect to acquired immune deficiency syndrome.

"(3) The term 'Office' means the Office of AIDS Research.

"(4) The term 'Plan' means the plan required in section 2353(a)(1)."

Subtitle B—Certain Programs

SEC. 1811. REVISION AND EXTENSION OF CERTAIN PROGRAMS.

Title XXIII of the Public Health Service Act (42 U.S.C. 300cc et seq.) is amended—

(1) in section 2304(c)(1)—

(A) in the matter preceding subparagraph (A), by inserting after "Director of such Institute" the following: "(and may provide advice to the Directors of other agencies of the National Institutes of Health, as appropriate)"; and

(B) in subparagraph (A), by inserting before the semicolon the following: ", including recommendations on the projects of research with respect to diagnosing immune deficiency and with respect to predicting, diagnosing, preventing, and treating opportunistic cancers and infectious diseases";

(2) in section 2311(a)(1), by inserting before the semicolon the following: ", including evaluations of methods of diagnosing immune deficiency and evaluations of methods of predicting, diagnosing, preventing, and treating opportunistic cancers and infectious diseases";

(3) in section 2315—

(A) in subsection (a)(2), by striking "international research" and all that follows and inserting "international research and training concerning the natural history and pathogenesis of the human immunodeficiency virus and the development and evaluation of vaccines and treatments for acquired immune deficiency syndrome and opportunistic infections."; and

(B) in subsection (f), by striking "there are authorized" and all that follows and inserting "there are authorized to be appropriated such sums as may be necessary for each fiscal year.";

(4) in section 2318—

(A) in subsection (a)(1)—

(i) by inserting after "The Secretary" the following: ", acting through the Director of the National Institutes of Health and after consultation with the Administrator for Health Care Policy and Research."; and

(ii) by striking "syndrome" and inserting "syndrome, including treatment and prevention of HIV infection and related conditions among women"; and

(B) in subsection (e), by striking "1991." and inserting the following: "1991, and such sums as may be necessary for each of the fiscal years 1994 through 1996.";

(5) in section 2320(b)(1)(A), by striking "syndrome" and inserting "syndrome and the natural history of such infection";

(6) in section 2320(e)(1), by striking "there are authorized" and all that follows and inserting "there are authorized to be appropriated such sums as may be necessary for each fiscal year.";

(7) in section 2341(d), by striking "there are authorized" and all that follows and inserting "there are authorized to be appropriated such sums as may be necessary for each fiscal year."; and

(8) in section 2361, by striking "For purposes" and all that follows and inserting the following: "For purposes of this title:

"(1) The term 'infection', with respect to the etiologic agent for acquired immune deficiency syndrome, includes opportunistic cancers and infectious diseases and any other conditions arising from infection with such etiologic agent.

"(2) The term 'treatment', with respect to the etiologic agent for acquired immune deficiency syndrome, includes primary and secondary prophylaxis."

TITLE XIX—STUDIES

SEC. 1901. LIFE-THREATENING ILLNESSES.

(a) THIRD-PARTY PAYMENTS REGARDING CERTAIN CLINICAL TRIALS AND CERTAIN LIFE-THREATENING ILLNESSES.—The Secretary of Health and Human Services, acting through the Director of the National Institutes of Health, shall conduct a study for the purpose of—

(1) determining the policies of third-party payors regarding the payment of the costs of appropriate health services that are provided incident to the participation of individuals as subjects in clinical trials conducted in the development of drugs with respect to acquired immune deficiency syndrome, cancer, and other life-threatening illnesses; and

(2) developing recommendations regarding such policies.

(b) VACCINES FOR HUMAN IMMUNODEFICIENCY VIRUS.—

(1) IN GENERAL.—The Secretary of Health and Human Services, acting through the National Institutes of Health, shall develop a plan for the appropriate inclusion of HIV-infected women, including pregnant women, HIV-infected infants, and HIV-infected children in studies conducted by or through the National Institutes of Health concerning the safety and efficacy of HIV vaccines for the treatment and prevention of HIV infection. Such plan shall ensure the full participation of other Federal agencies currently conducting HIV vaccine studies and require that such studies conform fully to the requirements of part 46 of title 45, Code of Federal Regulations.

(2) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Health and Human Services shall prepare and submit to the Committee on Energy and Commerce of the House of Representatives, and the Committee on Labor and Human Resources of the Senate, a report concerning the plan developed under paragraph (1).

(3) IMPLEMENTATION.—Not later than 12 months after the date of the enactment of this Act, the Secretary of Health and Human Services shall implement the plan developed under paragraph (1), including measures for the full participation of other Federal agencies currently conducting HIV vaccine studies.

(4) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this subsection,

there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 1994 through 1996.

SEC. 1902. MALNUTRITION IN THE ELDERLY.

(A) STUDY.—

(1) IN GENERAL.—The Secretary of Health and Human Services (referred to in this section as the "Secretary"), acting through the National Institute on Aging, coordinating with the Agency for Health Care Policy and Research and, to the degree possible, in consultation with the head of the National Nutrition Monitoring and Related Research Program established by section 5311(a) of Public Law 101-445 (7 U.S.C. 5301 et seq.), shall conduct a 3-year nutrition screening and intervention activities study of the elderly.

(2) EFFICACY AND COST-EFFECTIVENESS OF NUTRITION SCREENING AND INTERVENTION ACTIVITIES.—In conducting the study, the Secretary shall determine the efficacy and cost-effectiveness of nutrition screening and intervention activities conducted in the elderly health and long-term care continuum, and of a program that would institutionalize nutrition screening and intervention activities. In evaluating such a program, the Secretary shall determine—

(A) if health or quality of life is measurably improved for elderly individuals who receive routine nutritional screening and treatment;

(B) if federally subsidized home or institutional care is reduced because of increased independence of elderly individuals resulting from improved nutritional status;

(C) if a multidisciplinary approach to nutritional care is effective in addressing the nutritional needs of elderly individuals; and

(D) if reimbursement for nutrition screening and intervention activities is a cost-effective approach to improving the health status of elderly individuals.

(3) POPULATIONS.—The populations of elderly individuals in which the study will be conducted shall include populations of elderly individuals who are—

(A) living independently, including—

(i) individuals who receive home and community-based services or family support;

(ii) individuals who do not receive additional services and support;

(iii) individuals with low incomes; and

(iv) individuals who are minorities;

(B) hospitalized, including individuals admitted from home and from institutions; and

(C) institutionalized in residential facilities such as nursing homes and adult homes.

(b) MALNUTRITION STUDY.—The Secretary, acting through the National Institute on Aging, shall conduct a 3-year study to determine the extent of malnutrition in elderly individuals in hospitals and long-term care facilities and in elderly individuals who are living independently.

(c) REPORT.—The Secretary shall submit a report to the Committee on Labor and Human Resources of the Senate and the Committee on Energy and Commerce of the House of Representatives containing the findings resulting from the studies described in subsections (a) and (b), including a determination regarding whether a program that would institutionalize nutrition screening and intervention activities should be adopted, and the rationale for the determination.

(d) ADVISORY PANEL.—

(1) ESTABLISHMENT.—The Secretary, acting through the Director of the National Institute on Aging, shall establish an advisory panel that shall oversee the design, implementation, and evaluation of the studies described in subsections (a) and (b).

(2) COMPOSITION.—The advisory panel shall include representatives appointed for the life of the panel by the Secretary from the Health Care Financing Administration, the Social Security

Administration, the National Center for Health Statistics, the Administration on Aging, the National Council on the Aging, the American Dietetic Association, the American Academy of Family Physicians, and such other agencies or organizations as the Secretary determines to be appropriate.

(3) COMPENSATION AND EXPENSES.—

(A) COMPENSATION.—Each member of the advisory panel who is not an employee of the Federal Government shall receive compensation for each day engaged in carrying out the duties of the panel, including time engaged in traveling for purposes of such duties. Such compensation may not be provided in an amount in excess of the maximum rate of basic pay payable for GS-18 of the General Schedule.

(B) TRAVEL EXPENSES.—Each member of the advisory panel shall receive travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, for each day the member is engaged in the performance of duties away from the home or regular place of business of the member.

(4) DETAIL OF FEDERAL EMPLOYEES.—On the request of the advisory panel, the head of any Federal agency shall detail, without reimbursement, any of the personnel of the agency to the advisory panel to assist the advisory panel in carrying out its duties. Any detail shall not interrupt or otherwise affect the civil service status or privileges of the Federal employee.

(5) TECHNICAL ASSISTANCE.—On the request of the advisory panel, the head of a Federal agency shall provide such technical assistance to the advisory panel as the advisory panel determines to be necessary to carry out its duties.

(6) TERMINATION.—Notwithstanding section 15 of the Federal Advisory Committee Act (5 U.S.C. App.), the advisory panel shall terminate 3 years after the date of enactment of this Act.

SEC. 1903. RESEARCH ACTIVITIES ON CHRONIC FATIGUE SYNDROME.

The Secretary of Health and Human Services shall, not later than October 1, 1993, and annually thereafter for the next 3 years, prepare and submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Labor and Human Resources of the Senate, a report that summarizes the research activities conducted or supported by the National Institutes of Health concerning chronic fatigue syndrome. Such report should include information concerning grants made, cooperative agreements or contracts entered into, intramural activities, research priorities and needs, and a plan to address such priorities and needs.

SEC. 1904. REPORT ON MEDICAL USES OF BIOLOGICAL AGENTS IN DEVELOPMENT OF DEFENSES AGAINST BIOLOGICAL WARFARE.

The Secretary of Health and Human Services, in consultation with the Secretary of Defense and with the heads of other appropriate executive agencies, shall report to the House Energy and Commerce Committee and the Senate Labor and Human Resources Committee on the appropriateness and impact of the National Institutes of Health assuming responsibility for the conduct of all Federal research, development, testing, and evaluation functions relating to medical countermeasures against biowarfare threat agents. In preparing the report, the Secretary of Health and Human Services shall identify the extent to which such activities are carried out by agencies other than the National Institutes of Health, and assess the impact (positive and negative) of the National Institutes of Health assuming responsibility for such activities, including the impact under the Budget Enforcement Act and the Omnibus Budget Reconciliation Act of 1990 on existing National Institutes of Health research programs as well as other

programs within the category of domestic discretionary spending. Such Secretary shall submit the report not later than 12 months after the date of the enactment of this Act. The Secretary shall provide a copy of the report to the House and Senate Committees on Armed Services.

SEC. 1905. PERSONNEL STUDY OF RECRUITMENT, RETENTION AND TURNOVER.

(a) STUDY OF PERSONNEL SYSTEM.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Health and Human Services, acting through the Director of the National Institutes of Health, shall conduct a study to review the retention, recruitment, vacancy and turnover rates of support staff, including firefighters, law enforcement, procurement officers, technicians, nurses and clerical employees, to ensure that the National Institutes of Health is adequately supporting the conduct of efficient, effective and high quality research for the American public. The Director of NIH shall work in conjunction with appropriate employee organizations and representatives in developing such a study.

(b) SUBMISSION TO CONGRESS.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Health and Human Services shall prepare and submit to the Committee on Energy and Commerce of the House of Representatives, and to the Committee on Labor and Human Resources of the Senate, a report containing the study conducted under subsection (a) together with the recommendations of the Secretary concerning the enactment of legislation to implement the results of such study.

SEC. 1906. PROCUREMENT.

(a) IN GENERAL.—The Director of the National Institutes of Health and the Administrator of the General Services Administration shall jointly conduct a study to develop a streamlined procurement system for the National Institutes of Health that complies with the requirements of Federal law.

(b) REPORT.—Not later than March 1, 1994, the officials specified in subsection (a) shall complete the study required in such subsection and shall submit to the Committee on Energy and Commerce of the House of Representatives, and the Committee on Labor and Human Resources of the Senate, a report describing the findings made as a result of the study.

SEC. 1907. CHRONIC PAIN CONDITIONS.

(a) IN GENERAL.—The Director of the National Institutes of Health (in this section referred to as the "Director"), acting through the Director of the National Institute of Dental Research and as appropriate through the heads of other agencies of such Institutes, shall conduct a study for the purpose of determining the incidence in the United States of cases of chronic pain (including chronic pain resulting from back injuries) and the effect of such cases on the costs of health care in the United States.

(b) CERTAIN ELEMENTS OF STUDY.—The cases of chronic pain with respect to which the study required in subsection (a) is conducted shall include reflex sympathetic dystrophy syndrome, temporomandibular joint disorder, post-herpetic neuropathy, painful diabetic neuropathy, phantom pain, and post-stroke pain.

(c) REPORT.—Not later than 2 years after the date of the enactment of this Act, the Director shall complete the study required in subsection (a) and submit to the Committee on Energy and Commerce of the House of Representatives, and to the Committee on Labor and Human Resources of the Senate, a report describing the findings made as a result of the study.

SEC. 1908. RELATIONSHIP BETWEEN THE CONSUMPTION OF LEGAL AND ILLEGAL DRUGS.

(a) IN GENERAL.—The Secretary of Health and Human Services shall review and consider all existing relevant data and research concerning

whether there is a relationship between an individual's receptivity to use or consume legal drugs and the consumption or abuse by the individual of illegal drugs. On the basis of such review, the Secretary shall determine whether additional research is necessary. If the Secretary determines additional research is required, the Secretary shall conduct a study of those subjects where the Secretary's review indicates additional research is needed, including, if necessary, a review of—

- (1) the effect of advertising and marketing campaigns that promote the use of legal drugs on the public;
- (2) the correlation of legal drug abuse with illegal drug abuse; and
- (3) other matters that the Secretary determines appropriate.

(b) **REPORT.**—Not later than 12 months after the date of enactment of this Act, the Secretary shall prepare and submit, to the Committee on Energy and Commerce of the House of Representatives and Committee on Labor and Human Resources of the Senate, a report containing the results of the review conducted under subsection (b). If the Secretary determines additional research is required, no later than 2 years after the date of enactment of this Act, the Secretary shall prepare and submit, to the Committee on Energy and Commerce of the House of Representatives and Committee on Labor and Human Resources of the Senate, a report containing the results of the additional research conducted under subsection (b).

SEC. 1909. REDUCING ADMINISTRATIVE HEALTH CARE COSTS.

The Secretary of Health and Human Services, acting through the Agency for Health Care Policy and Research and, to the extent possible, in consultation with the Health Care Financing Administration, may fund research to develop a text-based standardized billing process, through the utilization of text-based information retrieval and natural language processing techniques applied to automatic coding and analysis of textual patient discharge summaries and other text-based electronic medical records, within a parallel general purpose (shared memory) high performance computing environment. The Secretary shall determine whether such a standardized approach to medical billing, through the utilization of the text-based hospital discharge summary as well as electronic patient records can reduce the administrative billing costs of health care delivery.

SEC. 1910. SENTINEL DISEASE CONCEPT STUDY.

(a) **IN GENERAL.**—The Secretary of Health and Human Services, in cooperation with the Agency for Toxic Substances and Disease Registry and the Centers for Disease Control and Prevention, shall design and implement a pilot sentinel disease surveillance system, and as appropriate, a follow-up system.

(b) **PURPOSE.**—The purpose of the study conducted under subsection (a) shall be to determine the applicability of and the difficulties associated with the implementation of the sentinel disease concept for identifying the relationship between the occupation of household members and the incidence of subsequent conditions or diseases in other members of the household.

(c) **REPORT.**—Not later than 4 years after the date of enactment of this Act, the Director of the National Institutes of Health shall prepare and submit to the appropriate committees of Congress, a report concerning the results of the study conducted under subsection (a).

SEC. 1911. POTENTIAL ENVIRONMENTAL AND OTHER RISKS CONTRIBUTING TO INCIDENCE OF BREAST CANCER.

(a) **REQUIREMENT OF STUDY.**—

(1) **IN GENERAL.**—The Director of the National Cancer Institute (in this section referred to as the "Director"), in collaboration with the Direc-

tor of the National Institute of Environmental Health Sciences, shall conduct a case-control study to assess biological markers of environmental and other potential risk factors contributing to the incidence of breast cancer in—

(A) the Counties of Nassau and Suffolk, in the State of New York; and

(B) the 2 counties in the northeastern United States that, as identified in the report specified in paragraph (2), had the highest age-adjusted mortality rate of such cancer that reflected not less than 30 deaths during the 5-year period for which findings are made in the report.

(2) **RELEVANT REPORT.**—The report referred to in paragraph (1)(B) is the report of the findings made in the study entitled "Survival, Epidemiology, and End Results", relating to cases of cancer during the years 1983 through 1987.

(b) **CERTAIN ELEMENTS OF STUDY.**—Activities of the Director in carrying out the study under subsection (a) shall include the use of a geographic system to evaluate the current and past exposure of individuals, including direct monitoring and cumulative estimates of exposure, to—

- (1) contaminated drinking water;
- (2) sources of indoor and ambient air pollution, including emissions from aircraft;
- (3) electromagnetic fields;
- (4) pesticides and other toxic chemicals;
- (5) hazardous and municipal waste; and
- (6) such other factors as the Director determines to be appropriate.

(c) **REPORT.**—Not later than 30 months after the date of the enactment of this Act, the Director shall complete the study required in subsection (a) and submit to the Committee on Energy and Commerce of the House of Representatives, and to the Committee on Labor and Human Resources of the Senate, a report describing the findings made as a result of the study.

(d) **FUNDING.**—Of the amounts appropriated for fiscal years 1994 and 1995 for the National Institute of Environmental Health Sciences and the National Cancer Institute, the Director of the National Institutes of Health shall make available amounts for carrying out the study required in subsection (a).

SEC. 1912. SUPPORT FOR BIOENGINEERING RESEARCH.

(a) **STUDY.**—The Secretary of Health and Human Services, acting through the Director of the National Institutes of Health, shall conduct a study for the purpose of—

(1) determining the sources and amounts of public and private funding devoted to basic research in bioengineering, including biomaterials sciences, cellular bioprocessing, tissue and rehabilitation engineering;

(2) evaluating whether that commitment is sufficient to maintain the innovative edge that the United States has in these technologies;

(3) evaluating the role of the National Institutes of Health or any other Federal agency to achieve a greater commitment to innovation in bioengineering; and

(4) evaluating the need for better coordination and collaboration among Federal agencies and between the public and private sectors.

In conducting such study, the Director shall work in conjunction with appropriate organizations and representatives including academics, industry leaders, bioengineering societies, and public agencies.

(b) **REPORT.**—Not later than 1 year after the date of enactment of this Act, the Secretary of Health and Human Services shall prepare and submit to the Committee on Labor and Human Resources of the Senate, and the Committee on Energy and Commerce of the House of Representatives, a report containing the findings of the study conducted under subsection (a) together with recommendations concerning the en-

actment of legislation to implement the results of such study.

SEC. 1913. COST OF CARE IN LAST 6 MONTHS OF LIFE.

(a) **STUDY.**—

(1) **IN GENERAL.**—The Secretary of Health and Human Services (in this section referred to as the "Secretary"), acting through the Agency for Health Care Policy and Research and, to the degree possible, in consultation with the Health Care Financing Administration, shall conduct a study, using the most recent National Medical Expenditure Survey database, to estimate the average amount of health care expenditures incurred during the last 6 months of life by—

(A) the population of individuals who are 65 years of age and older; and

(B) the total population, broken down based on noninstitutionalized and institutionalized populations.

(2) **ELEMENTS OF STUDY.**—The study conducted under paragraph (1) shall—

(A) be designed in a manner that will produce estimates of health care costs expended for health care provided to individuals during the last 6 months of life;

(B) be designed to produce estimates of such costs for the populations identified in subparagraphs (A) and (B) of paragraph (1);

(C) include a calculation of the estimated amount of total health care expenditures during such periods of time; and

(D) include a calculation of the estimate described in subparagraph (C)—

(i) as a percentage of the total national health care expenditures; and

(ii) for those age 65 years and over, as a percentage of the total Medicare expenditures for those age 65 years and over.

(b) **REPORT.**—Not later than 6 months after the date of the enactment of this Act, the Secretary shall prepare and submit to the Committee on Labor and Human Resources of the Senate and the Committee on Energy and Commerce of the House of Representatives, a report containing the findings resulting from the study described in subsection (a).

(c) 1996 NATIONAL MEDICAL EXPENDITURE SURVEY.—

(1) **IN GENERAL.**—The Secretary, acting through the Agency for Health Care Policy and Research, shall ensure that the 1996 National Medical Expenditure Survey is designed in a manner that will produce an estimate of the amount expended for health care provided to individuals during the last 6 months of life.

(2) **POPULATIONS.**—In designing the Survey under paragraph (1), the Secretary shall ensure that such Survey produces the data required under such paragraph for the population of individuals who are 65 years of age or older, broken down based on noninstitutionalized and institutionalized populations.

TITLE XX—MISCELLANEOUS PROVISIONS

SEC. 2001. DESIGNATION OF SENIOR BIOMEDICAL RESEARCH SERVICE IN HONOR OF SILVIO O. CONTE; LIMITATION ON NUMBER OF MEMBERS.

(a) **IN GENERAL.**—Section 228(a) of the Public Health Service Act (42 U.S.C. 237(a)), as added by section 304 of Public Law 101-509, is amended to read as follows:

“(a)(1) There shall be in the Public Health Service a Silvio O. Conte Senior Biomedical Research Service, not to exceed 500 members.

“(2) The authority established in paragraph (1) regarding the number of members in the Silvio O. Conte Senior Biomedical Research Service is in addition to any authority established regarding the number of members in the commissioned Regular Corps, in the Reserve Corps, and in the Senior Executive Service. Such paragraph may not be construed to require that the number of members in the commissioned

Regular Corps, in the Reserve Corps, or in the Senior Executive Service be reduced to offset the number of members serving in the Silvio O. Conte Senior Biomedical Research Service (in this section referred to as the "Service")."

(b) **CONFORMING AMENDMENT.**—Section 228 of the Public Health Service Act (42 U.S.C. 237), as added by section 304 of Public Law 101-509, is amended in the heading for the section by amending the heading to read as follows:

"SILVIO O. CONTE SENIOR BIOMEDICAL RESEARCH SERVICE".

SEC. 2002. MASTER PLAN FOR PHYSICAL INFRASTRUCTURE FOR RESEARCH.

Not later than June 1, 1994, the Secretary of Health and Human Services, acting through the Director of the National Institutes of Health, shall present to the Congress a master plan to provide for the replacement or refurbishment of less than adequate buildings, utility equipment and distribution systems (including the resources that provide electrical and other utilities, chilled water, air handling, and other services that the Secretary, acting through the Director, deems necessary), roads, walkways, parking areas, and grounds that underpin the laboratory and clinical facilities of the National Institutes of Health. Such plan may make recommendations for the undertaking of new projects that are consistent with the objectives of this section, such as encircling the National Institutes of Health Federal enclave with an adequate chilled water conduit.

SEC. 2003. CERTAIN AUTHORIZATION OF APPROPRIATIONS.

Section 399L(a) of the Public Health Service Act (42 U.S.C. 280e-4(a)), as added by Public Law 102-515 (106 Stat. 3376), is amended—

(1) in the first sentence, by striking "the Secretary" and all that follows and inserting the following: "there are authorized to be appropriated \$30,000,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 through 1996."; and

(2) in the second sentence, by striking "Out of any amounts used" and inserting "Of the amounts appropriated under the preceding sentence".

SEC. 2004. BUY-AMERICAN PROVISIONS.

(a) **COMPLIANCE WITH BUY AMERICAN ACT.**—No funds appropriated pursuant to this Act for any of the fiscal years 1994 through 1996 may be expended by an entity unless the entity agrees that in expending the assistance the entity will comply with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a-10c, popularly known as the "Buy American Act").

(b) **SENSE OF CONGRESS; REQUIREMENT REGARDING NOTICE.**—

(1) **PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.**—In the case of any equipment or product that may be authorized to be purchased with financial assistance provided pursuant to this Act for any of the fiscal years 1994 through 1996, it is the sense of the Congress that entities receiving such assistance should, in expending the assistance, purchase only American-made equipment and products.

(2) **NOTICE TO RECIPIENTS OF ASSISTANCE.**—In providing financial assistance pursuant to this Act, the Secretary of Health and Human Services shall provide to each recipient of the assistance a notice describing the statement made in paragraph (1) by the Congress.

SEC. 2005. PROHIBITION AGAINST FURTHER FUNDING FOR PROJECT ARIES.

For fiscal year 1994 and each subsequent fiscal year, the project administered by the University of Washington at Seattle and known as Project Aries may not receive any funding from any agency of the National Institutes of Health (other than payments under awards made for fiscal year 1993 or prior fiscal years) unless—

(1) the proposal for funding for the project has undergone review in accordance with the

applicable requirements of section 491 of the Public Health Service Act on restrictions regarding institutional review boards and ethics guidance;

(2) the proposal for funding for the project has undergone review in accordance with the applicable requirements of section 492 of such Act on restrictions regarding peer review;

(3) the Secretary of Health and Human Services, in accordance with section 492A of such Act (as added by section 101 of this Act), makes a determination that the project will assist—

(A) in reducing the incidence of infection with the human immunodeficiency virus;

(B) in reducing the incidence of sexually transmitted diseases; or

(C) in reducing the incidence of tuberculosis; and

(4) the data to be collected through the project cannot be obtained in any other manner.

SEC. 2006. LOAN REPAYMENT PROGRAM.

Chapter IX of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 391 et seq.), as amended by Public Law 101-635, is amended—

(1) by redesignating the second section 903 as section 904; and

(2) by adding at the end the following section:

"SEC. 905. LOAN REPAYMENT PROGRAM.

"(a) **IN GENERAL.**—

"(1) **AUTHORITY FOR PROGRAM.**—Subject to paragraph (2), the Secretary shall carry out a program of entering into contracts with appropriately qualified health professionals under which such health professionals agree to conduct research, as employees of the Food and Drug Administration, in consideration of the Federal Government agreeing to repay, for each year of such service, not more than \$20,000 of the principal and interest of the educational loans of such health professionals.

"(2) **LIMITATION.**—The Secretary may not enter into an agreement with a health professional pursuant to paragraph (1) unless such professional—

"(A) has a substantial amount of educational loans relative to income; and

"(B) agrees to serve as an employee of the Food and Drug Administration for purposes of paragraph (1) for a period of not less than 3 years.

"(b) **APPLICABILITY OF CERTAIN PROVISIONS.**—With respect to the National Health Service Corps Loan Repayment Program established in subpart III of part D of title III of the Public Health Service Act, the provisions of such subpart shall, except as inconsistent with subsection (a) of this section, apply to the program established in such subsection in the same manner and to the same extent as such provisions apply to the National Health Service Corps Loan Repayment Program.

"(c) **AUTHORIZATION OF APPROPRIATIONS.**—For the purpose of carrying out this section, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 1994 through 1996."

SEC. 2007. EXCLUSION OF ALIENS INFECTED WITH THE AGENT FOR ACQUIRED IMMUNE DEFICIENCY SYNDROME.

(a) **EXCLUSION OF ALIENS ON HEALTH-RELATED GROUNDS.**—Section 212(a)(1)(A)(i) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(1)(A)(i)) is amended by adding at the end the following: "which shall include infection with the etiologic agent for acquired immune deficiency syndrome."

(b) **EFFECTIVE DATE.**—The amendment made by subsection (a) shall take effect 30 days after the date of the enactment of this Act.

SEC. 2008. TECHNICAL CORRECTIONS.

(a) **TITLE III.**—Section 316 of the Public Health Service Act (42 U.S.C. 247a(c)) is amended by striking subsection (c).

(b) **TITLE IV.**—Title IV of the Public Health Service Act (42 U.S.C. 281 et seq.) is amended—

(1) in section 406—

(A) in subsection (b)(2)(A), by striking "Veterans' Administration" each place such term appears and inserting "Department of Veterans Affairs"; and

(B) in subsection (h)(2)(A)(v), by striking "Veterans' Administration" and inserting "Department of Veterans Affairs";

(2) in section 408, in subsection (b) (as redesignated by section 501(c)(1)(C) of this Act), by striking "Veterans' Administration" and inserting "Department of Veterans Affairs";

(3) in section 421(b)(1), by inserting a comma after "may";

(4) in section 428(b), in the matter preceding paragraph (1), by striking "the the" and inserting "the";

(5) in section 430(b)(2)(A)(i), by striking "Veterans' Administration" and inserting "Department of Veterans Affairs";

(6) in section 439(b), by striking "Veterans' Administration" and inserting "Department of Veterans Affairs";

(7) in section 442(b)(2)(A), by striking "Veterans' Administration" and inserting "Department of Veterans Affairs";

(8) in section 464D(b)(2)(A), by striking "Veterans' Administration" and inserting "Department of Veterans Affairs";

(9) in section 464E—

(A) in subsection (d), in the first sentence, by inserting "Coordinating" before "Committee"; and

(B) in subsection (e), by inserting "Coordinating" before "Committee" the first place such term appears;

(10) in section 464P(b)(6) (as added by section 123 of Public Law 102-321 (106 Stat. 362)), by striking "Administration" and inserting "Institute";

(11) in section 466(a)(1)(B), by striking "Veterans' Administration" and inserting "Department of Veterans Affairs";

(12) in section 480(b)(2)(A), by striking "Veterans' Administration" and inserting "Department of Veterans Affairs";

(13) in section 485(b)(2)(A), by striking "Veterans' Administration" and inserting "Department of Veterans Affairs";

(14) in section 487(d)(3), by striking "section 304(a)(3)" and inserting "section 304(a)"; and

(15) in section 496(a), by striking "Such appropriations." and inserting the following: "Appropriations to carry out the purposes of this title."

(c) **TITLE XV.**—

(1) **LIMITED AUTHORITY REGARDING FOR-PROFIT ENTITIES.**—Section 1501(b) of the Public Health Service Act (42 U.S.C. 300k(b)) is amended—

(A) by striking "STATES.—A State" and all that follows through "may expend" and inserting the following: "STATES—

"(1) **IN GENERAL.**—A State receiving a grant under subsection (a) may, subject to paragraph (2), expend"; and

(B) by adding at the end the following paragraph:

"(2) **LIMITED AUTHORITY REGARDING OTHER ENTITIES.**—In addition to the authority established in paragraph (1) for a State with respect to grants and contracts, the State may provide for screenings under subsection (a)(1) through entering into contracts with private entities. The amount paid by a State to a private entity under the preceding sentence for a screening procedure may not exceed the amount that would be paid under part B of title XVIII of the Social Security Act if payment were made under such part for furnishing the procedure to a woman enrolled under such part."

(2) **CONFORMING AMENDMENT.**—Section 1505(3) of the Public Health Service Act (42 U.S.C. 300n-1(3)) is amended by inserting before the semi-

colon the following: "(and additionally, in the case of services and activities under section 1501(a)(1), with any similar services or activities of private entities)".

(d) TITLE XXIII.—Part A of title XXIII of the Public Health Service Act (42 U.S.C. 300cc et seq.) is amended—

(1) in section 2304—

(A) in the heading for the section, by striking "CLINICAL RESEARCH REVIEW COMMITTEE" and inserting "RESEARCH ADVISORY COMMITTEE"; and

(B) in subsection (a), by striking "AIDS Clinical Research Review Committee" and inserting "AIDS Research Advisory Committee";

(2) in section 2312(a)(2)(A), by striking "AIDS Clinical Research Review Committee" and inserting "AIDS Research Advisory Committee";

(3) in section 2314(a)(1), in the matter preceding subparagraph (A), by striking "Clinical Research Review Committee" and inserting "AIDS Research Advisory Committee";

(4) in section 2317(d)(1), by striking "Clinical Research Review Committee" and inserting "AIDS Research Advisory Committee established under section 2304"; and

(5) in section 2318(b)(3), by striking "Clinical Research Review Committee" and inserting "AIDS Research Advisory Committee".

(e) SECRETARY.—Section 2(c) of the Public Health Service Act (42 U.S.C. 201(c)) is amended by striking "Health, Education, and Welfare" and inserting "Health and Human Services".

(f) DEPARTMENT.—Section 201 of the Public Health Service Act (42 U.S.C. 202) is amended—

(1) by striking "Health, Education, and Welfare" and inserting "Health and Human Services"; and

(2) by striking "Surgeon General" and inserting "Assistant Secretary for Health".

(g) DEPARTMENT.—Section 202 of the Public Health Service Act (42 U.S.C. 203) is amended—

(1) by striking "Surgeon General" the second and subsequent times that such term appears and inserting "Secretary"; and

(2) by inserting ", and the Agency for Health Care Policy and Research" before the first period.

(h) VOLUNTEER SERVICES.—Section 223 of the Public Health Service Act (42 U.S.C. 217b) is amended by striking "Health, Education, and Welfare" and inserting "Health and Human Services".

(i) MISCELLANEOUS.—

(1) AMENDATORY INSTRUCTIONS.—

(A) Section 602(a) of Public Law 102-585 (106 Stat. 4967) is amended by striking "by adding the following subpart" and inserting "by adding at the end the following subpart".

(B) Public Law 102-531 is amended—

(i) in section 303(b) (106 Stat. 3488)—

(I) by striking "Part A of title III" and inserting "Part B of title III"; and

(II) by striking "241 et seq." and inserting "243 et seq.";

(ii) in section 304 (106 Stat. 3490)—

(I) by striking "Part A of title III" and inserting "Part B of title III"; and

(II) by striking "241 et seq." and inserting "243 et seq.";

(iii) in section 306 (106 Stat. 3494), by striking "Part A of title III" and inserting "Part B of title III"; and

(iv) in section 308 (106 Stat. 3495), by striking "Part A of title III" and inserting "Part B of title III";

(2) TITLE III OF PUBLIC HEALTH SERVICE ACT.—Title III of the Public Health Service Act (42 U.S.C. 241 et seq.), as amended by Public Law 102-321, Public Law 102-515, Public Law 102-531, and Public Law 102-585, by section 121(a) of this Act, and by paragraph (1) of this subsection, is amended—

(A) in part D—

(i) by transferring subpart VIII from the current placement of the subpart and inserting the subpart after subpart VII; and

(ii) by redesignating section 340B of subpart VIII as section 340C; and

(B)(i) by redesignating parts K and L as parts J and K, respectively; and

(ii) by redesignating the part M added by Public Law 102-321 as part L.

(3) TITLE VII OF PUBLIC HEALTH SERVICE ACT.—Section 746(i)(1) of the Public Health Service Act (42 U.S.C. 293j(i)(1)), as added by section 102 of Public Law 102-408 (106 Stat. 1994) and amended by section 313(a)(2)(B) of Public Law 102-531 (106 Stat. 3507), is amended to read as if the amendment made by such section 313(a)(2)(B) had not been enacted.

SEC. 2009. BIENNIAL REPORT ON CARCINOGENS.

Section 301(b)(4) of the Public Health Service Act (42 U.S.C. 241(b)(4)) is amended by striking "an annual" and inserting "a biennial".

SEC. 2010. TRANSFER OF PROVISIONS OF TITLE XXVII.

(a) IN GENERAL.—The Public Health Service Act (42 U.S.C. 201 et seq.), as amended by section 101 of Public Law 101-381 and section 304 of Public Law 101-509, is amended—

(1) by transferring sections 2701 through 2714 to title II;

(2) by redesignating such sections as sections 231 through 244, respectively;

(3) by inserting such sections, in the appropriate sequence, after section 228;

(4) by inserting before section 201 the following heading:

"PART A—ADMINISTRATION"; and

(5) by inserting before section 231 (as redesignated by paragraph (2) of this subsection) the following heading:

"Part B—Miscellaneous Provisions".

(b) CONFORMING AMENDMENTS.—The Public Health Service Act (42 U.S.C. 201 et seq.) is amended—

(1) in the heading for title II, by inserting "AND MISCELLANEOUS PROVISIONS" after "ADMINISTRATION";

(2) in section 406(a)(2), by striking "2701" and inserting "231";

(3) in section 465(f), by striking "2701" and inserting "231";

(4) in section 480(a)(2), by striking "2701" and inserting "231";

(5) in section 485(a)(2), by striking "2701" and inserting "231";

(6) in section 497, by striking "2701" and inserting "231";

(7) in section 505(a)(2), by striking "2701" and inserting "231";

(8) in section 926(b), by striking "2711" each place such term appears and inserting "241"; and

(9) in title XXVII, by striking the heading for such title.

SEC. 2011. AUTHORIZATION OF APPROPRIATIONS.

Section 2602 of the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8621) is amended—

(1) in the first sentence of subsection (b), by striking "1993 and 1994" and inserting "1993, 1994, and 1995"; and

(2) in subsection (d), by striking "in each of the fiscal years 1993 and 1994" and inserting "for each of the fiscal years 1993, 1994, and 1995".

SEC. 2012. VACCINE INJURY COMPENSATION PROGRAM.

Section 2111(a) of the Public Health Service Act (42 U.S.C. 300aa-11(a)) is amended by adding at the end the following paragraph:

"(10) The Clerk of the United States Claims Court is authorized to continue to receive, and forward, petitions for compensation for a vaccine-related injury or death associated with the

administration of a vaccine on or after October 1, 1992."

SEC. 2013. TECHNICAL CORRECTIONS WITH RESPECT TO THE AGENCY FOR HEALTH CARE POLICY AND RESEARCH.

Title IX of the Public Health Service Act is amended—

(1) in section 904(d) (42 U.S.C. 299a-2(d))—

(A) by striking "IN GENERAL" in paragraph (1) and inserting "ADDITIONAL ASSESSMENTS";

(B) by redesignating paragraphs (1) and (2) as paragraphs (3) and (4), respectively;

(C) by inserting after the subsection designation the following paragraphs:

"(1) RECOMMENDATIONS WITH RESPECT TO HEALTH CARE TECHNOLOGY.—The Administrator shall make recommendations to the Secretary with respect to whether specific health care technologies should be reimbursable under federally financed health programs, including recommendations with respect to any conditions and requirements under which any such reimbursements should be made.

"(2) CONSIDERATIONS OF CERTAIN FACTORS.—In making recommendations respecting health care technologies, the Administrator shall consider the safety, efficacy, and effectiveness, and, as appropriate, the appropriate uses of such technologies. The Administrator shall also consider the cost effectiveness of such technologies where cost information is available and reliable."; and

(D) by adding at the end the following paragraph:

"(5) CONSULTATIONS.—In carrying out this subsection, the Administrator shall cooperate and consult with the Director of the National Institutes of Health, the Commissioner of Food and Drugs, and the heads of any other interested Federal department or agency."; and

(2) in section 914(a)(2)(C), by striking "904(c)(2)" and inserting "904(d)(2)".

SEC. 2014. TECHNICAL CORRECTIONS WITH RESPECT TO THE HEALTH PROFESSIONS EDUCATION EXTENSION AMENDMENTS OF 1992.

(a) INSURED HEALTH EDUCATION ASSISTANCE LOANS TO GRADUATE STUDENTS.—Subpart I of part A of title VII of the Public Health Service Act (42 U.S.C. 292 et seq.), as added by section 102 of Public Law 102-408 (106 Stat. 1994), is amended—

(1) in section 705(a)(2)—

(A) in subparagraph (G), by inserting "and" after the semicolon at the end;

(B) by striking subparagraph (H); and

(C) by redesignating subparagraph (I) as subparagraph (H); and

(2) in section 707—

(A) in subsection (g), by amending paragraph (1) to read as follows:

"(1) after the expiration of the seven-year period beginning on the first date when repayment of such loan is required, exclusive of any period after such date in which the obligation to pay installments on the loan is suspended;" and

(B) by adding at the end the following subsection:

"(j) SCHOOL COLLECTION ASSISTANCE.—An institution or postgraduate training program attended by a borrower may assist in the collection of any loan of that borrower made under this subpart which becomes delinquent, including providing information concerning the borrower to the Secretary and to past and present lenders and holders of the borrower's loans, contacting the borrower in order to encourage repayment, and withholding services in accordance with regulations issued by the Secretary under section 715(a)(7). The institution or postgraduate training program shall not be subject to section 809 of the Fair Debt Collection Practices Act for purposes of carrying out activities authorized by this section."

(b) LOAN PROVISIONS.—Section 722 of the Public Health Service Act (42 U.S.C. 292r), as added

by section 102 of Public Law 102-408 (106 Stat. 1994), is amended—

(1) in subsection (a), by amending the subsection to read as follows:

“(a) AMOUNT OF LOAN.—

“(1) IN GENERAL.—Loans from a student loan fund established under an agreement with a school under section 721 may not, subject to paragraph (2), exceed for any student for a school year (or its equivalent) the sum of—

“(A) the cost of tuition for such year at such school, and

“(B) \$2,500.

“(2) THIRD AND FOURTH YEARS OF MEDICAL SCHOOL.—For purposes of paragraph (1), the amount \$2,500 may, in the case of the third or fourth year of a student at school of medicine or osteopathic medicine, be increased to the extent necessary (including such \$2,500) to pay the balances of loans that, from sources other than the student loan fund under section 721, were made to the individual for attendance at the school. The authority to make such an increase is subject to the school and the student agreeing that such amount (as increased) will be expended to pay such balances.”; and

(2) in subsection (b)—

(A) in paragraph (1), by adding “and” after the semicolon at the end;

(B) by striking paragraph (2); and

(C) by redesignating paragraph (3) as paragraph (2).

(c) MEDICAL SCHOOLS AND PRIMARY HEALTH CARE.—

(1) REQUIREMENTS FOR STUDENTS.—Section 723(a) of the Public Health Service Act (42 U.S.C. 292s(a)), as added by section 102 of Public Law 102-408 (106 Stat. 1994), is amended by adding at the end the following paragraph:

“(4) WAIVERS.—

“(A) With respect to the obligation of an individual under an agreement made under paragraph (1) as a student, the Secretary shall provide for the partial or total waiver or suspension of the obligation whenever compliance by the individual is impossible, or would involve extreme hardship to the individual, and if enforcement of the obligation with respect to the individual would be unconscionable.

“(B) For purposes of subparagraph (A), the obligation of an individual shall be waived if—

“(i) the status of the individual as a student of the school involved is terminated before graduation from the school, whether voluntarily or involuntarily; and

“(ii) the individual does not, after such termination, resume attendance at the school or begin attendance at any other school of medicine or osteopathic medicine.

“(C) If an individual resumes or begins attendance for purposes of subparagraph (B), the obligation of the individual under the agreement under paragraph (1) shall be considered to have been suspended for the period in which the individual was not in attendance.

“(D) This paragraph may not be construed as authorizing the waiver or suspension of the obligation of a student to repay, in accordance with section 722, loans from student loan funds under section 721.”.

(2) REQUIREMENTS FOR SCHOOLS.—Section 723(b) of the Public Health Service Act (42 U.S.C. 292s(b)), as added by section 102 of Public Law 102-408 (106 Stat. 1994), is amended—

(A) in paragraph (1)—

(i) by striking “1994,” and inserting “1997”; and

(ii) by striking “4 years before” and inserting “3 years before”;

(B) in paragraph (2)(B), by striking “15 percent” and inserting “25 percent”; and

(C) in paragraph (4)(B)—

(i) in clause (i), by striking “1994,” and inserting “1997”; and

(ii) in clause (ii), by striking “1995,” and inserting “1998.”.

(d) AUTHORIZATION OF APPROPRIATIONS REGARDING MEDICAL SCHOOLS.—Section 735 of the Public Health Service Act (42 U.S.C. 292y), as added by section 102 of Public Law 102-408 (106 Stat. 1994), is amended by adding at the end the following subsection:

“(f) FUNDING FOR CERTAIN MEDICAL SCHOOLS.—

“(1) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of making Federal capital contributions to student loan funds established under section 721 by schools of medicine or osteopathic medicine, there is authorized to be appropriated \$10,000,000 for each of the fiscal years 1994 through 1996.

“(2) MINIMUM REQUIREMENTS.—

“(A) Subject to subparagraph (B), the Secretary may make a Federal capital contribution pursuant to paragraph (1) only if the school of medicine or osteopathic medicine involved meets the conditions described in subparagraph (A) of section 723(b)(2) or the conditions described in subparagraph (C) of such section.

“(B) For purposes of subparagraph (A), the conditions referred to in such subparagraph shall be applied with respect to graduates of the school involved whose date of graduation occurred approximately 3 years before June 30 of the fiscal year preceding the fiscal year for which the Federal capital contribution involved is made.

(g) PUBLIC HEALTH TRAINEESHIPS.—Section 761(b)(3) of the Public Health Service Act (42 U.S.C. 294(b)(3)), as added by section 102 of Public Law 102-408 (106 Stat. 1994), is amended by striking “and nutrition” and inserting “nutrition, and maternal and child health”.

(h) TRAINEESHIPS FOR ADVANCED NURSE EDUCATION.—Section 830(a) of the Public Health Service Act, as added by section 206 of Public Law 102-408 (106 Stat. 2073), is amended—

(1) by striking “meet the cost of traineeships for individuals” and inserting the following: “meet the costs of—

“(1) traineeships for individuals”;

(2) by striking the period at the end and inserting “; and”;

(3) by adding at the end the following paragraph:

“(2) traineeships for participation in certificate nurse midwifery programs that conform to guidelines established by the Secretary under section 822(b).”.

(i) CERTAIN GENERALLY APPLICABLE PROVISIONS.—Section 860(d) of the Public Health Service Act (42 U.S.C. 298b-7(d)), as added by section 209 of Public Law 102-408 (106 Stat. 2075), is amended in the first sentence by striking “821, 822, 830, and 831” and inserting “821, 822, and 827”.

SEC. 2015. PROHIBITION AGAINST SHARP ADULT SEX SURVEY AND THE AMERICAN TEENAGE SEX SURVEY.

The Secretary of Health and Human Services may not during fiscal year 1993 or any subsequent fiscal year conduct or support the SHARP survey of adult sexual behavior or the American Teenage Study of adolescent sexual behavior. This section becomes effective on the date of the enactment of this Act.

SEC. 2016. HEALTH SERVICES RESEARCH.

(a) DEFINITION.—Section 409 of the Public Health Service Act (42 U.S.C. 284d), as added by section 121(b) of Public Law 102-321 (106 Stat. 358), is amended by adding at the end the following sentence: “Such term does not include research on the efficacy of services to prevent, diagnose, or treat medical conditions.”.

(b) REQUIRED ALLOCATIONS.—

(1) IN GENERAL.—With respect to the allocation for health services research required in each of the provisions of law specified in para-

graph (2), the term “15 percent” appearing in each of such provisions is, in the case of allocations for fiscal year 1993, deemed to be 12 percent.

(2) RELEVANT PROVISIONS OF LAW.—The provisions of law referred to in paragraph (1) are—

(A) section 464H(d)(2) of the Public Health Service Act, as added by section 122 of Public Law 102-321 (106 Stat. 358);

(B) section 464L(d)(2) of the Public Health Service Act, as added by section 123 of Public Law 102-321 (106 Stat. 360); and

(C) section 464R(f)(2) of the Public Health Service Act, as added by section 124 of Public Law 102-321 (106 Stat. 364).

(c) REPORT.—Section 494A(b) of the Public Health Service Act (42 U.S.C. 289c-1(b)), as added by section 125 of Public Law 102-321 (106 Stat. 366), is amended by striking “May 3, 1993,” and inserting “September 30, 1993.”.

SEC. 2017. CHILDHOOD MENTAL HEALTH.

Part E of title V of the Public Health Service Act (42 U.S.C. 290ff et seq.), as added by section 119 of Public Law 102-321 (106 Stat. 349), is amended—

(1) in section 561—

(A) in subsection (a)(2), by striking “this subpart” and inserting “this part”; and

(B) in subsection (b)(1), by striking “is receiving such payments” each place such term appears and inserting “is such a grantee”; and

(2) in section 565—

(A) in subsection (c)(1), by striking “this subpart” and inserting “this part”;

(B) in subsection (d), by striking “this subpart” and inserting “this part”; and

(C) in subsection (f)—

(i) in paragraph (1), by striking “this subpart” and inserting “this part”; and

(ii) by amending paragraph (2) to read as follows:

“(2) LIMITATION REGARDING TECHNICAL ASSISTANCE.—Not more than 10 percent of the amounts appropriated under paragraph (1) for a fiscal year may be expended for carrying out subsection (b).”.

SEC. 2018. EXPENDITURES FROM CERTAIN ACCOUNT.

With respect to amounts appropriated in title II of Public Law 102-394 for buildings and facilities of the National Institutes of Health, the purposes for which such amounts may be expended include repairing, improving, or constructing (or any combination thereof) roads on non-Federal property in close proximity to the main campus of the National Institutes of Health in Bethesda, Maryland, subject to the agreement of the appropriate officials of Montgomery County, Maryland, or the appropriate officials of the State of Maryland, or both, as the case may be. None of such amounts may be used for the non-Federal share of the cost of any project or activity under title 23, United States Code, the Intermodal Surface Transportation Efficiency Act of 1991, or any law amended by such Act.

TITLE XXI—EFFECTIVE DATES

SEC. 2101. EFFECTIVE DATES.

Subject to section 203(c), this Act and the amendments made by this Act take effect upon the date of the enactment of this Act.

And the House agree to the same.

From the Committee on Energy and Commerce, for consideration of the Senate bill, and the House amendment, and modifications committed to conference:

JOHN D. DINGELL,
HENRY A. WAXMAN,
RON WYDEN.

As additional conferees from the Committee on Education and Labor, for consideration of section 2013 of the Senate bill, and modifications committed to conference:

WILLIAM D. FORD,
MATTHEW G. MARTINEZ,

As additional conferees from the Committee on the Judiciary, for consideration of section 2011 of the Senate bill, and modifications committed to conference:

JACK BROOKS,
R. MAZZOLI,
BILL MCCOLLUM,

Managers on the Part of the House.

EDWARD M. KENNEDY,
PAUL SIMON,
HOWARD M. METZENBAUM,
JIM JEFFORDS,

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 conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1) to amend the Public Health Service Act to revise and extend the programs of the National Institutes of Health, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

The House amendment struck all of the Senate bill after the enacting clause and inserted a substitute text.

The Senate recedes from its disagreement to the amendment of the House with an amendment that is a substitute for the Senate bill and the House amendment. The differences between the Senate bill, the House amendment, and the substitute agreed to in conference are noted below, except for clerical corrections, conforming changes made necessary by agreements reached by the conferees, and minor drafting and clerical changes.

RESEARCH FREEDOM

The Senate recedes to the House provisions, with an amendment. The Conference substitute clarifies the limitations established on the Secretary's authority to withhold funds for research projects that have been reviewed and recommended for approval by institutional review board and peer review groups. The Conferees intend that this limitation be imposed only when the Secretary's reasons for withholding funds are based on ethical considerations regarding the project.

The Conferees do not intend that this limitation affect the general authority of the Secretary to review approved grant projects for such non-ethical matters as the qualifications of the entity approved for funding (other than those already studied by peer review and IRB review); thus, if the Secretary determines that an approved project is to be conducted by a researcher who has been suspended from his institution for research fraud or at an institution of uncertain financial solvency, the Secretary may withhold funds without constituting an ethics advisory board. Nor do the Conferees intend that this limitation affect the general authority of the Secretary to set research priorities for the NIH; thus, if the Secretary determines that the board priorities of the NIH leave insufficient funds for every approved project in a field to be funded, the Secretary may withhold funds without constituting an ethics advisory board.

The Conferees have explicitly stated limitations on the ethics review process in order to be certain that the Secretary retains his or her authority to review and govern the

overall research priorities of NIH. In doing so, the Conferees are mindful of the difficulties of defining abuse of discretion in the matter of ethics: one Secretary's ethical objections may easily be mischaracterized as another Secretary's broad policy objectives. The Conferees encourage the Secretary to be extremely sparing in the interruption of approved projects for any but the most obvious reasons of accountability. If, however, the Secretary finds that an approved project presents ethical problems so serious as to merit suspension of funding, the Conferees expect the Secretary to state this problem directly and to follow the process laid out in the legislation. But in general, the Conferees remain convinced that the best process for separating research from daily politics—to the benefit of all Americans—is for peer review and scientific freedom to govern the decisions of support and conduct of research.

The Senate recedes to the House amendment which provides additional protections against abuse of fetal tissue transplantation research. These protections include a requirement that tissue from elective abortions be obtained only from abortions performed in accordance with applicable State law, as well as a requirement that the Secretary submit an annual report to the Congress on the conduct of such research.

CLINICAL RESEARCH EQUITY REGARDING WOMEN AND MINORITIES

The Senate recedes to the House amendment with minor clarifying changes. The Senate bill and the House amendment contained similar provisions regarding the inclusion of women and minorities in clinical research. The conference agreement follows the approach in the House amendment. The conferees underscore their expectation that the NIH Director and the NIH Office of Research on Women's Health will, in accordance with the discretion provided to the NIH Director under Section 492B(b), take into account the special circumstances of the Department of Veterans Affairs (VA).

The Conferees have required that the Advisory Council of each National research institute prepare biennial reports describing the manner in which the institute has complied with Section 492B. The Conferees intend that such report include information regarding each institute's compliance with the requirements of Section 492B, as well as data on the inclusion of women and minorities in NIH-supported research. The Conferees recognize that NIH now requires individual investigators to state affirmatively in their research applications how women and minorities, where appropriate, are to be included in their research projects. Similarly, such investigators are required to include such statements in their annual progress reports on the research. The Conferees intend that the report required under Section 492B include an analysis of the information obtained from both the applications of researchers and their annual progress reports.

RESEARCH INTEGRITY

The Senate bill and the House amendment contained similar provisions regarding establishment of an Office of Research Integrity, and the implementation of policies to deter research misconduct, conflicts of interest, and retaliation against whistleblowers in connection with research supported by the NIH. The conference agreement generally follows the House amendment with the exception of necessary technical amendments. Research conducted by the National Institutes of Health enjoys enormous support from Congress and the American people. The

Conferees recognize that continued support is dependent upon confidence in the integrity of the scientific process, in individual researchers, and in institutions which accept Federal funds. To maintain this confidence, Federal standards governing research integrity, conflicts of interest, and retaliation against whistleblowers must be established no later than the deadlines specified in the law, and abuses or deviations from these standards must be uncovered and promptly dealt with in a serious and credible manner. Sections 161 to 165 are designed to address these concerns.

Section 161 specifies that the new Office of Research Integrity will report directly to the Secretary of Health and Human Services in order to maximize the independence of the Office and to avoid problems and pressures previously experienced in dealing with matters of research misconduct. The Conferees note, however, that a system to monitor potential financial conflicts of interest, which includes reporting concerning a grantee's or contractor's financial affiliations, is different from a system that monitors and investigates allegations or reports of research misconduct. Requesting that an individual supply financial information is not a presumption that an individual has or will have a conflict of interest. Nor does it presume that an individual will allow financial interest to affect the outcome or reporting of research findings. Thus, the Conferees intend that the Secretary have the discretion in locating the system for collecting financial information and monitoring potential financial conflicts of interest. The Conferees do not intend, however, for this function to be located in the funding institutes or in the investigations division of the Office of Research Integrity. Regardless of the organizational location of the function, the Conferees intend that the function be fully and properly staffed and managed.

The Secretary shall establish a mechanism for the review and adjudication of allegations of retaliation against whistleblowers associated with cases of alleged or suspected scientific misconduct. The burden of proof to be applied in cases of alleged retaliation shall not be the antiquated standards associated with the *Mount Healthy* case. Rather, the burden shall be allocated in accordance with the standards more recently enunciated in the Whistleblower Protection Act of 1989. The Conferees intend that the Department of Health and Human Services (HHS) shall be accountable for the enforcement of the law and regulations pertaining to the protection of whistleblowers. The Conferees believe that any regulations issued in fulfillment of HHS's obligations should, where the whistleblower consents, allow for the possible adjudication of disputes through an arbitration proceeding conducted under the auspices of the American Arbitration Association.

PLAN FOR THE USE OF ANIMALS IN RESEARCH

The Senate bill and the House amendment contained similar provisions requiring the NIH Director to annually prepare a plan for the development of alternatives to the use of animals in biomedical and behavioral research. The Senate recedes with an amendment requiring that at least one member of the Interagency Coordinating Committee on the Use of Animals in Research be a veterinarian with expertise in laboratory animal medicine. The Conferees note the promise held by development of research and experimentation that involve the use of marine life, other than marine mammals. Research in the basic developmental, cellular, and molecular aspects of non-mammalian marine

species have provided important insights into fundamental biological and physiological processes. New discoveries using simple marine model systems can provide additional information about the molecular basis of disease mechanisms and pathogenesis in humans. The Conferees urge the Director to support the rapid development of this technology.

NASSAU AND SUFFOLK COUNTY BREAST CANCER STUDY

The House amendment but not the Senate bill contained a provision requiring a study to assess environmental and other potential factors contributing to the incidence of breast cancer in the counties of Nassau and Suffolk, in the state of New York, as well as in the two counties of the Northeast having the highest breast cancer mortality rates as identified by the Surveillance, Epidemiology, End Results program of the National Cancer Institute (NCI). The Senate recedes with an amendment extending the deadline for completion of the study. The study is to be conducted by the Director of the NCI in collaboration with the Director of the National Institute of Environmental Health Sciences (NIEHS). The study is to be funded jointly from among annual appropriations available to the two national research institutes. The Conferees have identified NIEHS to participate in the planning and funding of this study because of the agency's contributions to research on the adverse health effects of environmental pollutants. The expertise will be of invaluable assistance in identifying and evaluating environmental risk factors associated with elevated incidence and mortality of breast cancer. The Conferees expect NIEHS to work closely with NCI in the design of this study and in the division of funding and programmatic responsibility between the institutes.

NATIONAL FOUNDATION FOR BIOMEDICAL RESEARCH

The Senate bill and the House amendment contained amendments affecting the National Foundation for Biomedical Research. The House recedes with technical and clarifying amendments. The Conferees believe that the National Foundation for Biomedical Research should be incorporated promptly so that activities may begin in a timely manner. Concern for the avoidance of conflict of interest and of division of allegiance prompted explicit separation of the Foundation from the National Institutes of Health. The Conferees intend that no more than 50 percent of the operating funds for the Foundation may come from contracts or grants sponsored by the NIH. Within 18 months of enactment, the Conferees expect a report from the Comptroller General on the Foundation's compliance with the provisions of the law. It is expected that the Foundation will be a source for educational courses and related material for the NIH.

OFFICE OF BEHAVIORAL AND SOCIAL SCIENCE RESEARCH

The House amendment, but not the Senate bill, contained a provision establishing an Office of Behavioral Research within the NIH. The Senate recedes with an amendment revising the title and jurisdiction of the office to include social science research and clarifying the responsibilities of the Office. The initial responsibility of the new Office will be the preparation of a special report to the Congress identifying those specific activities within the national research institutes which represent the NIH's behavioral and social science research portfolio. The report will encompass both intramural and ex-

tramural research projects supported in fiscal year 1993. In preparing this report, the Conferees have directed that a standardized definition of "behavioral and social science research" be established and applied uniformly to the research portfolios of each national research institute. In the development of this definition, the Director of the Office is expected to consult with professional research organizations with expertise in behavioral and social science research. The conference agreement includes a provision prohibiting the inclusion of neurobiological research or research that uses behavior merely as a measure to determine activity at cellular or molecular levels. In the past, efforts to include such research within the framework of behavioral and social science research have artificially inflated the resource commitment to this research discipline within NIH.

Numerous reports have documented the enormous impact of behavior on health. The Conferees are concerned that NIH has not, relative to the biological sciences, accorded sufficient priority to the support of behavioral research. Behavioral research at NIH should span the gamut from basic to applied science. Too often behavioral science is thought about only at the stage of intervention. "How do we get people to stop smoking?", "How do we get people to take their medications?", or "How do we convince parents to bring their kids in for vaccinations?". These are important research questions that NIH should answer, but we also need information such as: "How does individual maturity interact with a more general level of emotional development?", or "What are the basic social principles behind peer pressure?" These questions can and should be addressed by NIH behavioral scientists, especially at the NICHD and NIMH.

TRAUMA RESEARCH

The Senate bill and House amendment contained similar provisions establishing a comprehensive, interagency program of basic and clinical research on trauma. The Conferees intend that the NIH Director establish a comprehensive program to study all phases of trauma care from prehospital, resuscitation, surgical intervention, critical care, infection control, wound healing, nutritional support and medical rehabilitation. Through the support of basic science and clinical research, it is the intent of the Conferees to promote the development of new and innovative models of trauma care which might prevent death or permanent disability.

NUTRITIONAL DISORDERS

The Senate bill and the House amendment contained similar provisions for establishment of a program of research, training, health information, dissemination and other activities with respect to nutritional disorders, including obesity. The conference agreement generally follows the Senate bill except for a technical amendment.

LITERACY REQUIREMENTS

The Senate Bill and the House amendment contained similar provisions requiring that all new or revised NIH health education materials be prepared in a form that does not exceed a level of functional literacy. This applies to all health education materials if those materials are intended for the general public.

NATIONAL HEART, LUNG AND BLOOD INSTITUTE (NHLBI)

The Senate bill and the House amendment contained similar provisions reauthorizing appropriations for the NHLBI research pro-

grams. The conference agreement consolidates the previously separate authorization of appropriations for NHLBI prevention and control programs with the general research authority. In addition, the conference agreement strengthens the statutory authority for prevention and control activities to enhance the Institute's overall research program. The Conferees believe that prevention and control programs, like the National Asthma Education Program, Child and Adolescent Trial for Cardiovascular Health, Smoking Cessation Strategies for Minorities, Coronary Heart Disease in Women, and Sickle Cell Disease Prevention Program are a vital part of the Institute's mission to prevent disease and promote healthy life styles. The Conferees strongly urge NHLBI to continue and expand its research program on the effectiveness of various cardiopulmonary disease prevention and control activities including clinical intervention trials, epidemiologic studies, demonstration and education projects. Moreover, the results of this research should be disseminated rapidly to health professionals, health educators, and the general public. In addition, the NHLBI should share its research results with the Centers for Disease Control and Prevention (CDC) and coordinate prevention activities with the CDC to assure the greatest possible efficiency and effectiveness of efforts in this important area, particularly against diseases in children.

NATIONAL CENTER FOR SLEEP DISORDERS RESEARCH

The Senate bill and the House amendment contained similar provisions establishing a National Center for Sleep Disorders Research within the NHLBI. The House recedes with an amendment deleting the Senate requirement that a Sleep Disorders Coordinating Committee be established. The Conferees believe that a National Center for Sleep Disorders Research will support basic, clinical, epidemiological and prevention research on sleeping disorders, develop new research programs and educational and training initiatives, and will ensure coordination, cooperation, and collaboration among federal agencies on sleep disorders.

NATIONAL INSTITUTE ON ARTHRITIS AND MUSCULOSKELETAL AND SKIN DISEASES

The Senate bill and the House amendment contained similar provisions requiring the expansion of research resources committed to juvenile arthritis. The conference agreement generally follows the House amendment with the exception that the date for establishing a multipurpose arthritis center to study juvenile arthritis is moved from October 1994 to October 1993. The Conferees are disappointed at the pace at which the Institute has expanded its research commitment to projects involving children. The Conferees expect that the Institute will take immediate steps to shift priorities within its current budget to make sufficient funding available to support establishment and operation of at least one multipurpose arthritis and musculoskeletal disease research center to conduct research into the cause, diagnosis, early detection, prevention, control, treatment, and rehabilitation of children suffering from arthritis and musculoskeletal diseases.

NATIONAL INSTITUTE OF CHILD HEALTH AND HUMAN DEVELOPMENT

Both the Senate bill and the House amendment proposed to create new programs to strengthen the activities of the Institute. The conference agreement provides specific authorization for the establishment of five

applied research centers under the National Institute of Child Health and Human Development, three for research into new and improved methods of contraception, and two devoted to new treatments of infertility. The additional authorization of \$30 million for FY 1994 is intended to encourage an additional, targeted appropriation above the conventional "such funds as may be necessary" which historically applied to Institute programs. A new loan repayment program is established to train scientists desiring to specialize in the areas of contraception and infertility. The agreement includes the requirement that NICHD establish and maintain an intramural laboratory and clinical research program in obstetrics and gynecology. The Conferees believe the absence of an intramural research program in obstetrics and gynecology has limited the NIH's ability to conduct research and limited access for women to clinical trials such as new drug treatments for ovarian cancer.

NATIONAL INSTITUTE ON AGING

The Senate bill and the House amendment contained identical provisions authorizing appropriations for the vital research activities carried on by the National Institute on Aging. By providing this specific authorization, the Conferees highlight the importance of aging research and their desire that the Institute be given special consideration in the annual appropriations process in the allocation of additional funding. In carrying out this important research agenda, the Conferees intend the Institute to increase its commitment to better understanding the effects of menopause. Under the agreement, funding for NIA research is authorized at \$500 million in fiscal year 1994 and such funds as may be necessary in FY 1995-1996.

STUDENT LOAN REPAYMENT FOR SCIENTISTS AT NIH AND FDA

The Senate bill and the House amendment contained similar provisions establishing a loan repayment program for researchers at the NIH. In addition, the Senate bill contained a provision granting limited loan repayment authority to the Commissioner of the Food and Drug Administration (FDA). The conference agreement includes a general loan repayment authority for both the NIH and the FDA. Loan repayment is intended for the purpose of attracting talented researchers, particularly physicians, to public service as career employees of the NIH. In order to receive loan repayment, individuals must commit to at least three years of employment. The Conferees do not intend this new authority to be used for the routine training of fellows intending to conduct research at institutions other than the NIH. The conference agreement does authorize limited loan repayment which is suitable for general fellowship programs in the areas of AIDS and contraception/infertility research. This distinction is intended to focus what limited Federal funds are available for loan repayment on training scientists in fields deemed in special need. The Conferees are most concerned about the ability of the NIH to recruit and retain scientists. Recent post-doctoral graduates are deciding against pursuing careers in biomedical, behavioral or clinical research because of their educational loan burdens. The Conferees believe that a loan repayment program for scientists will help remove a major barrier to attracting outstanding scientists to the NIH and FDA.

NATIONAL RESEARCH SERVICE AWARDS (NRSA)

The Senate bill and the House amendment contained identical provisions increasing

from 1 percent to 2 percent the required set-aside of NRSA appropriations for awards administered by the Health Resources and Service Administration and the Agency for Health Care Policy and Research. The conference agreement also extends the authorization of appropriations for NRSA's through fiscal year 1996. The Conferees urge that the Director of the National Institute of General Medical Sciences establish a program in predoctoral research training in neuroscience. The conference agreement also revises the payback requirements which apply to the NRSA program to encourage the participation and retention of physician researchers.

EXTRAMURAL CONSTRUCTION OF RESEARCH FACILITIES

The Senate bill and the House amendment contained similar provisions authorizing a new program for the construction of biomedical and behavioral research facilities. The conference agreement generally follows the Senate bill with technical amendments. The Conferees believe a new program of construction grants is necessary to replace outmoded facilities, relieve overcrowding, and accommodate changing research requirements. The conference agreement provides that in any fiscal year, the first \$5 million in appropriations available under this new authority will be made available for the purpose of making construction grants for improvements at the national primate research centers. Of the remaining funds 25% will be reserved for making grants to "research centers of emerging excellence." The Conferees intend that these provisions assist in making more universities competitive in obtaining research funding from the NIH. Historically black colleges and universities and other centers of emerging excellence can make important contributions to progress in biomedical and behavioral research if infrastructure deficiencies can be corrected. In this respect, centers of emerging excellence can be looked upon by the NIH as centers of opportunity. The conference agreement requires that all proposals for assistance be subject to review by an independent board and that the fundamental principle of NIH awards—scientific and technical merit—will be strictly observed. The Conferees believe appropriations made available for this purpose should be in addition to appropriations that would otherwise be made available to support individual investigator grants, particularly grants to first-time investigators.

NATIONAL CANCER INSTITUTE (NCI)

Both the Senate and the House amendment extend the authorization of appropriations for the national cancer program. The Senate recedes with an amendment reducing the authorization of appropriations for fiscal year 1993 to \$2.728 billion and such sums as may be necessary for fiscal year 1994-1996. The authorization of appropriations reflects the Conferee's endorsement of the FY 1994 recommendation contained in the Institute's Bypass Budget which is annually submitted to the Congress. In advocating a significant and overdue increase in funding for the NCI, the Conferees note serious concern about the growing epidemic of breast and prostate cancer in the United States and expect the NCI to make prevention of breast and prostate cancer its top priorities.

CANCER CONTROL

The Senate bill and the House amendment provided a statutory set-aside of annual NCI appropriations for cancer control activities carried out by the Division of Cancer Prevention and Control (DCPC). The conference

agreement follows the House amendment which provided for a three-year, incremental increase in the set-aside for cancer control activities.

In carrying out this authority, the Conferees expect the Director of NCI to assure that the Division of Cancer Prevention and Control is concentrating its limited resources on preventing the development of cancer or reducing the incidence of cancer by modifying risk factors through changes in behavior.

The Conferees are particularly interested in seeing DCPC fund initiatives such as (1) large scale community intervention trials to study methods of reducing the risk and mortality of cancer; (2) community and physician education programs to determine effective methods of encouraging screening; (3) psychosocial interventions to improve quality of life and increase treatment compliance. Particular attention should be given to underserved populations, including racial/ethnic minorities, inner-city and rural populations, elderly, and low-literacy.

The Conferees expect the NCI, acting through the DCPC, to assume increasing leadership in the demonstration, implementation and operation of programs to reduce or control the incidence of cancer. The rising incidence of cancer is of great concern to the Congress. NCI is also expected to work with the Centers for Disease Control and Prevention in implementing projects to reduce the behaviors that put citizens at risk. The Conferees expect that increased funding available for control activities through the Division of Cancer Prevention and Control in FY 1994 will be used to fully fund each of the existing 17 ASSIST states and support related programs in each of the 33 States without ASSIST programs. Full funding and nationwide implementation of ASSIST can be achieved under the conference agreement. Such commitment of resources will play an important role in reducing the incidence of cancer throughout the United States. In addition, the Conferees encourage the NCI to intensify and expand support for cancer control programs that target special high-risk populations which experience excessive cancer rates and are underserved in terms of cancer control programs such as NCI's Minority-based Community Clinical Oncology Program, cancer leadership initiatives and the Community Clinical Oncology Program. Findings from programs such as ASSIST, the SEER registries, and special populations studies are important for the continued improvement of the Nation's cancer control efforts. The Conferees also expect NCI to expand its commitment of resources to prevention research to accelerate the understanding of such issues as the role of dietary fat in various cancers, identifying improved methods of early detection of breast and other cancers, and increasing the knowledge of preventable risk factors for breast and other cancers.

The Conferees have also agreed to provisions to strengthen existing cancer control directives in Section 412 by authorizing NCI to give priority to breast cancer programs using community-based initiatives designed specifically to assist women who are medically underserved, low-income, or members of minority groups. Such programs include public health system models involving hospitals and community health centers to emphasize prevention, detection, and efforts to guide patients through referral and treatment processes.

RESEARCH WITH RESPECT TO AIDS

The House recedes to the Senate bill with an amendment. The House amendment clari-

fies that the Advisory Council to the Director of the Office of AIDS Research (OAR) is to be administered in the same manner as are the advisory councils to institute directors and that a representative of each of the advisory councils for the NCI, the NIAID, and the two other institutes that receive the greatest AIDS funding also sit on the Advisory Council. The Conferees also anticipate that the coordinating committees in this provision will provide the Director of the OAR with a mechanism to coordinate AIDS activities across NIH according to research discipline, without the sometimes artificial distinctions of the current organizational structure of the NIH. In doing so, these committees may use qualified, non-government scientists, as appropriate. The Conferees intend that the organization of the committees will be at the OAR Director's discretion. Other natural divisions could include basic research, natural history and epidemiology, vaccine research, and clinical research and drug development. The Conferees believe that the Federal Government has traditionally underfunded behavioral and social science research as it relates to AIDS and that the OAR should seek to reverse this trend.

In the provisions regarding the emergency discretionary fund, the Conferees recognize the particularly dynamic nature of AIDS research and the importance of responding rapidly to new developments. Accordingly, the Conferees have provided for the establishment of this fund to meet emerging opportunities for new or enhanced funding of research (including approved but unfunded projects whose increase importance becomes clear during the year). While it is expected that the Director of the OAR will respond to pressing needs as they arise, the Conferees intend that if no such needs arise during a fiscal year that the OAR will, in accordance with the statutory limitations on the use of the fund, devote the balance of the fund for that year to priorities established by the plan that were unfunded solely because of financial constraints.

STUDY OF LIFE-THREATENING DISEASES

The House recedes to the Senate with an amendment. The Conferees have enlarged the scope of the study of third-party payment regarding clinical trials to include cancer and other life-threatening illnesses. The Conferees are concerned that much of the framework for the financing of clinical research is threatened by recent efforts to limit third-party payment for medical and hospital costs. This problem, which has progressed from the exclusion of payment for costs necessitated by the research to the exclusion of payment for any costs if research is conducted, has occurred not just with research on AIDS, but also with research on cancer and other life-threatening illnesses. The Conferees intend that this study review historic, current, and potential practices of private and public payment systems and report back to the Congress on the implications for research and health financing.

STUDY OF MALNUTRITION IN THE ELDERLY

The Senate bill and the House amendment contained similar provisions. The Conferees intend that these studies be initiated as soon as possible and do not intend that the requirement to establish the advisory panel delay this important work. While the Conferees expect that the Secretary will name the advisory panel expeditiously, the studies may begin prior to its establishment.

SENTINEL DISEASE STUDY

This provision authorizes the Secretary of HHS to study the use of the sentinel disease

concept as a means of determining if illness in family members can be linked to the occupation of other family members. Health experts believe this approach may provide a cost-effective means to identify such health risks. The Director is to design and implement a sentinel disease study and report to Congress on the results of this study within 4 years. The Centers for Disease Control and Prevention, the Agency for Toxic Substances and Disease Registry, and NIH have all conducted activities in this area. This provision allows the Secretary to select the most appropriate HHS agency to conduct the study.

HEALTH PROFESSIONALS AMENDMENTS

The Senate bill, but not the House amendment, contains a series of technical amendments to various health professions programs authorized in title VII of the Public Health Service Act. The conference agreement generally follows the Senate with the exception of the Senate amendment affecting the Centers of Excellence program and inclusion of additional technical amendments. The Conferees note that authorization of appropriations for the Centers for Excellence Program expires at the end of FY 1993. Legislation extending the program will be considered by the Congress shortly. The Conferees believe that substantive amendments to the program's authority should be considered as part of the traditional reauthorization process and that changes affecting the allocation of funds in the middle of fiscal year 1993 would be disruptive.

Additionally, the conference agreement includes amendments to make necessary clarifying, technical and conforming amendments to health professions programs. These amendments would:

Tighten standards under which students defaulting on Federally insured HEAL loans may discharge those debts in bankruptcy;

Clarify the authority and obligation of schools to assist in the collection of delinquent HEAL loans;

Authorize an increase in the ceiling for primary care HPSL loans for students in their third and fourth years of study;

Require that the Secretary waive the service obligation of a student receiving a primary care HPSL in the event such student does not complete their medical education;

Defer from 1993 to 1997 the HPSL capital contribution penalty applying to schools of medicine or osteopathic medicine which fail to graduate sufficient percentages of students selecting primary care residencies; and

Provide an authorization of appropriations of \$10 million in each of fiscal years 1994 and 1995 for the purpose of making HPSL capital contributions loans to schools of medicine or osteopathic medicine. The agreement provides that preference in the award of new funds shall be given to those schools which have demonstrated the greatest success in graduating students practicing primary care. In view of the fiscal limitations, the legislation provides that such funds may not be provided to schools in the lower 50% of all medical and osteopathic medicine schools in the percentage of graduates pursuing a primary care career.

HEALTH SERVICES RESEARCH

The conference agreement contains three clarifying amendments necessary to assure that the National Institute of Mental Health (NIMH), the National Institute on Drug Abuse (NIDA) and the National Institute on Alcohol Abuse and Alcoholism (NIAAA) will meet the requirement of current law that they obligate 15% of their annual appropriations for health services research. The con-

ferrees have been informed by the Department that the Institutes may not be capable of meeting these requirements in FY 1993 but will be in full compliance by FY 1994. The agreement reduces the health services research obligation requirement from 15% in FY 1993 to 12%. The 15% requirement will remain in effect for FY 1994 and succeeding fiscal years. In addition, the agreement extends from May 1993 to September 1993 the deadline for submitting a report on the obligation of health services research funds by the NIMH, NIAAA and NIDA. The additional extension of time will permit a more comprehensive analysis of Institute priorities and should include a plan for the expenditure of health services research funds in Fiscal Year 1994. Finally the agreement clarifies the definition of health services research that was included in Public Law 92-321, the "ADAMHA Reorganization Act." The conference agreement makes clear that in determining the range of research projects eligible for assistance, such projects may not include research on the efficacy of services to prevent, diagnose, or treat medical conditions.

OFFICE OF ALTERNATIVE MEDICINE (OAM)

The Conferees are aware that in June, 1992, an ad hoc Advisory Panel was convened to identify the alternative medicine community and the relevant issues pertaining to alternative medicine and that the OAM is formulating a plan for future research activities at the NIH. The Conferees expect that when the plan is completed a copy will be forwarded to appropriate authorizing and appropriating committees of the Congress.

In preparing a research plan the Conferees urge the OAM to coordinate their efforts with those of other countries and to pay particular attention to activities which emphasize ethnomedicine. The Conferees expect that OAM to develop databases which would support both research and information transfer functions.

The Conferees expect that efforts will be made in fostering training in the area of alternative medicine. It is expected that fellows authorized under this legislation will have the opportunity to engage in program and policy analysis as well as perform clinical research in alternative medicine. In addition, the OAM should promote dissemination of its research findings through conferences and other forms of professional communication.

STUDY OF THE LAST 6 MONTHS OF LIFE

The Senate bill, but not the House amendment, provided for a study on health care costs during the last 6 months of life. The House recedes with an amendment. The Conferees are concerned about the inadequacy of definitive data on the costs of medical care during the last six months of life. Such information may prove useful for policymakers and health care providers in evaluating the effectiveness of treatment and services. One example where such information could be helpful is an examination of the cost of conventional care as compared to alternatives such as hospice care during a patient's last six months of life. Accordingly, the Conferees have adopted the Senate language requiring the Secretary, acting through the Agency for Health Care Policy and Research, to conduct a study to estimate the average amount of health care expenditures incurred during the last six months of life. The Committee intends that this study be developed, to the degree possible, in consultation with the Health Care Financing Administration, using the most recent National Medical Expenditure Survey database.

IMMIGRATION

The Conferees have adopted provisions regarding the Immigration and Nationality Act and persons infected with HIV. The Conferees intend these provisions to be a codification of current administrative practice.

From the Committee on Energy and Commerce, for consideration of the Senate bill, and the House amendment, and modifications committed to conference:

JOHN D. DINGELL,
HENRY A. WAXMAN,
RON WYDEN,

As additional conferees from the Committee on Education and Labor, for consideration of section 2013 of the Senate bill, and modifications committed to conference:

WILLIAM D. FORD,
MATTHEW G. MARTINEZ,

As additional conferees from the Committee on the Judiciary, for consideration of section 2011 of the Senate bill, and modifications committed to conference:

JACK BROOKS,
R. MAZZOLI,
BILL MCCOLLUM,

Managers on the Part of the House.

EDWARD M. KENNEDY,
PAUL SIMON,
HOWARD M. METZENBAUM,
JIM JEFFORDS,

Managers on the Part of the Senate.

□ 1230

GALLATIN RANGE CONSOLIDATION AND PROTECTION ACT OF 1993

Mr. GORDON. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 171 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 171

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 873) entitled the "Gallatin Range Consolidation and Protection Act of 1993". The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Natural Resources. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Natural Resources now printed in the bill. Each section of the committee amendment in the nature of a substitute shall be considered as read. Points of order against the committee amendment in the nature of a substitute for failure to comply with clause 7 of rule XVI are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amend-

ments thereto to final passage without intervening motion except one motion to recommend with or without instructions.

The SPEAKER pro tempore (Mr. SKAGGS). 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. I yield the customary 30 minutes for the purpose of debate only to the gentleman from Florida, [Mr. GOSS], pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 171 is an open rule which provides for 1 hour of general debate to be equally divided and controlled by the chairman and ranking minority member of the Natural Resources Committee.

The resolution makes in order as an original bill for purposes of amendment the Natural Resources Committee substitute now printed in the bill. Clause 7 of rule 16 is waived against the committee substitute.

Finally, the rule provides for one motion to recommend with or without instructions.

H.R. 873 is the product of hard work by Chairman MILLER, Chairman VENTO, and ranking Republicans DON YOUNG and JAMES HANSEN. The bill's sponsor, PAT WILLIAMS, should also be commended for his determination to get this legislation signed into law.

I encourage my colleagues to support this rule so that the substance of this legislation can be discussed.

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

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

Mr. Speaker, I congratulate Chairman MILLER and Mr. VENTO, the subcommittee chairman, for requesting our third open rule of the year. The gentleman from Martinez, CA, appeared before the Joint Committee on the Organization of Congress on April 22 in support of the open rules process. He has been true to his word, and we appreciate the chairman's continued support for a process that insures adequate deliberation and accountability.

Mr. VENTO and the author of the Gallatin Range bill, Mr. WILLIAMS, made a strong case of the legislation Tuesday in the Rules Committee.

They argue that this is not pork barrel spending; that the cost of land acquisition will be very small; that the nature conservancy is playing a significant roll in the negotiating and acquisition process; and that movement toward completing this land acquisition and exchange legislation is needed very soon to keep the agreement intact. A number of Republican amendments may be offered to strengthen the bill in these areas, and I hope my colleagues on the other side will be able to support them.

I urge support of the rule, Mr. Speaker.

Mr. Speaker, I yield 1 minute to the gentleman from Indiana [Mr. BURTON].

Mr. BURTON of Indiana. Mr. Speaker, I will just take a minute, and I appreciate the Committee on Rules making this an open rule.

My only concern is that this piece of legislation was defeated last week under suspension, and here we are bringing it back again this week because they could not get the necessary two-thirds vote that they wanted last week.

I think it is unfortunate that they bring a bill like this up under suspension, and when they cannot get what they want, they come back and bring it up 1 week later under an open rule.

So I think it is good that we have an open rule, but I am disappointed that we are discussing this issue again, because you feel like you can maybe get a majority but you cannot get the two-thirds under suspension.

So with that, I thank the gentleman for yielding.

Mr. GORDON. Mr. Speaker, for purposes of debate only, I yield 1 minute to the gentleman from Montana [Mr. WILLIAMS].

Mr. WILLIAMS. Mr. Speaker, I thank my colleagues, and particularly the Committee on Rules, for the haste with which you have agreed to bring this bill back to the full House for consideration.

As will be discussed later during general debate, either this bill passes the House and Senate and is signed into law this spring or vital land north of Yellowstone National Park, America's first national park, will be harvested, subdivided, and developed against the wishes of both the public and the private sector.

This legislation, as I will explain later, is necessary to achieve that.

The gentleman who just spoke is correct, the bill did not receive the two-thirds necessary to pass under suspension, but it received a significant and considerable majority, and so in order for the majority to indeed rule here, we bring the bill back in a way in which a simple majority will pass this vital legislation.

I asked that the rule be open. I am glad the Committee on Rules did that, because this legislation can withstand any amount of scrutiny and discussion.

The arguments that were made during the suspension debate were, frankly, inaccurate, and close consideration would have discredited them.

Mr. GORDON. Mr. Speaker, I yield such time as he may consume to the gentleman from Minnesota [Mr. VENTO].

Mr. VENTO. Mr. Speaker, I want to, first of all, thank the Committee on Rules for the prompt response to this legislation.

It is necessary that we show some movement in order to deal with the specific problems of land purchase option.

But on the question of process which was raised very often, I am confident and hopeful that at the end of the day when the final vote comes on this that we will be able to receive nearly unanimous support for this bill from this body based on a deliberation of the content of the bill and the importance of it.

I think there was some misunderstanding last week. We were not aware of the concerns until the floor debate. This measure is a noncontroversial measure. I hope that it will remain that way today.

I think it has good support from all the constituencies involved, and certainly it has had bipartisan support in the past. I hope that is the case today.

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It is necessary to move on this, and I hope that we could do so in an expedited manner under the open rule that is being offered today and which I urge my colleagues to support.

Mr. GOSS. Mr. Speaker, the purpose of this process is to discuss the rule. It seems we are in agreement on it. I have no further requests for time. I think we are going to have a good debate under this open rule.

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

Mr. GORDON. Mr. Speaker, I have no further requests for time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore [Mr. DARDEN]. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. Pursuant to House Resolution 171 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 873.

The Chair appoints the gentleman from Colorado [Mr. SKAGGS] to preside over the Committee of the Whole, and requests the gentlewoman from California, Ms. SCHENK, to assume the chair temporarily.

□ 1241

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 873) entitled the "Gallatin Range Consolidation and Protection Act of 1993" with Ms. SCHENK (Chairman pro tempore) in the chair.

The clerk read the title of the bill.

The CHAIRMAN pro tempore. Pursuant to the rule, the bill is considered as read the first time.

Under the rule, the gentleman from Minnesota [Mr. VENTO] will be recognized for 30 minutes, and the gentleman from Utah [Mr. HANSEN] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Minnesota [Mr. VENTO].

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

Madam Chairman, H.R. 873, the Gallatin Range Consolidation Act, was introduced by my friend and colleague on the Natural Resources Committee, Mr. WILLIAMS. This bill would block up checkerboard land ownership in the Gallatin Range of the Gallatin National Forest in Montana. Through a series of exchanges between the Big Sky Lumber Co. and the Forest Service, approximately 80,000 acres would be added to the national forest. These lands are of great ecological importance. They, along with the rest of the Gallatin Range, are part of the greater Yellowstone ecosystem and include the endangered grizzly bear; one of the largest elk herds in the Nation; pristine watersheds, such as Eight Mile Creek, Big Creek, Porcupine Creek, and Taylor Fork; trout fisheries; and spectacular scenery.

Although these Gallatin Range lands are currently privately owned, they have remained unroaded and wild. However, if this legislation is not enacted, it is quite likely that the Big Sky Lumber Co., will road, log, and develop their Gallatin holdings. Adding to the urgency is the fact that options to purchase some of the lands for the Forest Service expire on June 1, therefore it is imperative that we move expeditiously on this legislation.

H.R. 873 is very similar to language that we passed in the House as part of the Montana Wilderness bill in the 100th Congress and again in the 102d Congress. There is also widespread support for the measure. Big Sky Lumber Co., an extensive landowner, the administration and the environmental community all testified in favor of the bill at the hearing on March 23, 1993. A significant majority of House Members voted in favor of the measure just last week. Unfortunately, by just six votes H.R. 873 failed to receive the two-thirds necessary for passage under the suspension of the rules.

The only opposition to the bill is based on misconceptions about the bill's cost. The claim that was made last week that the bill would cost \$20 million in fiscal year 1994 is exaggerated. The CBO estimates that the total cost over 5 years is only potentially \$12 to \$20 million and that cost would occur only if some of the lands are acquired by purchase instead of exchange. In actuality, most, if not all of the lands acquired would probably be through exchange with very little cost to the Treasury.

Furthermore, this bill promotes more efficient government and ultimately could and should save the taxpayer money. It blocks up a checkerboard ownership pattern that has been hampering land managers since the turn of

the century. It is in the economic interest of both the adjacent private landowner and the Federal Government to consolidate the land ownership so that the land can be managed properly. The bill also authorizes a severed minerals exchange. Currently, the Federal Government owns the subsurface rights, but not the surface rights on some lands and the surface rights, but not the subsurface on other lands. This situation greatly complicates land management. The bill corrects this inefficiency by consolidating Federal ownership so that the Federal Government owns both the surface and subsurface. If we do not pass this legislation, the difficulties involved in managing the checkerboard land ownership and the severed minerals will continue to be a drain on the Treasury.

I urge my colleagues to support this measure and help bring resolution to an issue that the Congress and the Forest Service have been trying to resolve since the 1920's.

Mr. BURTON of Indiana. Madam Chairman, will the gentleman yield?

Mr. VENTO. Madam Chairman, I yield to the gentleman from Indiana, Mr. BURTON, for a question.

Mr. BURTON of Indiana. I thank the gentleman for yielding.

Madam Chairman, I ask the question of the gentleman from Minnesota: In his statement he says that any or all of this land may be acquired or can be acquired by exchange during this 5-year period. Does he think there is a good possibility that that will occur?

Mr. VENTO. Reclaiming my time, there is a possibility, but we need the cash equalization provision. Seldom is there an acre-for-acre exchange developed. Very often landowners, of course, would prefer cash. But you need the cash equalization provisions that are authorized in this law. So that is the basis for keeping them in the law. The Forest Service has been granted this general authority, and it would be, I think, an error to take away that in this specific instance.

Madam Chairman, I reserve the balance of my time.

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

Madam Chairman, I support the intent of H.R. 873 which is to consolidate the onerous checkerboard land ownership in the Gallatin National Forest. This body previously considered this legislation on suspension where it was defeated for lack of a two-thirds majority. I believe the reason H.R. 873 received the opposition it did was because of the \$20 million price tag and the large increase in Federal land ownership.

Coming from a State where the Federal Government owns two-thirds of our land, I believe we should make every effort to acquire lands through equal value exchanges which result in

no net gains in Federal ownership and are of little cost to taxpayers.

Section 3 of H.R. 873 is largely based on an equal value land exchange between the Forest Service and the Big Sky Lumber Co. I, along with several of my colleagues, would prefer that the entire exchange be for equal value; however, I appreciate the difficulties Mr. WILLIAMS faces in orchestrating this large exchange and I do not oppose H.R. 873.

Madam Chairman, I reserve the balance of my time.

Mr. VENTO. Madam Chairman, I yield such time as he may consume to the gentleman from Montana [Mr. WILLIAMS].

Mr. WILLIAMS. I thank the gentleman for yielding this time to me.

My colleagues, I want to urge you to join me today in recommending this legislation, H.R. 873, the Gallatin Range Consolidation and Protection Act. This legislation, as has been said, consolidates lands north of Yellowstone National Park. That is to say, there are both private and public lands north of Yellowstone, which has created management problems and other problems, including access by the public to their own land, which they cannot get to because it is behind private land. So we have for many, many years, many decades, in fact, in Montana tried to develop some consolidation patterns for these lands near Yellowstone. This bill was presented under suspension of the rules last week, and although it received significant support by this body, a majority of support, it failed by only a few votes to receive the necessary two-thirds.

□ 1250

I argued that the legislation should come here today under an open rule, which it has, as I said during the limited debate on the rule. This legislation can stand any amount of scrutiny and any discussion.

Once the options, the history, and the risks are fully considered, virtually everyone who has considered this legislation and this action agrees with this approach and my goals.

This is not surprising, because the values we are dealing with are world-renowned; Yellowstone National Park, the only intact geyser basin left on Earth, this Nation's largest elk herd, endangered species, headwaters of the only and longest free flowing river in America.

And what else is at stake? There is an important Government policy and consideration that has been attempted ever since 1925.

The support for this legislation is bipartisan and is overwhelming. It includes myself as well as both our Senators, one Republican and one Democrat. It includes the Governor of Montana, a Republican. It includes the current White House, the administration,

the Secretary of the Interior, unanimously the county commissioners in the county that is affected, the mayor of the closest large city, the city of Bozeman, the Montana Fish, Wildlife and Parks Agency. In this House it includes the House Natural Resources Committee and the Agriculture Committee, both of whom recommended this legislation with no opposition, and I want to stress not a single negative vote.

I could not list because time would not permit all the conservation organizations that support this legislation, but let me tell my colleagues that the list includes the Nature Conservancy, the Wilderness Society, the Greater Yellowstone Coalition, the Wildlife Federation, the Elk Foundation, and many others. The local snowmobile and motorcycle groups are in agreement, as are the local mills, timber mills, and the other local landowners are all in support of this legislation.

The private sector is in full support, and that includes both timber companies as well as real estate developers, as well as local merchants and local landowners.

Now, the reason they support this legislation is because it is the only solution to a very real public lands disaster that is looming if this legislation is not adopted and adopted by this Spring. Let me explain.

Just north of Yellowstone National Park the Gallatin Range connects to the other mountains of the Yellowstone ecosystem like the spokes in a wheel. This range was not protected when the park was set aside because every other section of that area was granted to the railroad as payment for the trans-America construction. This range's importance to the integrity of Yellowstone has never been questioned, however, and because of that this range essentially has remained wilderness ever since, even those portions privately held. This range is the home of the largest elk herd in America along with countless other species including the endangered grizzly bear. The range also is the headwaters of some of America's most pristine streams and rivers anywhere in this country.

The first attempt to consolidate these lands happened in 1925 and since then there have been many attempts to bring the Gallatin Range into public ownership. The Federal Government has invested to acquire the Elk Winter Range and the House of Representatives has many hours of hearings on the importance of these lands.

These lands north of Yellowstone are checker boarded into public and private ownership. As I say, that was due to the granting of public lands to the railroads in this Nation's earlier days.

Now, since then the railroad has sold its land to a private timber company. They did that, by the way, to avoid a hostile takeover, and that company

has since again sold the lands to several new owners who are interested in timber and development. Part of the new sale arrangement requires that timber be provided off the private lands, and so now we face a very serious problem if we do not solve these intermingled land problems by the time the contractual timber harvest becomes necessary.

So it is clear now after a hundred years, the days of generous corporate neighborliness in and around Yellowstone Park are about to end, and increasingly these critical lands, wildlife and recreational lands, are going to be clearcut, harvested and developed, posted off limits or sold for private hunting rights.

If this legislation is not signed, I say again, a public lands disaster on Yellowstone National Park's northern border will occur.

As this body knows, this type of legislation is difficult to negotiate and even more difficult to pass through Congress. As custodians of our Federal land, Congress must be very careful that any trade we consider must meet the most stringent requirements of fairness, and value. The trade must clearly be in the public's interest and must fulfill public policy goals. I take this responsibility very seriously and have never considered any public land trade without clearly knowing that these goals be met. Montana has been aggressive in consolidating lands and we have never had a problem to date, not one, and that is only because we have assured that any consideration would meet good public policy goals. If my colleagues are concerned about placing a high threshold on these trades they should look to this process we used in Montana as the best model for this Nation.

These trades north of Yellowstone meet all policy requirements, and the 14 years that I have been involved in the discussion which brings us here this afternoon have shaped these trades to assure that they are absolutely in the public interest. Any changes in these trades or consideration of other trades anywhere in the country should meet the conditions we applied to these trades. The taxpayer and the public will be better off for it.

This legislation, by the way, does not represent the end of the Federal Government's interest in the Gallatin, the area north of Yellowstone. This legislation is just the continuation of an historic concern and this legislation I believe will set a clear process to identify and assure the continued protection of our national treasures in the greater Yellowstone area.

Madam Chairman, I strongly encourage the Members of this House to do what you did last week, and that is vote in significant majority for this legislation so that we can get on with consolidating the public lands where it is in the best interest of the public.

I doubt that there is anyone in this Chamber who believes that jeopardizing Yellowstone National Park is not in the best interest of the public.

Mr. VENTO. Madam Chairman, will the gentleman yield?

Mr. WILLIAMS. I yield to the gentleman from Minnesota.

Mr. VENTO. Madam Chairman, I just want to commend the gentleman for his statement. Of course, I concur in it, and for the 6 years of work he has put in. I think it is a very, very good work product, one that represents both a bipartisan and should receive the strong endorsement of this House. I hope that it will. I commend the gentleman for his good work on the committee.

Mr. WILLIAMS. Madam Chairman, I appreciate the kindness of the subcommittee chairman.

I want to thank the gentleman and members of the subcommittee on both sides of the aisle.

I want to thank my friend and colleague and helpmate on this matter, the gentleman from Utah [Mr. HANSEN] who not only has been a good friend, but on this matter has been an ally.

Mr. HANSEN. Madam Chairman, I yield 5 minutes to the gentleman from Indiana [Mr. BURTON].

Mr. BURTON of Indiana. Madam Chairman, I thank the gentleman for yielding this time to me.

Do you have any idea how big Yellowstone National Park is? It is three times the size of Rhode Island. It is 2.2 million acres, and yet they want to buy another 70,000 acres to protect some lumber up there and keep that area from being developed.

Well, when you have development, if it is done in a proper way, you provide houses, you provide jobs, you provide economic expansion, and yet they want to spend up to \$20 million to buy 70,000 more acres, when there is already 2.2 million acres in Yellowstone National Park.

Now, my question is, if this land is so valuable to the lumber industry, why does the Big Sky Lumber Co. want to sell it? Why do they want to exchange it? Could it be maybe there is some more valuable land someplace else they want to buy? And yet they want to spend \$20 million at least to buy more land.

Do you know how much land is owned by the Federal Government? One-third of the United States of America.

We do not need all that land. We do not need to be spending taxpayer dollars to buy more land. We cannot afford it. The national debt is \$4.35 trillion. The national debt each year increases by almost \$400 billion.

□ 1300

Madam Chairman, we are not going to be able to survive if we keep blowing money, and this, I submit to my colleagues, is a quasi-pork barrel project.

Now I am very concerned about this because we do not need to be buying this land. If it is so important, if it is so important, why do we not have a land trade? The gentleman from Minnesota [Mr. VENTO] said that they were going to have an attempt to make sure this is done in a trade mode, and yet they still say that it could cost \$20 million.

Now the gentleman from Texas [Mr. DELAY] is going to be proposing in a short period of time a recommittal motion which will say in effect that it has to be done by a land trade, that this bill will not appropriate or authorize any money to buy this land.

Now I say to my colleagues when they come over here to vote that we must make hard choices on spending the taxpayers' money. We are talking about—Mr. Clinton is talking about—a tax and fee increase of \$402 billion, the largest tax increase in U.S. history. All the spending cuts he is talking about are in the third, fourth, and fifth year, after the next election. But the tax increases are going to take place now.

So, what the American people want, I believe, is to have spending cut in Washington, to take a meat cleaver to wasteful programs, to not come up with more ways to spend their money, cut spending first, and then, if we cannot balance the budget, then start talking about taxes, but not taxes on the front end.

And yet bill after bill we have had coming before this body this year has spent more money without funding them, digging us deeper into the debt, and here we have today, instead of a land exchange, we have a bill that is going to cost \$20 million that will add 70,000 acres to the Yellowstone National Park when there is already 2.2 million acres in there, three times the size of Rhode Island. We do not need it, we must make hard choices, and we must cut waste and pork out of Government spending.

And last week we defeated this turkey. We defeated it on this floor under suspension, and so, because we could not get the two-thirds vote here, they come back 1 week later and say, "Oh, my gosh, we have got to get this passed because the whole world is going to come to an end if we don't buy this 70,000 acres. We're going to have an ecological catastrophe up around Yellowstone."

That is baloney, that is baloney, and so I just say to my colleagues when you come over here to vote or when you start thinking about this, think about our constituents back home who are going to be paying for this.

Twenty million dollars, Madam Chairman; well, that is not a lot of money when we are talking about trillions, but Everett Dirksen once said, "A billion here, a billion there, and pretty soon you're talking about real money."

Madam Chairman, I just want to say to my colleagues, "Let's prioritize spending. Let's really take a close look at this. Let's support Congressman DELAY's recommittal motion to have this be a real land trade instead of spending \$20 million of the taxpayers' money that we don't have for this additional land."

Mr. VENTO. Mr. Chairman, will the gentleman yield?

Mr. BURTON of Indiana. I yield to the gentleman from Minnesota.

The CHAIRMAN. The time of the gentleman from Indiana [Mr. BURTON] has expired.

Mr. HANSEN. Mr. Chairman, I yield 2 additional minutes to the gentleman from Indiana [Mr. BURTON].

Mr. VENTO. Mr. Chairman, will the gentleman yield?

Mr. BURTON of Indiana. I yield to the gentleman from Minnesota.

Mr. VENTO. Mr. Chairman, is the gentleman from Indiana aware of the estimate that CBO provided; that is, between 12 and 20? It only talks about in the absence of land trades and equalization payments.

Is the gentleman aware of that?

Mr. BURTON of Indiana. I understand that.

Mr. VENTO. And that is the agreements that exist. Has the gentleman reviewed the agreements that exist that would, of course, greatly reduce this number so that the Forest Service in essence is really, I think, accomplishing this without the expenditure of a great deal of money, at least the minimal? But the CBO insists upon these very conservative estimates, and I think they should, but I think it does—I think there is a misunderstanding about the fact that no \$20 million would be expended in this case.

Mr. BURTON of Indiana. If I might just respond, I would just like to say that according to CBO it could cost \$13 to \$20 million. I do not want to spend that. I do not want there to be any risk of \$13 to \$20 million. I want it to be done on a strictly land trade basis.

Mr. VENTO. The gentleman aware that very often that acre for acre it may not be worth the same, and so we run into a problem where we need to equalize using dollars that were not in the barter system—

Mr. BURTON of Indiana. Well, I think I have made my point, and I understand the gentleman's position.

Mr. VENTO. Mr. Chairman, I yield 4 minutes to the gentleman from Montana [Mr. WILLIAMS].

Mr. WILLIAMS. Mr. Chairman, I thank the gentleman from Minnesota [Mr. VENTO] for yielding this time to me. I just want my colleagues here in the Chamber and those watching this debate from their offices on closed circuit to understand that what the gentleman from Indiana [Mr. BURTON] has just said is, in my judgment, a potential possible; that is, misrepresenta-

tion. Now, Mr. Chairman, I do not accuse him of purposefully doing that. I just want to be sure that my colleagues understand that the gentleman from Indiana spoke about the size of America's first national park, Yellowstone, as if to indicate, perhaps not by intentional misrepresentation, but as if to indicate that this legislation was somehow going to expand the size of Yellowstone Park. That is not at all what this legislation is about.

Mr. Chairman, the gentleman further indicates in what I think is a misrepresentation, although probably not intentional, that this bill is going to cause the taxpayers to spend upwards of \$20 million. That is not so. Our good colleague, former colleague, Morris Udall, used to have a number of laws that he would recite, and I recall Udall Law No. 37, which was: "When in doubt, as a last resort try reading the bill." This bill authorizes \$3.4 million, and only \$3.4 million, to be used in case we cannot do an acre-for-acre trade. Now some further trading is envisioned in the future, and it may be that, if we have to buy that land because we are unable to trade any of it, CBO says the cost could go as high as \$20 million. We have already traded approximately 60 percent acre-for-acre, so we have already ensured that the cost would be nowhere near \$20 million, and we are under this bill not appropriating a penny. We are only authorizing \$3.4 million for a good, excellent, worthwhile, bipartisan supported exchange and potential buyout of land north of Yellowstone National Park.

My colleagues, let me conclude these 4 minutes by saying this: If a year from now, which may happen if this bill doesn't pass, you wake up and look at one of the investigative news programs, hour-long news programs, with helicopter footage north of Yellowstone Park of subdivisions, roading, clearcuts, siltation in the pristine Yellowstone River, denial of habitat to the endangered grizzly bear, ruination of the elk calving grounds of America's largest elk herd, then my colleagues and the public are going to undergo a storm of public protest. That's what the gentleman from Indiana would lead you to. But a clear and significant majority on both the Republican and Democrat side on the Committee on Agriculture, the Committee on Natural Resources and in this House last week would prefer to avoid that by keeping this land for the public, by keeping this land and placing it in Federal ownership, by protecting America's first national park, Yellowstone.

Mr. HANSEN. Mr. Chairman, I yield 2 minutes to the gentleman from Indiana [Mr. BURTON].

Mr. BURTON of Indiana. Mr. Chairman, the gentleman from Montana [Mr. WILLIAMS] would have us believe that the elk, and the bears and the wildlife are all going to be dying if we

do not buy this 70,000 acres. I would like to remind my colleagues that they have got 2.2 million acres in Yellowstone National Park. Now, if this is developed up there into housing and there is some commercial development, what is wrong with that? What provides jobs for America? What provides new housing for America?

For crying out loud, they got 2.2 million acres, and, if my colleagues think the bears, and elk and everybody else is going to die because of 70,000 acres, there is something wrong.

Now with regard to whether or not this is going to be a part of Yellowstone National Park, the gentleman did say it is going to be public lands, I believe. Maybe it is not a part of Yellowstone, but it is still owned by the Federal Government at taxpayers' expense, and it is not necessary.

□ 1310

The gentleman said well, this money will not be appropriated. We may just do it all by land transfer.

If that is the case, why in the bill does it say in three different places that they are going to appropriate such sums as are necessary to acquire this land? Why do you not put a fixed figure in there?

The fact of the matter is the world is not going to come to an end if the Government does not buy another 70,000 acres, when they already own one-third of the Nation, and it is not going to come to an end if they develop that and put some housing up there, if it is done in a responsible and ecologically well-thought-out way, and that can be done.

There are 2.2 million acres in Yellowstone. If this cannot be done in a land transfer way, in my opinion, then we should not be buying this land.

Finally, I did not hear the answer: why does Big Sky Lumber Co. want to divest itself of the 70,000 acres, if it is such a good deal?

Mr. Chairman, I yield 2 minutes to the gentleman from Montana [Mr. WILLIAMS].

Mr. WILLIAMS. Mr. Chairman, in answer to the gentleman from Indiana [Mr. BURTON], the reason the private sector, including timber companies and real estate developers who have the opportunity to develop this land and choose not to, unlike the gentleman from Indiana, who would force them to go ahead and develop it anyhow, the reason they do not want to do so is because they recognize the fragile nature of this area and they want their development, they want their timber harvest, but they recognize they should do it in other places, which we will provide for them. We will take Federal land in other places and turn it into private land so they can develop it.

The gentleman from Indiana [Mr. BURTON] is absolutely wrong. The private sector does not agree with him, the developers do not agree with him,

the people that want these jobs do not agree with him. The gentleman stands virtually alone in trying to force this development north of Yellowstone.

One other point: apparently the gentleman from Indiana [Mr. BURTON] does not understand that there are places in America that represent the brow of America's last hill.

There is one, one, free-flowing major river left in this country, undeveloped and undammed. One. The Yellowstone River.

Some people believe that almost nothing has been developed in America. Apparently the gentleman from Indiana is one of them, and he would develop every last inch, all in the beloved name of jobs, even though you can create that many and more jobs by developing in other areas that can sustain and absorb that development.

Montana and Yellowstone represent, in our own way, the brow of America's last hill. Montana's slogan is "The last best place." We do not say that with pride, quite often we say it with sadness.

There are a few Americans left that still do not understand it, and apparently the gentleman from Indiana [Mr. BURTON] is, tragically, one of them.

Mr. VENTO. Mr. Chairman, I yield 2 minutes to the gentleman from Arizona [Mr. COPPERSMITH].

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

Mr. Chairman, my colleague, the gentleman from Montana [Mr. WILLIAMS], quoted Mo Udall, and I would like to do so as well, of representing part of his old district. Everything I think has been said, but not everyone has said it. I would like to add my contribution.

I think two facts need repeating. The first is that Yellowstone is first and I think possibly the greatest national park in the world. The checkerboard pattern of land ownership in the West are prevalent here. We need to solidify those ownerships. This bill represents the last best opportunity to do that.

Failure to act not only hurts the future of the park and fragile ecosystem, but also prevents privately owned ownership from doing what they would with property that they have because of conflicts with the park and the pressures that they undergo.

I would suggest to the gentleman from Indiana [Mr. BURTON] that if he could persuade the elk to move, that that might be a better use of his time. But you have to deal with the ecosystem as it is there. The political pattern of land ownership does not recognize the natural realities. This bill is the last best opportunity to straighten that out.

The second point is that I think the gentleman from the other side is absolutely correct, we should only spend money when it is absolutely necessary. But I think this bill meets that test.

First, the bill anticipates trading for most of the land. Not all of it is going to be money. Money is only there to the extent you cannot find possible trades or the trades do not balance out.

It is also again the last chance because the rights involved will expire and open the area up to timbering.

Finally, this is an authorization bill. Every year we will have the opportunity to take the pencil to the appropriation under this authorization.

I was last in Yellowstone Park about 6 months ago. I have ridden a horse through clearcut areas of the Gallatin Range north of the park. I was last in Yellowstone before that with my two kids, my daughter Sara and my son Ben. My youngest son had not been born then.

I think while we want a return to our country and make sure that we have spent the money wisely, one of the reasons why I am here is to protect our country's national heritage. And I want to make sure that the Yellowstone ecosystem is protected so that I can take my son Lou, who has never had a chance to see Yellowstone, there, and that the elk will be there and the ecosystem will be protected.

I think about my constituents as well, and I think my children and my constituents deserve to have the park protected.

I would also like to thank my colleague, the gentleman from Montana [Mr. WILLIAMS], as well as the Greater Yellowstone Coalition for their work on this bill.

Mr. HANSEN. Mr. Chairman, I yield 4 minutes to the gentleman from California [Mr. POMBO], a member of the Subcommittee on Natural Resources.

Mr. POMBO. Mr. Chairman, I rise in opposition to this bill. I originally decided that I was just going to vote against it and that there was no need to debate it, until I heard some of the comments that came on this bill earlier.

Mr. Chairman, as was previously stated, the Federal Government owns about one-third of the United States right now and about half of the State I come from, California. I have no opposition to protecting this land from development, if it is worked out among the people of Montana and it is important to the people of Montana that this land be protected. But I do believe that in the tight budgetary times that we have, that we should not risk even spending as little as \$3 million, as was stated, on purchasing more land.

I believe that before we add any new land to the Federal Government's large stockholdings that they already have, that what we do have should be traded away or sold, and the money from those sales used to purchase more. That a trust fund should be set up to hold the money to purchase the land, if that is what we have to do.

From my reading on this issue, I understand that they have been trying to

purchase this land or trade for this land since the 1920's, and even since that time this land has been in eminent danger of being developed or logged.

I keep hearing the same argument since I got to Congress, for the last 4 months. Every time we go to purchase more land it is in eminent danger of being developed or in eminent danger of being logged or in eminent danger of a road being put across it, and we continue to buy more and more land all the time.

If we do determine that it is in the public good to put aside some land, then what we should do is try to trade for it first. If that does not work, then we should sell some other land and take that money to purchase that land.

Mr. VENTO. Mr. Chairman, will the gentleman yield?

Mr. POMBO. I yield to the gentleman from Minnesota.

Mr. VENTO. Mr. Chairman, I appreciate my colleague's comments and concern. I would say that each year the BLM does regularly publish a book entitled "Public Land Statistics" that indicates that from 1979 to 1989 total land ownership dropped from about 32.4 percent to about 29.1 percent of the ownership. In Montana specifically it went down from 29.7 percent to 27.7 percent, so it dropped nearly 2 percentage points.

Furthermore, I would suggest to my colleague that the pattern that the gentleman has asked for is exactly what has been followed here. To proceed with trading acre for acre, and the moneys are used for capitalization. They have been working on this now more intensely for the last 6 years.

So the agreements are in place, and what we are really trying to do is there is a crisis here. That is why we are here.

Many times the proposals come before us because there is a crisis and there is a need for legislative action to deal with it. So we are not bringing these up arbitrarily or simply on the basis of using that, but it is because there are that many problems and Congress has demanded to stay involved.

I include for the RECORD the remaining statistics on land ownership decreases from 1979 to 1989:

THE MYTH OF INCREASING FEDERAL LAND OWNERSHIP

The Bureau of Land Management (BLM) regularly publishes a book entitled "Public Land Statistics" which includes a table entitled "Comparison of federally owned land with total acreage of States".

Data from this source shows that there not only has been no significant increase in the total amount of land owned by the national government, but that in fact this total has decreased in recent years.

The BLM data show that—
in fiscal 1979 the national government owned about 737.655 million acres, or about 32.48 per cent of the land in the United States;

in fiscal 1989 (the most recent year for which data are available) that had gone

down—to about 662.158 million acres, or 29.15 per cent.

In other words—between fiscal 1979 and fiscal 1989, Federal land holdings decreased by more than 75 million acres.

The data for some individual States show similar decreases. For example, between fiscal 1979 and fiscal 1989:

Alaska went down from over 89% federal ownership to 67.8%;

Nevada went down from a little over 86% to just over 82%;

Idaho went down from about 63.8% to about 62.6%;

Oregon went down from about 52.46% to about 48.16%;

Colorado went down from about 35.5% to just over 34%; and

Montana went down from about 29.7% to about 27.7%.

Mr. POMBO. Mr. Chairman, reclaiming my time, just to follow up with what the gentleman from Minnesota [Mr. VENTO] said, if that is truly the intent, then the motion to recommend that the gentleman from Texas [Mr. DELAY] is going to present in a few minutes should be agreeable to the gentleman and his colleagues on that side, in that what we really want to do is trade or sell other land and use that money. So there really should be no problem with doing that. Then I believe we should come to some kind of agreement on our side on doing that.

□ 1320

Mr. BURTON of Indiana. Mr. Chairman, will the gentleman yield?

Mr. POMBO. I yield to the gentleman from Indiana.

Mr. BURTON of Indiana. Mr. Chairman, I just want to set the record straight. I do believe in the ecology and a safe environment. And I kind of resent my colleagues from the other side, because I want to stop this expenditure of money or potential expenditure of money, I kind of resent them saying that I am for destroying a large part of our national heritage. That could not be further from the truth.

I just want to make sure that we are not wasting taxpayers' money in the process.

I think in this particular case we may be doing that.

Mr. VENTO. Mr. Chairman, I yield myself 2 minutes.

I appreciate the comments of the gentleman from Indiana concerning his concern about the environment and the area. But notwithstanding that, the gentleman did suggest that this area was not essential to Yellowstone Park.

What I want to point out, and what the gentleman from Montana tried to point out, is there are four key watersheds that are covered by this area that flow into Yellowstone River.

This map, I guess, is not adequate to demonstrate that. But they occur in the southern area here in the Porcupine Area, Eight Mile Creek, Big Creek, and there is an additional one in there, which I cannot see, but what we

are facing here, and what I am trying to point out, is those watersheds flow into there. And if we do not deal with them, they directly flow into Yellowstone Park.

Yes, this is a big park, three times or four times the size of Rhode Island, but that means it is also very important.

This is a key issue. They had the foresight to make this one of our first parks and protect this 2.3, 2.4-million-acre area.

I think that that was great foresight in the 19th century.

What I am asking my colleagues today, with all of our wisdom and knowledge about the environment, is to take additional steps so that we can consolidate land in the Forest Service.

The Forest Service, actually, in managing these lands, faces a lot of expenses.

If we look at this land pattern, it does not take, I do not think, a rocket scientist to realize that it costs a lot more to manage a pattern of land like that that is going to be developed.

We are going to have roads cut through areas on public lands. We have to give access to them, under the rights that we recognize for property owners. And that is really what we are after, is to eliminate this and to trade out a lot of it.

But when we trade it, we cannot force a land owner, a property owner to say, "You must take some land that is in public ownership over here in eastern Montana or in some other part of Montana." Once in a while we are going to have to come back on an equal value basis. We cannot accomplish that. We have to have the cash equalization.

They have the agreements. They are in place. But we are going to have to spend some money. We cannot do it. This thing does not fit. We cannot fit a round peg into a square hole in this instance, and that is what the gentleman, of course, is attempting to do.

So I would hope that we could defeat the motion to recommit and recognize the common sense of this proposal.

Mr. HANSEN. Mr. Chairman, I yield 1 minute to the gentleman from Indiana [Mr. BURTON].

Mr. BURTON of Indiana. Mr. Chairman, I would just like to say that with the vast holdings of the U.S. Government, as far as lands are concerned, it seems to me inconceivable that the Big Sky Lumber Co. or any privately owned corporation that owns land in or around Yellowstone National Park could not find other land that they would like to have in lieu of that land.

In essence what I am saying is, we have got plenty of land. There could be a land transfer. We can get land from any part of the country, if that is required, to replace this land, if this land should not be developed.

But for the taxpayer to spend up to \$20 million for additional land at a

time when we do not have the resources seems to me irresponsible.

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

Mr. VENTO. Mr. Chairman, I yield 1 minute to the gentleman from Montana [Mr. WILLIAMS].

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

I do not want to see vast increases in Federal holdings of land in the United States, and maybe we ought to just take a minute to look at the facts, rather than listen to the rhetoric.

During the last decade the amount of land that the Federal Government holds has been decreasing, not increasing.

In 1979, the public, the Federal public owned 737 million acres of land. Ten years later, it was not 737 million acres; it was 652 million acres.

One can argue that that is bad or good, but the point is that the other side, at least one gentleman on the other side, would have us believe that the Federal Government was just consuming additional millions of acres of land.

I am not supportive of that. Most Members, I believe, would not be supportive of that. And that, in fact, is not what is happening.

However, there are some parcels of land to which the public deserves access, and it is in the public good to protect it. And that is what we are trying to do here.

Mr. VENTO. Mr. Chairman, I yield myself 30 seconds.

Mr. Chairman, I point out that in that decade that we were recording here, the statistics are available to everyone. That is 75 million acres less in land.

This is not a quantitative gain; it is a qualitative gain, in terms of what those resources are, how they affect special areas like Yellowstone and other areas.

We just want the Forest Service to have the opportunity to manage this.

Incidentally, I might point out that these natural resource land managers actually bring in revenue to the National Government in terms of the work that they do.

I think that that is important to recognize, as well, that these lands are not static. They are very much a key part of production of income and of this Nation.

Mr. HANSEN. Mr. Chairman, I yield 1 minute to the gentleman from Texas [Mr. DELAY].

Mr. DELAY. Mr. Chairman, I do not want to belabor a point, but it just seems to me that facts are not being thrown out here. They are being twisted.

The reason the Federal lands have been going down in numbers of acres is the Alaska Statehood Act that turned tens of millions of acres back to private ownership and to tribal lands.

It was not that people were giving up Federal lands. It is that Alaska became a State, and that is why the numbers of acres have been decreasing.

The net is an increase. The net is an increase. And besides that fact, the gentleman stated that 60 percent of this Gallatin National Forest is being dealt with through land exchange agreements.

I only know of one agreement that has even been signed. Are all the other agreements signed agreements? The gentleman acts as if it is all a done deal. Are these agreement actually signed agreements and done deals? No, they are not.

So this is not a done deal, and we are exposing the Federal Government to expenditures of millions of dollars in buying these lands.

Mr. VENTO. Mr. Chairman, I yield myself 1 minute.

I want to call the gentleman's attention to the fact that he makes a point in terms of Alaska having an impact in terms of that 75 million acres. But specifically, the public ownership in Montana went down. The public ownership of land in Colorado went down, significantly. The public ownership in Nevada went down by 4 percent. Public ownership in Idaho went down.

So those are the facts that the gentleman has to reconcile with his view, which I understand is, he needs to do his homework in terms of this issue.

The fact is that there are agreements, the Big Sky Lumber Co. There is an option on that land. That is substantially the bulk of what we are talking about in terms of surface ownership. But there are agreements outstanding with regard to Burlington Northern in terms of the severed mineral rights. So that is another signed agreement.

We can go through this. We did go through this in the subcommittee. The committee did a fine job on this. This bill deserves support.

I do not think that there has been a credible reason here offered, other than the fact that the gentleman has got sort of a stubbornness in terms of responding that he is going to have it this way and that. The gentleman is entitled to his own opinions. He is not entitled to his own facts.

I would point out to the gentleman that the facts are not supportive of his assumptions.

Mr. ORTON. Mr. Chairman, in this time of a severe budget crisis, the Federal Government simply should not be engaging in the luxury of purchasing 70,000 acres of land for \$20 million. This purchase is especially ludicrous in light of the fact that the Forest Service is already overburdened and is unable to care for its existing lands.

I favor true land exchanges. My own State of Utah is facing a similar problem and would benefit greatly from a true land exchange. In a true land exchange, the Federal Government would trade lands to private landowners

in exchange for a transfer of private lands to the Forest Service. That is land exchange, H.R. 873 is not. The DELAY motion would instruct the committee to bring back H.R. 873 with lands acquired through equal value land exchange.

A vast majority of my State is owned by the Federal Government. There are ample Federal lands in my State, in Montana and other States, to offer in true exchange with private landowners. Only through such a true exchange can we achieve the worthy goals of H.R. 873 without spending \$20 million, eroding local tax bases, and overburdening our Forest Service.

I urge my colleagues to vote in favor of the motion to recommit.

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

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

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the committee amendment in the nature of a substitute printed in the bill, shall be considered as an original bill for purpose of amendment and each section is considered as read.

The Clerk will designate section 1.

The text of section 1 is as follows:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Gallatin Range Consolidation and Protection Act of 1993".

The CHAIRMAN. Are there any amendments to section 1?

□ 1330

If not, the Clerk will designate section 2.

Mr. VENTO. Mr. Chairman, I ask unanimous consent that the remainder of the committee amendment in the nature of a substitute be printed in the RECORD and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

The text of the remainder of the committee amendment in the nature of a substitute is as follows:

SEC. 2. FINDINGS.

The Congress finds that:

(1) It has been the clear policy of the Federal Government since 1925 to consolidate the checkerboard lands along the Gallatin Range north of Yellowstone National Park.

(2) These lands north of Yellowstone possess outstanding natural characteristics and wildlife habitat which give them high value as lands added to the National Forest System.

(3) Although these lands have historically remained pristine up to now, failure to consolidate at this time will in the near future lead to fragmentation and development.

(4) The Federal Government has already invested a great deal in keeping the land along the Gallatin Range protected from excess development.

SEC. 3. PLUM CREEK LAND EXCHANGE—GALLATIN AREA

(a) IN GENERAL.—The Secretary of Agriculture (hereinafter in this Act referred to as

the "Secretary") shall, subject to the provisions of sections 4(a) and 5(a) and notwithstanding any other provision of law, acquire by exchange and cash equalization in the amount of \$3,400,000, certain lands and interests in land of the Plum Creek Timber, L.P. (hereinafter in this section referred to as the "company"), in and adjacent to the Hyalit-Porcupine-Buffalo Horn Wilderness Study Area, the Scapegoat Wilderness Area, and other land in the Gallatin National Forest in accordance with this section.

(b) DESCRIPTION OF LANDS.—(1) If the company offers to the United States the fee title, including mineral interests, to approximately 37,752 and $\frac{1}{100}$ acres of land owned by the company which is available for exchange to the United States as depicted on a map entitled "Plum Creek Timber and Forest Service Proposed Gallatin Land Exchange", dated May 20, 1988, the Secretary shall accept a warranty deed to such land and, in exchange therefor, and subject to valid existing rights, upon such acceptance the Secretary of the Interior shall convey, subject to valid existing rights, by patent fee title to approximately 12,414 and $\frac{1}{100}$ acres of National Forest System lands available for exchange to the company as depicted on such map, subject to—

(A) the reservation of ditches and canals required by the Act entitled "An Act making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and ninety-one, and for other purposes", approved August 30, 1890 (26 Stat. 391; 43 U.S.C. 945);

(B) the reservation of rights under Federal Oil and Lease numbers 49739, 55610, 40389, 53670, 40215, 33385, 53736, and 38684; and

(C) such other terms, conditions, reservations, and exceptions as may be agreed upon by the Secretary and the company.

(2) On termination or relinquishment of the leases referred to in paragraph (1), all the rights and interests in land granted therein shall immediately vest in the company, its successors and assigns, and the Secretary shall give notice of that event by a document suitable for recording in the county wherein the leased lands are situated.

(c) EASEMENTS.—Reciprocal easements shall be exchanged at closing on the conveyances authorized by this section—

(1) in consideration of the easements conveyed by the company as provided in paragraph (2) of this subsection, the Secretary shall, under authority of the Act of October 13, 1964 (16 U.S.C. 532 et seq.; commonly referred to as the "National Forest Roads and Trails Act"), or the Federal Land Policy and Management Act of 1976, execute and deliver to the company such easements or other rights-of-way authorizations over federally owned lands included in this exchange as may be agreed to by the Secretary and the company in an exchange agreement; and

(2) in consideration of the easements conveyed by the United States as provided in paragraph (1), the company shall execute and deliver to the United States such easements or other rights-of-way authorizations across company-owned lands included in this exchange as may be agreed to by the Secretary and the company in an exchange agreement.

(d) TIMING OF TRANSACTION.—Subject to the provisions of sections 4(a) and 5(a) of this Act, it is the intent of Congress that the conveyances authorized by this section be completed within 90 days after the date of enactment of an Act making the appropriation authorized by subsection (e).

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to

carry out this section the sum of \$3,400,000, which amount the Secretary shall, when appropriated, pay to the company to equalize the value of the exchange of land authorized by this section.

(f) QUALITY OF TITLE.—Title to the properties referenced in this section to be offered to the United States by Big Sky Lumber Company, its assignees or successors in interest, shall include both the entire surface and subsurface estates without reservation or exception. The owner shall be required to acquire any outstanding interest in mineral or mineral rights, timber or timber rights, water or water rights, or any other outstanding interest in the property, except reservations by the United States or the State of Montana by patent, in order to assure that title to the property is transferred as described in this section and sections 4, 5, and 6. Title to land to be conveyed to the United States shall be acceptable to the Secretary and shall otherwise be in conformity with title standards for Federal land acquisitions.

(g) REFERENCES.—The reference and authorities of this section referring to Plum Creek Timber Company, L.P., shall also refer to its successors and assigns.

SEC. 4. LAND CONSOLIDATION; PORCUPINE AREA.

(a) IN GENERAL.—The exchange described in section 2 of this Act shall not be consummated by the Secretary until the Secretary or a not-for-profit corporation (hereinafter in this section referred to as the "conservation entity") exempt from Federal taxation under section 501(c)(3) of the Internal Revenue Code of 1986 acting for later dispositions to the United States, shall have acquired, by purchase or option to acquire, or exchange, all of the Porcupine property for its fair market value, determined at the time of acquisition in accordance with appraisal standards acceptable to the Secretary by an appraiser acceptable to the Secretary and the owner. And further that, if said acquisition or option to acquire has been consummated by a conservation entity, said entity shall have notified the Secretary that the quality of title in fact secured meets applicable Forest Service standards with respect to surface and subsurface estates or is otherwise acceptable to the Secretary.

(b) AUTHORIZATION OF ACQUISITION.—The Secretary is authorized and directed to acquire by purchase or exchange the lands and interests therein as depicted on a map entitled "Porcupine Area", dated September, 1992.

(c) LAND ACQUISITION AUTHORITIES.—Acquisitions pursuant to this section shall be under existing authorities available to the Secretary.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out the purposes of this section. Funds necessary for land acquisition are authorized to be appropriated from the Land and Water Conservation Fund.

(e) REFERENCES.—The reference and authorities of this section referring to the owner shall mean the Big Sky Lumber Company, and its successors and assigns.

SEC. 5. LAND CONSOLIDATION—TAYLOR FORK AREA.

(a) IN GENERAL.—The exchange described in section 3 of this Act shall not be consummated by the Secretary until the Secretary or a not-for-profit corporation (hereinafter in this section referred to as the "conservation entity") exempt from Federal taxation under section 501(c)(3) of the Inter-

land Revenue Code of 1986 acting for later disposition to the United States, shall have acquired, by purchase or option to acquire, or exchange, all of the Taylor Fork property for its fair market value, determined at the time of acquisition in accordance with appraisal standards acceptable to the Secretary by an appraiser acceptable to the Secretary and the owner. And further that, if said acquisition or option to acquire has been consummated by a conservation entity, said entity shall have notified the Secretary that the quality of title in fact secured meets applicable Forest Service standards with respect to surface and subsurface estates or is otherwise acceptable to the Secretary.

(b) **AUTHORIZATION FOR ACQUISITION.**—The Secretary is authorized and directed to acquire by purchase or exchange the lands and interests therein as depicted on a map entitled "Taylor Fork Area", dated September, 1992.

(c) **LAND ACQUISITION AUTHORITIES.**—Acquisition pursuant to this section shall be under existing authorities available to the Secretary, except that notwithstanding any other provision of law, exchanges authorized in this section shall not be restricted within the same State.

(d) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated such sums as are necessary to carry out the purposes of this section. Funds necessary for land acquisition are authorized to be appropriated from the Land and Water Conservation Fund.

(e) **REFERENCES.**—The reference and authorities of this section referring to the owner shall mean the Big Sky Lumber Company, and its successors and assigns.

(f) **REPORTS TO CONGRESS.**—For a period of 2 years from the date of enactment of this Act, the Secretary shall report annually to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate, on the status of the negotiations with the company or its successors in interest to effect the land consolidation authorized by this section.

SEC. 6. LAND CONSOLIDATION—GALLATIN AREA.

(a) **IN GENERAL.**—It is the policy of the Congress that the Secretary shall attempt to acquire by purchase or exchange all lands within what is generally known as the Gallatin Range owned by Big Sky Lumber Company, its assignees or successors in interest, not otherwise acquired, purchased, or exchanged pursuant to sections 3 and 4 of this Act.

(b) **AUTHORIZATION FOR ACQUISITION.**—The Secretary is authorized and directed to acquire by purchase or exchange the lands and interests therein as depicted on a map entitled "Gallatin Area", dated September 1992.

(c) **LAND ACQUISITION AUTHORITIES.**—Acquisitions pursuant to this section shall be under existing authorities available to the Secretary, except that notwithstanding any other law, exchanges authorized in this section shall not be restricted within the same State.

(d) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated such sums as are necessary to carry out the purposes of this section. Funds necessary for land acquisition are authorized to be appropriated from the Land and Water Conservation Fund.

(e) **QUALITY OF TITLE.**—The quality of title to the properties references in this section in fact secured shall meet applicable Forest Service standards with respect to surface

and subsurface estates or shall otherwise be acceptable to the Forest Service.

(f) **REFERENCES.**—The references and authorities of this section referring to the Big Sky Lumber Company, shall also refer to its successors and assigns.

(g) **REPORTS TO CONGRESS.**—For a period of 3 years from the date of enactment of this Act, the Secretary shall report annually to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate on the status of the negotiations with the company or its successors in interest to effect the land consolidation authorized by this section.

SEC. 7. SEVERED MINERALS EXCHANGE.

(a) **FINDINGS.**—The Congress finds that—

(1) underlying certain areas in Montana described in subsection (b) are mineral rights owned by subsidiaries of Burlington Resources, Incorporated, its successors and assigns (referred to in this section as the "company");

(2) there are federally-owned minerals underlying lands of the company lying outside those areas;

(3) the company has agreed in principle with the Department of Agriculture to an exchange of mineral rights to consolidate surface and subsurface ownerships and to avoid potential conflicts with the surface management of such areas; and

(4) it is desirable that an exchange be completed within 2 years after the date of enactment of this Act.

(b) **DESCRIPTION OF MINERAL INTERESTS.**—

(1) Pursuant to an exchange agreement between the Secretary and the company, the Secretary may acquire mineral interests owned by the company or an affiliate of the company thereof underlying surface lands owned by the United States located in the areas depicted on the maps entitled "Severed Minerals Exchange, Clearwater-Monture Area", dated September 1988 and "Severed Minerals Exchanges, Gallatin Area", dated September 1988, or in fractional sections adjacent to those areas.

(2) In exchange for the minerals interests conveyed to the Secretary pursuant to paragraph (1), the Secretary of the Interior shall convey, subject to valid existing rights, such federally owned mineral interests as the Secretary and the company may agree upon.

(c) **EQUAL VALUE.**—(1) The value of mineral interests exchanged pursuant to this section shall be approximately equal based on available information.

(2) To ensure that the wilderness or other natural values of the areas are not affected, a formal appraisal based upon drilling or other surface disturbing activities shall not be required for any mineral interest proposed for exchange, but the Secretary and the company shall fully share all available information on the quality and quantity of mineral interests proposed for exchange.

(3) In the absence of adequate information regarding values of minerals proposed for exchange, the Secretary and the company may agree to an exchange on the basis of mineral interests of similar development potential, geologic character, and similar factors.

(d) **IDENTIFICATION OF FEDERALLY OWNED MINERAL INTERESTS.**—(1) Subject to paragraph (2), mineral interests conveyed by the United States pursuant to this section shall underlie lands the surface of which are owned by the company.

(2) If there are not sufficient federally owned mineral interests of approximately equal value underlying lands, the Secretary and the Secretary of the Interior may iden-

tify for exchange any other federally owned mineral interest in land in the State of Montana of which the surface estate is in private ownership.

(e) **CONSULTATION WITH THE DEPARTMENT OF THE INTERIOR.**—(1) The Secretary shall consult with the Secretary of the Interior in the negotiation of the exchange agreement authorized by subsection (b), particularly with respect to the inclusion in such an agreement of a provision calling for the exchange of federally owned mineral interests lying outside the boundaries of units of the National Forest System.

(2) Notwithstanding any other law, the Secretary of the Interior shall convey the federally owned mineral interests identified in a final exchange agreement between the Secretary of Agriculture and the company and its affiliates.

(f) **DEFINITION.**—For purposes of this section, the term "mineral interests" includes all locatable and leasable minerals, including oil and gas, geothermal resources, and all other subsurface rights.

SEC. 8. GENERAL PROVISIONS.

(a) **MAPS.**—The maps referred to in sections 3, 4, 5, 6 and 7 are subject to such minor corrections as may be agreed upon by the Secretary and the company. The Secretary shall notify the Committee on Energy and Natural Resources of the United States Senate and the Committee on Natural Resources of the United States House of Representatives of any corrections made pursuant to the subsection. The maps shall be on file and available for public inspection in the office of Chief, Forest Service, United States Department of Agriculture.

(b) **TITLE OF LANDS CONVEYED TO THE UNITED STATES.**—The rights, title and interests to any lands conveyed to the United States in furtherance of section 4 in the Porcupine Area, section 5 in the Taylor Fork Area, and section 6 in the Gallatin Area shall, at a minimum, consist of the surface estate and all the subsurface rights except that the Secretary may accept title subject to outstanding or reserved oil and gas and geothermal rights, except that there shall be no surface occupancy permitted on such Federal lands for any access to reserved or outstanding rights or any exploration or development thereof. Notwithstanding any provision of State law, section 1323(a) of the Alaska National Interest Lands Conservation Act (16 U.S.C. 3210(a)), or similar law pertaining to access over federally owned land, no portion of lands acquired by the United States in furtherance of this Act shall be available for access to, or exploration or development of, any reserved or outstanding oil, gas, geothermal or other non-Federal property interest.

(c) **NATIONAL FOREST LANDS.**—All lands conveyed to the United States in furtherance of this Act shall be added to and administered as part of the National Forest system lands by the Secretary in accordance with the laws and regulations pertaining to the National Forest System. Until Congress determines otherwise, lands acquired within the Hyalite-Porcupine-Buffalo Horn Wilderness Study Area shall be managed so as to maintain the present wilderness character and potential for inclusion in the National Wilderness Preservation System in accordance with Public Law 95-150. Other lands acquired shall be subject to the Gallatin National Forest planning process under the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1601 et seq.).

The **CHAIRMAN.** Are there any amendments?

If not, the question is on the committee amendment in the nature of a substitute.

The committee amendment in the nature of a substitute was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose, and the Speaker pro tempore (Mr. MONTGOMERY) having assumed the chair, Mr. SKAGGS, chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 873) entitled the "Gallatin Range Consolidation and Protection Act of 1993," pursuant to House Resolution 173, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the committee amendment in the nature of a substitute.

The committee amendment in the nature of a substitute was agreed to.

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

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

MOTION TO RECOMMIT OFFERED BY MR. DELAY

Mr. DELAY. Mr. Speaker, I offer a motion to recommit with instructions.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. DELAY. I am opposed to the bill in its present form, Mr. Speaker.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. DELAY moves to recommit the bill H.R. 873 to the Committee on Natural Resources with instructions to reconsider the same and to report back promptly.

The SPEAKER pro tempore. The gentleman from Texas [Mr. DELAY] is recognized for 5 minutes in support of his motion to recommit.

Mr. DELAY. Mr. Speaker, I find myself in substantial agreement with the legislative intent for H.R. 873 of the gentleman from Montana [Mr. WILLIAMS] believe it or not, which is to consolidate the present unworkable checkerboard land ownership pattern in the Gallatin National Forest. It certainly makes sense to try to make the management of land easier and more cost efficient.

However, I believe this bill can be improved even further. Currently H.R. 873 allows for the Federal acquisition of land owned by Big Sky Lumber through purchases or exchange. I am offering a motion to recommit this bill with instructions requiring that the lands in this bill be acquired only through equal value land exchanges, both saving taxpayers money and preserving scarce Federal land management resources.

H.R. 873 would add 70,000 acres of tax generating private property to Federal ownership under the Forest Service at a time when resources are already scarce for existing Federal lands. Furthermore, acquiring more land is harmful to local economies, which lose tax revenue as a result. It is also fiscally irresponsible at this time when we are trying to cut costs and reduce our debt. The Federal Government already owns and manages 30 percent of the land in the United States, and over 60 percent of the land in the 13 western States. We do not need nor can we afford, more land.

The Congressional Budget Office estimates that purchase of these lands would cost a minimum of \$12 million and up to \$20 million in the next 5 years. CBO states that acquisition costs could be even higher since some of the land has yet to be appraised.

The proposed fiscal year 1994 budget for land acquisition is almost \$64 million. The cost of acquiring the land authorized by H.R. 873 would exhaust one-third of the U.S. Forest Service's entire land acquisition budget at once. Mr. Speaker, I don't think this is wise.

Three years ago—so you can imagine how much it's worth now—land managers for the nine Forest Service regions identified \$1 billion worth of private property adjacent to national forests that was considered to be threatened by development, giving it high priority status to be acquired by the Forest Service. How are we supposed to give so-called "high priority lands" the attention they require if we continue to purchase lands that are not absolutely necessary?

I realize that H.R. 873 already allows for the acquisition of this land through exchange. However, everyone knows that unless it is required, it will not happen because it is much easier just to shell out the money and buy the land.

This is a win-win situation—for the taxpayers, the environment, and the cherished institution of private property.

I would also like to point out that I have received letters of support for this motion to recommit from several large grassroots organizations for fiscal responsibility, including the National Taxpayers' Union, Americans for a Balanced Budget, and Americans for tax reform.

In sum, by acquiring this land through equal value land exchanges: First, consolidation of the Gallatin Range lands will take place for greater efficiency and their proper protection; second, there will be virtually no cost to the taxpayer; and third, no Federal land will be added to the current backlog.

How can we lose?

I urge my colleagues to vote for this motion to recommit with instructions.

Let me just say, Mr. Speaker, I think it is unfortunate that when the facts

are not on one's side and one wants to oppose a motion, avoiding the issue, that the intentions of Members are impugned. It just seems to me that this is a win-win situation where we are exchanging land instead of buying the land. I think that is the most cost-efficient way to go.

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

The SPEAKER pro tempore. The gentleman from Minnesota [Mr. VENTO] is recognized for 5 minutes.

Mr. VENTO. Mr. Speaker, I rise in opposition to the motion to recommit, in strong opposition.

Mr. Speaker, there is no need for the Natural Resources Committee to revisit this legislation. The committee has been working on this proposal for 6 years and has reported it out of committee twice before, once in the 100th Congress and again in the 102d Congress as part of more comprehensive Montana land policy proposals. The language has been analyzed and debated thoroughly. In this instance recommitting this bill would be without rhyme or reason but would cause a needless delay which would jeopardize the agreement with Big Sky Lumber, the affected private landowner. The option to purchase some of these lands expires in June. In reality, delay could be fatal to this measure and seal the fate of this key land acquisition. Frankly we should not restrict the Forest Service's authority to purchase lands in general and specifically not in this instance. The Forest Service has such authority now without this legislation and we should not take away its flexibility to acquire environmentally sensitive lands by whatever means—exchange or purchase is most appropriate for the given circumstance. We have a \$900 million Land and Water Conservation Fund [LWCF] for the purpose of purchasing such lands and property rights. Acquiring such ecologically sensitive lands as occur in the Gallatin Range is exactly why Congress established the LWCF.

Furthermore, we anticipate that most of the lands will be acquired through exchange rather than purchase. However, acre for acre land exchanges are nearly impossible to achieve and the Forest Service needs the ability to make cash equalization payments, necessary in order to balance values, as well as to acquire important lands for which an exchange is not feasible. We can not and should not dictate to property owners what they must do. Some prefer payment in cash not different tracts of land. Congress doesn't dictate to property owners rather we are responding to reality of the market place and the seller options.

Mr. Speaker, this motion is plainly an effort to delay and therefore undermine the land exchanges authorized by the bill, and in the end junking 6 years

of intense effort to consolidate national forest lands, a 70-year goal affecting the Yellowstone ecosystem. I strongly urge the House to reject this effort and defeat the motion to recommit.

Mr. Speaker, I yield the balance of my time to the gentleman from Montana [Mr. WILLIAMS].

Mr. WILLIAMS. Mr. Speaker, I cannot impress upon the Members enough about the importance of the moment. We are facing a land disaster just north of Yellowstone Park unless we can consummate a trade that has taken 14 years of intense work and 7 years of consideration to consummate. We either pass this bill through the House and Senate and have it signed into law by late spring, or the bulldozers will start, the land will be roaded, the land will be harvested, including clearcuts, the land will be developed and lost forever as a pristine area north of Yellowstone Park, lost forever as a critical migratory route for some of the Nation's great large land animals, lost forever as a headwaters and a great fishery for some of this Nation's most pristine waterways: streams, creeks, and rivers.

The House is now at a moment where we are about to culminate in this body 7 years of negotiations and work. The private sector is at the table, including timber companies and real estate developers. Local merchants want this done. The Federal Government wants it done. I urge this House to vote no on the motion to recommit and yes on this legislation.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit. The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. DELAY. 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 128, nays 287, not voting 17, as follows:

[Roll No. 174]

YEAS—128

Allard	Bliley	Cox
Archer	Boehner	Crane
Army	Bonilla	Cunningham
Bachus (AL)	Bunning	DeLay
Baker (CA)	Burton	Diaz-Balart
Baker (LA)	Buyer	Doolittle
Ballenger	Callahan	Dornan
Barrett (NE)	Calvert	Dreier
Bartlett	Camp	Duncan
Barton	Canady	Dunn
Bateman	Castle	Everett
Bentley	Coble	Ewing
Bereuter	Collins (GA)	Fawell
Bilirakis	Combest	Fields (TX)

Fowler	Lazio	Ros-Lehtinen
Franks (NJ)	Levy	Royce
Gallegly	Lewis (CA)	Santorum
Gekas	Lewis (FL)	Saxton
Goodlatte	Lightfoot	Schaefer
Goodling	Linder	Sensenbrenner
Goss	Manzullo	Shaw
Grams	McCandless	Shuster
Hancock	McCrery	Smith (MI)
Hefley	McHugh	Smith (OR)
Hergert	McInnis	Smith (TX)
Hobson	McKeon	Solomon
Hoekstra	McMillan	Spence
Hoke	Meyers	Stearns
Horn	Mica	Stump
Houghton	Michel	Sundquist
Huffington	Miller (FL)	Talent
Hutchinson	Moorhead	Taylor (NC)
Hyde	Nussle	Thomas (CA)
Inglis	Orton	Thomas (WY)
Inhofe	Oxley	Upton
Istook	Packard	Vucanovich
Johnson, Sam	Paxon	Walker
Kasich	Pombo	Wolf
Kim	Pryce (OH)	Young (AK)
King	Quillen	Young (FL)
Kingston	Quinn	Zeliff
Knollenberg	Rogers	Zimmer
Kyl	Rohrabacher	

NAYS—287

Abercrombie	Emerson	Kildee
Ackerman	Engel	Klecza
Andrews (ME)	English (AZ)	Klein
Andrews (NJ)	Eshoo	Klink
Andrews (TX)	Evans	Klug
Applegate	Fazio	Kolbe
Bacchus (FL)	Fields (LA)	Kopetski
Baesler	Filner	Kreidler
Barcia	Fingerhut	Lambert
Barlow	Fish	Lancaster
Barrett (WI)	Flake	Lantos
Bellenson	Foglietta	LaRocco
Berman	Ford (MI)	Laughlin
Bevill	Ford (TN)	Lehman
Bilbray	Frank (MA)	Levin
Bishop	Franks (CT)	Lewis (GA)
Blackwell	Frost	Lipinski
Blute	Gallo	Lloyd
Boehert	Gejdenson	Long
Bonior	Gephardt	Lowe
Borski	Geren	Machtley
Boucher	Gibbons	Maloney
Brewster	Gilchrist	Mann
Brooks	Gillmor	Manton
Browder	Gilman	Margolies-
Brown (CA)	Gingrich	Mezvinsky
Brown (FL)	Glickman	Markey
Brown (OH)	Gonzalez	Martinez
Bryant	Gordon	Matsui
Byrne	Grandy	Mazzoli
Cantwell	Green	McCloskey
Cardin	Greenwood	McCollum
Carr	Gunderson	McCurdy
Chapman	Hall (OH)	McDade
Clay	Hall (TX)	McDermott
Clayton	Hamburge	McHale
Clement	Hamilton	McKinney
Clinger	Hansen	McNulty
Clyburn	Harman	Meehan
Coleman	Hastert	Meek
Collins (IL)	Hastings	Mfume
Collins (MI)	Hayes	Miller (CA)
Condit	Hefner	Mineta
Conyers	Hilliard	Minge
Cooper	Hinchee	Mink
Coppersmith	Hoagland	Moakley
Costello	Hochbrueckner	Molinar
Coyne	Holden	Mollohan
Cramer	Hoyer	Montgomery
Danner	Hughes	Moran
Darden	Hunter	Morella
Deal	Hutto	Murphy
DeFazio	Inslee	Murtha
DeLauro	Jacobs	Myers
Dellums	Jefferson	Nadler
Derrick	Johnson (CT)	Natcher
Deutsch	Johnson (GA)	Neal (MA)
Dickey	Johnson (SD)	Neal (NC)
Dicks	Johnson, E. B.	Oberstar
Dingell	Johnston	Obey
Dooley	Kanjorski	Oliver
Durbin	Kaptur	Ortiz
Edwards (CA)	Kennedy	Owens
Edwards (TX)	Kennelly	

Pallone	Roybal-Allard	Swift
Parker	Rush	Tanner
Pastor	Sabo	Tauzin
Payne (NJ)	Sangmeister	Taylor (MS)
Payne (VA)	Sarpalius	Tejeda
Pelosi	Sawyer	Thornton
Penny	Schenk	Thurman
Peterson (FL)	Schiff	Torkildsen
Peterson (MN)	Schroeder	Torres
Petri	Schumer	Towns
Pickett	Scott	Trafilant
Pickle	Serrano	Tucker
Pomeroy	Sharp	Unsoeld
Porter	Shays	Valentine
Portman	Shepherd	Velazquez
Poshard	Sisisky	Vento
Price (NC)	Skaggs	Visclosky
Rahall	Skeen	Volkmer
Ramstad	Skelton	Walsh
Ravenel	Slattery	Washington
Reed	Slaughter	Watt
Regula	Smith (IA)	Waxman
Reynolds	Smith (NJ)	Weldon
Richardson	Snowe	Wheat
Ridge	Spratt	Whitten
Roberts	Stark	Williams
Roemer	Stenholm	Wilson
Rose	Stokes	Wise
Rostenkowski	Strickland	Woolsey
Roth	Studds	Wyden
Roukema	Stupak	Wynn
Rowland	Swett	Yates

NOT VOTING—17

Becerra	Gutierrez	Sanders
Crapo	Henry	Synar
de la Garza	Leach	Thompson
Dixon	Livingston	Torricelli
English (OK)	Menendez	Waters
Furse	Rangel	

□ 1400

The Clerk announced the following pair:

On this vote:

Mr. Crapo for, with Mr. Rangel against.

Mr. WHEAT and Mr. RIDGE changed their vote from "yea" to "nay."

Ms. DUNN and Mr. DORNAN changed their vote from "nay" to "yea."

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

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

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

Mr. VENTO. 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 317, nays 101, not voting 14, as follows:

[Roll No. 175]

YEAS—317

Abercrombie	Bilbray	Cardin
Ackerman	Bilirakis	Carr
Andrews (ME)	Bishop	Chapman
Andrews (NJ)	Blackwell	Clay
Andrews (TX)	Blute	Clayton
Applegate	Boehert	Clement
Archer	Bonior	Clinger
Bacchus (FL)	Borski	Clyburn
Baesler	Boucher	Coleman
Barcia	Brooks	Collins (IL)
Barlow	Browder	Collins (MI)
Barrett (WI)	Brown (CA)	Conyers
Bateman	Brown (FL)	Cooper
Becerra	Brown (OH)	Coppersmith
Bellenson	Bryant	Costello
Bereuter	Byrne	Cox
Berman	Canady	Coyne
Bevill	Cantwell	Cramer

Cunningham
Danner
Darden
Deal
DeFazio
DeLauro
Dellums
Derrick
Deutsch
Dicks
Dingell
Dooley
Dornan
Dreier
Durbin
Edwards (CA)
Edwards (TX)
Emerson
Engel
English (AZ)
Eshoo
Evans
Fazio
Fields (LA)
Filner
Fingerhut
Fish
Flake
Foglietta
Ford (MI)
Ford (TN)
Fowler
Frank (MA)
Franks (CT)
Frost
Gallo
Gejdenson
Gekas
Gephardt
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Gingrich
Glickman
Gonzalez
Gordon
Grandy
Green
Greenwood
Gunderson
Hall (OH)
Hamburg
Hamilton
Hansen
Harman
Hastert
Hastings
Hayes
Hefley
Hefner
Hilliard
Hinchey
Hoagland
Hobson
Hochbrueckner
Hoke
Holden
Horn
Hoyer
Huffington
Hughes
Hunter
Hutto
Inslie
Jacobs
Jefferson
Johnson (CT)
Johnson (GA)
Johnson (SD)
Johnson, E.B.
Johnston
Kanjorski
Kaptur
Kennedy
Kennelly
Kildee

Kingston
Klecza
Klein
Klink
Klug
Kolbe
Kopetski
Kreidler
LaFalce
Lambert
Lancaster
Lantos
LaRocco
Laughlin
Lehman
Levin
Lewis (CA)
Lewis (GA)
Lipinski
Lloyd
Long
Lowey
Machtley
Maloney
Mann
Manton
Margolies-
Mezvinsky
Markey
Martinez
Matsui
Mazzoli
McCloskey
McCollum
McCrery
McCurdy
McDade
McDermott
McHale
McKinney
McNulty
Meehan
Meek
Meyers
Mfume
Miller (CA)
Mineta
Minge
Mink
Moakley
Molinari
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)
Petri
Pickett
Pickle
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Rahall
Ramstad
Ravens

Reed
Regula
Reynolds
Richardson
Ridge
Roberts
Roemer
Ros-Lehtinen
Rose
Rostenkowski
Roth
Roukema
Rowland
Roybal-Allard
Rush
Sabo
Sanders
Sangmeister
Santorum
Sarpalius
Sawyer
Saxton
Schenk
Schiff
Schroeder
Schumer
Scott
Serrano
Sharp
Shaw
Shays
Shepherd
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (IA)
Smith (NJ)
Smith (TX)
Snowe
Spence
Spratt
Stark
Stokes
Strickland
Studds
Stupak
Swett
Swift
Talent
Tanner
Tauzin
Taylor (MS)
Tejeda
Thomas (WY)
Thornton
Thurman
Torkildsen
Torres
Towns
Traficant
Tucker
Unsoeld
Upton
Valentine
Velazquez
Vento
Visclosky
Volkmer
Walsh
Washington
Waters
Watt
Waxman
Weldon
Wheat
Whitten
Williams
Wilson
Wise
Woolsey
Wyden
Wynn
Yates
Young (AK)
Zimmer

NAYS—101

Allard
Army
Bachus (AL)
Baker (CA)
Baker (LA)
Ballenger
Barrett (NE)
Bartlett
Barton
Bentley
Bilely
Boehner
Bonilla
Brewster
Bunning

Burton
Buyer
Callahan
Calvert
Camp
Castle
Coble
Collins (GA)
Combest
Condit
Crane
DeLay
Diaz-Balart
Dickey
Doolittle
Duncan
Dunn
Everett
Ewing
Fawell
Fields (TX)
Franks (NJ)
Gallegly
Goodlatte
Goodling
Goss
Grams
Hall (TX)
Hancock

Herger
Hoekstra
Houghton
Hutchinson
Hyde
Inglis
Inhofe
Istook
Johnson, Sam
Kasich
Kim
King
Knollenberg
Ky
Lazio
Levy
Lewis (FL)
Lightfoot
Linder
Manzullo
McCandless
McHugh
McInnis
McKeon
McMillan
Mica
Michel
Miller (FL)
Moorhead

NOT VOTING—14

Crapo
de la Garza
Dixon
English (OK)
Furse
Gutierrez
Henry
Leach
Livingston
Menendez
Rangel
Synar
Thompson
Torricelli

□ 1410

The Clerk announced the following pair:

On this vote:

Mr. Rangel for; with Mr. Crapo against.

So the bill was passed.

The result of the vote was announced as above recorded.

The title of the bill was amended so as to read: "A bill to provide for the consolidation and protection of the Gallatin Range."

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. VENTO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include therein extraneous material on H.R. 873, the bill just passed.

The SPEAKER pro tempore (Mr. MONTGOMERY). Is there objection to the request of the gentleman from Minnesota?

There was no objection.

WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT AND AGAINST CONSIDERATION OF CONFERENCE REPORT ON S. 1, NATIONAL INSTITUTES OF HEALTH REVITALIZATION ACT OF 1993

Mr. MOAKLEY, from the Committee on Rules, submitted a privileged report (Rept. No. 103-101) on the resolution (H. Res. 179) waiving points of order against the conference report to accompany the bill (S. 1) to amend the Public Health Service Act to revise and extend the programs of the National

Institutes of Health, and for other purposes, and against consideration of such conference report which was referred to the House Calendar and ordered to be printed.

LEGISLATIVE PROGRAM

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

Mr. MICHEL. Mr. Speaker, I have asked for this time to inquire of the distinguished majority leader the program for next week.

Mr. Speaker, I yield to the gentleman from Missouri.

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

Obviously, business is finished for today. There will not be votes tomorrow.

On Monday, May 24, the House will meet at 3 p.m. to take up four bills on suspensions. The votes I would estimate would begin about 4 o'clock in the afternoon.

The bills are as follows:

1. H.R. 996—Veterans' Education Outreach Program.
2. H.R. 1723—CIA Voluntary Separation Pay Act.
3. H.R. 1779—to Designate the Jerry L. Litton Post Office Building.
4. H.R. 588—to Designate the Abe Murdock Post Office Building.

H.R. 1159—Passenger Vessel Safety Act (rule and general debate only).

□ 1420

On Tuesday, May 25; Wednesday, May 26; Thursday, May 27, and possibly Friday, the House will meet at noon on Tuesday, meet at 10 a.m. on Wednesday and Thursday, to take up Senate Joint Resolution 45 to authorize U.S. Forces in Somalia; S. 1, NIH Revitalization Act of 1993, conference report subject to a rule; H.R. 1159, the Passenger Vessel Safety Act, complete consideration; H.R. 2118, the fiscal year 1993 General Supplemental Appropriations, and then a House Resolution on the Second Supplemental Appropriations Bill/Preinvestment Program, subject to a rule, and the Omnibus Budget Reconciliation Act of 1993, again subject to a rule.

We do not necessarily anticipate votes on Friday, but one never knows in this kind of a week whether or not there will be votes on Friday, but we hope there will not be.

Mr. MICHEL. Might I inquire if there is going to be any attempt to marry up those two appropriation bills, or will they be definitely considered separately, the real legitimate supplemental, and then, as I understand it, there is some move afoot to do something with respect to jobs as a result of the earlier measure going down. But is there any effort to put those two together? Will they just be each standing on their own?

Mr. GEPHARDT. I am not entirely sure, first of all, as to whether or not the second bill can be put together and what will be in it in terms of ways to pay for the spending parts of the bill, and I am not certain at this point whether or not it will be one bill. At this point the plan is to have two bills.

Mr. MICHEL. And if the gentleman says the reconciliation measure will come up subject to a rule, is there any indication at all that that rule will be anything other than a closed rule on reconciliation?

Mr. GEPHARDT. I think we can assume that it may not be as open as the rule was on the competitiveness bill. But what it will be I am not sure at this point. I am certain that the minority will be afforded the ability, at the minimum, to have an alternative proposal to reconciliation, if there is a desire to do that.

Mr. MICHEL. Might I inquire that, if there were real trouble on that particular rule, would there be more inclination to reconsider that again after we came back from our Memorial Day recess as distinguished from running into Friday? Is there any sense on that?

As the gentleman knows, at one time, I think in my conversations informally with the gentleman, and the Speaker and the chairman of the Committee on Ways and Means, they definitely wanted to have reconciliation out before we broke for the recess, and I guess that is what I am asking. Is that an absolute imperative?

Mr. GEPHARDT. It is our intense desire to get this bill finished before the Memorial Day break, and we hope to be able to complete it by the end of business on Thursday. But obviously, if for some reason we cannot get it done on Thursday, but could get it done on Friday, we will want to stay Friday and do that.

Mr. MICHEL. Mr. Speaker, I thank the gentleman from Missouri [Mr. GEPHARDT].

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

Mr. MICHEL. I yield to the gentleman from Georgia.

Mr. GINGRICH. Mr. Speaker, I thank the gentleman from Illinois [Mr. MICHEL], the minority leader, for yielding to me. I want to ask the distinguished majority leader something.

I noticed a couple of hours ago that Senators BOREN and DANFORTH apparently introduced, or proposed, a new budget bill, which seems to have the majority on the Senate Finance Committee, which would eliminate the energy tax, eliminate the increase in inland waterways fuel tax, eliminate the retroactivity back to January 1 on the income taxes, and index capital gains, and I was curious whether there would be a rule which would specifically permit an amendment on four items: the energy tax, the senior citizens tax, retroactivity and the restaurant tax increase.

The reason I ask that is the majority leader knows it is possible to design the rule in such a way that, while we have the appearance of being allowed to offer an alternative, the effect of the rule is to block us. We would far prefer, for example, to have a simple, clean, honest amendment on the energy tax or a simple, clean, direct amendment on the senior citizens tax, and I wonder if the majority leader might have any thoughts on whether something like the Boren-Danforth elimination of the energy tax which might occur in the other body creates the opportunity for us to eliminate it here first rather than allowing them to get all the credit.

Mr. GEPHARDT. Mr. Speaker, if the gentleman would yield, we obviously will consider seriously any proposal that the minority or others want to make with regard to the rule.

I also noted that the Boren-Danforth amendment cut out Social Security COLA's, and obviously some may want to bring that up as well as a result of wanting to have a full alternative in front of the Members. But we will certainly entertain all serious suggestions and try to construct a rule that fairly presents alternatives.

Mr. MICHEL. Mr. Speaker, before yielding one more time to the distinguished gentleman from Georgia [Mr. GINGRICH], am I not correct that testimony would be taken before the Committee on Rules then on Wednesday on the rule for reconciliation?

Mr. GEPHARDT. We have not definitely scheduled it, but the idea at this point is to have that on Wednesday.

Mr. MICHEL. I thank the gentleman from Missouri [Mr. GEPHARDT].

Mr. GINGRICH. Mr. Speaker, I just want to make one other observation which the majority leader made and I am yet to be aware of. Apparently about an hour ago the Committee on Government Operations rose without considering how to write the so-called trust funding legislation the President suggested. There is a rumor on the floor that the rule might become self-enacting in such a way that the Members would never actually have seen, no committee would have looked at this very complicated and new idea of a trust fund, and I would hope that we would have some freestanding opportunity, either in the Committee on Government Operations or, if necessary, on the floor, but that we would not be faced with a self-enacting rule on an idea which no Members would have yet heard about, and I do not know if the majority leader might be able to reassure us of that or not.

Mr. GEPHARDT. I am aware that the committee rose.

As the gentleman knows, the Committee on Rules also has jurisdiction over budget procedure. I am sure that, if it is brought up, it will be considered there, and we will try to have appropriate consideration of it on the floor.

Mr. GINGRICH. Mr. Speaker, I thank the gentleman from Missouri [Mr. GEPHARDT].

Mr. MICHEL. Mr. Speaker, I thank the distinguished majority leader.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

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

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

There was no objection.

HOURLY OF MEETING ON MONDAY, MAY 24, 1993

Mr. GEPHARDT. Mr. speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 3 p.m. on Monday next.

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

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H. RES. 19, H. RES. 20, H. RES. 23 AND H. RES. 30

Mr. MEEHAN. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor from the following resolutions: H. Res. 19, H. Res. 20, H. Res. 23 and H. Res. 30.

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

There was no objection.

VACATION OF SPECIAL ORDER AND REINSTATEMENT OF SPECIAL ORDER

Mr. PASTOR. Mr. Speaker, I ask unanimous consent to change the 60-minute special order on May 20, 1993, for the gentleman from Florida [Mr. BACCHUS] to a 5-minute special order.

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

There was no objection.

CUTS IN THE MILITARY AND MISUSE OF HOUSE LEGAL COUNSEL

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

Mr. DORNAN. Mr. Speaker, a little arithmetic about my good colleague from flyover middle heartland America [Mr. SLATTERY], all the cuts the gentleman talked about a few moments

ago, if you add them up it comes to \$165.6 billion. That is about half of next year's and the next year's deficit. I did a little arithmetic. Almost 70 percent is gutting the U.S. military, what our colleague from Rhode Island [Mr. MACHTLEY] was talking about.

Mr. Speaker, I do not mean to be like Mort Sahl here, but in this morning's paper, the Washington Times, the Inside the Beltway section, is a letter to you, Mr. Speaker, by me. It is called "Hillary Hill." That is their title.

It appears that at least one member of our House legislative counsel staff is neglecting his duties while working instead for Hillary Rodham Clinton.

It says in a letter sent by BOB DORNAN to House Speaker TOM FOLEY:

I point out over the last few weeks that we haven't had our own legislative counsel work done in a timely manner. Who is paying for these people? Did this ever happen during the Bush-Reagan years? Are there any other people seconded to the Executive Branch at our expense?

I submit for the RECORD, Mr. Speaker, the entire Washington Times news background column.

I also submit for the RECORD another key health care column by David Gergen on Clinton's runaway pro-abortion plans for America.

HILLARY HILL

It appears that at least one member of the House Legislative Counsel's staff is neglecting his duties while working instead for Hillary Rodham Clinton.

In a letter sent yesterday to House Speaker Thomas S. Foley, Rep. Bob Dornan, California Republican, points out that over the last few weeks, many members of the House, Republicans and Democrats alike, have been working with the Legislative Counsel's Office to draft health care bills in anticipation of Mrs. Clinton's Health Care Task Force Report. And many of the congressmen, he complains, are encountering "excessive delays" in drafting their bills.

"I noticed that, unlike past experience, the office was not working in a very timely manner," Mr. Dornan told Mr. Foley. "Our further inquiry, I was told that at least one of the senior staff members (who is responsible for health care and immigration legislation) was working for the Clintons' Health Care Task Force.

"While I understand the enthusiasm that many members of the House feel for the new administration, I don't think that it is appropriate for staff members * * * to be working for the administration."

Mr. Dornan told Mr. Foley he would like to know how many House staffers are currently working for the executive branch, who authorized the work, how many hours a week they are working for Mrs. Clinton, whether they are being paid with House funds while working for the administration, whether any staffers in the past conducted work for either the Reagan or Bush administrations, and what action is being taken to correct the situation and discipline those responsible.

[From the U.S. News & World Report, April 19, 1993]

CLINTON'S ABORTION PROBLEM (By David Gergen)

As candidate, Bill Clinton repeatedly promised that if he was elected, abortions in

the United States would be "safe and legal but rare." As president, he seems intent on keeping the first two thirds of that promise. He is in serious danger, however, of breaking the last third.

In the past few weeks, the administration has announced it will work with Congress to lift the ban on federal funding of abortions under Medicaid. It has said health insurance policies for federal workers will henceforth cover abortion. And Health and Human Services Secretary Donna Shalala has suggested that health system reform should include universal insurance coverage for abortion. Apparently abortion is to be treated as a routine medical procedure easily available to all—no questions, no costs, no issues of morality or personal responsibility. This will make abortions "rare"?

In its eagerness to please the absolutists of its own party and defeat those on the other side, the administration threatens to ride roughshod over the sensibilities of most Americans struggling somewhere in between. Polls in recent years have shown that a majority have slowly reached an uneasy consensus on abortion: They don't like it, but they are willing to accept it—grudgingly. Three quarters have told Gallup pollsters, for example, that they disapprove of abortion; a third consider it murder, but most also think it should be legal.

Where most Americans have drawn the line is on paying for other people's abortions, especially abortions on demand. In an ABC-Washington Post survey last year 69 percent of those polled said the federal government should not pay "for an abortion for any woman who wants it and cannot afford to pay." Strikingly, a 1992 survey for Reader's Digest by Richard Wirthlin found that poorer Americans are the most opposed to federal funding: Among those earning less than \$15,000 a year, opposition ran 63 to 32 percent against funding, while those making over \$60,000 favored it by 57 to 41 percent! Is Clinton listening to the people he wants to help?

The Hyde Amendment barring federal funds for most abortions first became effective in 1977 with the support of a president whose commitment to human rights is beyond question. Jimmy Carter (Like this writer) was pro-choice but had deep reservations about the government financing abortions. He thought the government should stay out of a woman's decision, not blocking her but not encouraging her, either. By paying, the government sends the wrong moral message.

There is a real possibility that if Clinton prevails, the number of abortions will soar again. The Alan Guttmacher Institute records that in 1972, a year before the Supreme Court issued the Roe v. Wade decision and Washington began to pay for abortions, only 12.9 percent of pregnancies in America ended in abortion. By 1976, that percentage had doubled to 23.1. The federal government by then was paying for a third of all abortions. Since the Hyde amendment took effect, the percentage of abortions has stabilized at roughly 25 percent of pregnancies.

Those who want to reverse course say the Hyde Amendment makes abortion unavailable to poor women. That is not really true: Guttmacher finds that poor women are three times more likely to have an abortion than are others. Yet, the question of fairness is pertinent and indeed makes the issue so horribly difficult. There is no doubt that many poor women, especially unwed pregnant teenagers, carry burdens that are intolerably heavy. But in moving to help them, as we must, we must also act wisely.

Far better than opening the floodgates to universal abortion on demand, funded by taxpayers, we should work to ensure that every child who comes into the world is wanted and has a decent chance in life. We should start by taking more aggressive action to prevent undesired pregnancies. Sweden has embraced strong sex education and birth control programs, for example, and has seen its abortion rate decline sharply. Wrongheadedly, America under the past two administrations slashed federal funds for contraceptive services. In addition—and here Clinton deserves credit for moving in the right direction—the country should provide stronger medical and child support for women who bring children to term. What we need, then, are policies that show compassion toward women as well as a high ethical regard toward unborn children. We stand in danger of having neither.

□ 1430

The SPEAKER pro tempore (Miss COLLINS of Michigan). Under a previous order of the House, the gentleman from Maryland [Mr. BARTLETT] is recognized for 5 minutes.

[Mr. BARTLETT of Maryland addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois [Mrs. COLLINS] is recognized for 5 minutes.

[Mrs. COLLINS of Illinois addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.]

HIGHWAY CONSTRUCTION PRIVATE INVESTMENT ACT OF 1993

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

Mr. KIM. Mr. Speaker, today I introduced the Highway Construction Private Investment Act of 1993. The goal of this legislation is to encourage private investment in public infrastructure improvements. The result of this innovative legislation will be more roads and bridges for America without costing the taxpayer one penny more.

I believe the time has come for this innovative approach to create more jobs without tax increases. First, public works projects have traditionally been financed only by the Government. But these projects truly are capital investment, so why not allow private investment opportunities?

The private sector is always looking for a sound investment. Public projects, such as new highways, bridges, and tunnels with a guaranteed rate of return will attract these private sector investments.

Second, the public sector is always looking for more projects. While this year alone the Federal Government has

authorized more than \$26 billion for roadway construction, there are simply more needs than available funds. This private-public partnership I am proposing today addresses both needs. It is a win-win situation.

Third, investment in infrastructure is the most cost-effective economic stimulus. It creates thousands of quality jobs and improves the lives of every American.

Without modern transportation systems, we will be less competitive in international markets. Through improved competitiveness and economic growth, investment in infrastructure can help create millions of jobs and restore genuine prosperity to many American families. Clearly this is a worthwhile initiative.

Essentially my bill shall encourage the State highway departments to attract private investment for up to 25 percent of their projects. That means that citizens of States actually get up to 125 percent of their roadbuilding needs satisfied.

These privately funded projects would actually be owned and maintained for a mutually agreed to amount of time by the private investors. Tolls and other revenue generators would be allowed to provide the necessary return of their investment.

I believe many in the private sector would see this as a golden investment opportunity. Unlike worthless junk bonds or stock that may lose value in a matter of minutes, transportation infrastructure is truly a solid investment with guaranteed returns. It is a safe place to invest pension funds, private savings, and the like.

The public directly benefits, too. Capital invested in junk bonds, foreign currency, gold, and even ordinary savings accounts, provides far less economic stimulus and real job creation than investment in infrastructure.

Mr. Speaker, I hope that the American public, in learning about this cost-effective job-creating legislation which I introduced today, will contact their own Congressmen, urging cosponsorship of my bill. This highway construction private investment bill proves that real jobs, real economic stimulus, and maximum infrastructure development, can happen without more taxes spent.

If we are creative and use business common sense, just as my bill does, we can accomplish much needed infrastructure without costing our taxpayer one penny more.

This is the kind of change the American public wants to see in Congress, new ideas that provide great benefit without new cost. While my bill targets only certain transportation projects, I believe it can serve as a positive model for private-public partnerships in many other traditionally Government-only programs.

Mr. Speaker, I strongly believe that the more we run Government like a

business, the greater the chance we have of eliminating the deficit and balancing the budget without new tax increases. I envision this legislation as an important first step in this direction. It is a refreshing, much needed change.

CONGRESSIONAL MANUFACTURING TASK FORCE

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

Mr. MEEHAN. Madam Speaker, this week I joined with the gentleman from New Jersey [Mr. FRANKS], a Republican freshman, to form a manufacturing task force for the Congress of the United States to deal with the problems of manufacturing that have plagued the Midwest and Northeast sections of this country.

In Massachusetts in the late eighties we have lost 230,000 manufacturing jobs. The time has come to develop a policy within the Congress, within the Senate and the House, and within the Government in Washington, to have a policy that makes sense with regard to manufacturing.

It does not make much sense if by the year 2000 25 percent of the dollars that we spend in the Federal Government will go to interest on the national debt. We have seen our manufacturing base erode. In 1970 26 percent of the jobs in the United States were manufacturing. Today that figure is 17 percent, while the Germans and the Japanese have been dominating. Thirty-three percent of the companies in Japan are manufacturing companies and 30 percent of the companies in Germany are manufacturing companies.

Madam Speaker, as a new Member of Congress, I think it is time to put aside partisan politics and work to solve some of the difficult problems that we face. We will look at issues such as the tax structure and the implications of a tax cut, a capital gains tax cut, targeted toward long-term investment, investment tax credits for small companies, and, finally, a policy to encourage savings.

Eighty percent of a company's capital comes from the savings that company is able to generate. We do not have to look very far but look at the inability of the United States to encourage people to save to find out why companies cannot get loans from banks in order to start new companies in the emerging technology business.

Madam Speaker, I would ask my colleagues in the House to join with the gentleman from New Jersey [Mr. FRANKS] and me to form this manufacturing caucus and finally put America back to work.

□ 1440

THE BUDGET

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

Mr. THOMAS of Wyoming. Madam Speaker, I want to talk a little bit about the budget. That, of course, is what is on all of our minds these days and, indeed, should be. And we will be dealing with it starting next week on through the summer.

Talking about how do you do something about the deficit, how do you do something about the size of Government, how do you do something about the economy. Not a new problem, but one that gets increasingly worse.

Let me just give you a very simple number that shows how important it is that we finally do something about the deficit. All of us paid our taxes on the 15th of April this year. Fifty-seven cents, fifty-seven cents out of every income tax dollar you and I sent in last month as personal income tax will go to pay debt service on the national debt. That is a pretty scary figure.

Let me read you something out of the Reader's Digest. It says, "We Must Control Federal Spending." That is the title.

The first line of the story reads:

Today we, as the United States, face exceedingly serious fiscal problems with both domestic and international implications. All of us must come to grips with the crucial question, can we put limitations on federal spending? I believe the answer must be yes, if we are to keep our economy strong. I also know, from long experience, the task will be difficult. The broad variety of demands that hit the Congress one day last winter is indicative of the problem confronting us.

Sound fairly familiar? It came from the Reader's Digest of July 1968. A lady, a friend of mine in Saratoga, WY, said she retired this year and was going back through back copies of Reader's Digest. She had quite a few. And this was Wilbur Mills, the former chairman of the Committee on Ways and Means, struggling with the idea of how do you do something about spending.

Let me read you another quotation. This is from the now-Director of the OMB. He says:

We thought somehow that we could have it all, that we could cut taxes, we could raise spending. We could increase benefits, and no one would have to pay. The bill would never come due. The bill has come due and we've got to pay it. Tonight is the night we take that step. To the credit of the President, he is willing to take the step and provide the leadership; provide the leadership to raise taxes.

That is from the CONGRESSIONAL RECORD of 1990, when Leon Panetta was talking about the 1990 deal.

We did raise taxes. We did not do anything about the deficit.

The fact is, there is only two ways to do something about the deficit. One, of

course, is to raise taxes and dedicate that to it. The other is to cut spending.

Now, we have tried raising taxes. I do not know of anyone who has had any experience in any country with creating prosperity by raising taxes.

It seems to me, and particularly in this instance where the taxes that are going to be raised are going to be used for additional spending, we have to cut spending.

I talked to my son the other day about what was going on here. He lives in Wyoming also, and he said:

I think people really want some honesty in what is going on in government. They want some honest talk. They are kind of tired of talking about investments, which means spending; tired of talking about sacrifice, which means taxes, and that leaders in this country ought to be able to just lay it out there.

We are always talking about what the American people want. Nobody knows what they want, but I know what I want, and I am an American people.

I want to balance the budget here. I want to reduce the deficit here. And the kinds of things we are doing now have no meaning, honestly, on that way.

The way you measure whether you are going anything or not is you measure the debt. The proposal that is going to be before us next week increases the debt \$1 trillion in the next 4 years. That is exactly what has happened in the last 4 years.

We are not being honest. We talk about cuts. What we mean, when we talk about cuts, is cutting from the increase that is already built in. Not cuts.

Most of us, when we talk about cuts, we think we are talking about spending less next year than we spend last year. That is not Washingtonese.

We need to be honest about it. It seems to me it is fairly clear that what we need to do is encourage the business community.

We need jobs. Small business creates jobs. No one has created jobs by raising taxes.

You create jobs by encouraging the private sector, by having an environment in which the private sector can function, by reducing regulation. We have an overburden of regulation and mandates that has made it so expensive for a small businessman to seek to create a job that you can see the result.

It is more overtime. It is more part-time, because it is too expensive, too expensive because of congressional actions to create a job.

My colleagues, we need to deal with this issue, and we can do it if we do it honestly. I think all of us are willing to do what is necessary, but we somehow know that new taxes are not going to be used to reduce the deficit. They are going to be used to have more Government.

We need less Government, rather than more. We need to be honest with ourselves about the deficit, and we need to start next week.

CUBAN INDEPENDENCE DAY ADDRESS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey [Mr. MENENDEZ] is recognized for 60 minutes.

Mr. MENENDEZ. Madam Speaker, today I stand in solidarity with Cubans throughout the entire world, and especially with my fellow Cuban-Americans to commemorate May 20, Cuban Independence Day. I am honored to address you today as a member of the U.S. House of Representatives. I would like my first words, like those of Cuban patriot Jose Marti, to be for Cuba, a nation which suffers.

I speak to you today with a feeling of immense pride in the heritage we share: In the spirit of Cuban independence heroes Jose Marti, Antonio Maceo, Felix Varela, Ignacio Agramonte, and many more great Cubans who, like their American Revolutionary counterparts, struggled and sacrificed—and even died—so that their dream of freedom could become a reality. Thanks to them it happened on May 20, 1902, but only after much blood was spilled on Cuban soil.

A REPUBLIC IS BORN

Exactly 91 years ago today, the Cuban Republic was born. It emerged after many years of struggle in which Cuba's patriots, like thousands of Cuban-American families today, found refuge and solidarity in the United States.

On May 20, 1902, United States forces withdrew from Cuba and an American military governor turned over the Government of Cuba to the first elected President of Cuba.

The aspirations for independence of both Cuba and the United States have been intertwined for years. United States Forces played a role in the final withdrawal of Spanish forces from Cuba; the Cuban people played a not insignificant role in support of General Washington in the American Revolutionary War, providing material assistance to the Americans at a critical time in 1781. It was this kind of assistance from through the world that enabled the American Revolutionary Army to advance to victory.

Cuban independence was long in coming. Cuba was the last country in Latin America to win its independence from the Spanish Empire. Cubans of the 19th century wanted to join their independent Latin American neighbors from Mexico in the north to Argentina in the south. The first Cuban war of independence began in 1868, but it would take 34 years for Cubans to secure their independence from Spain.

Mr. Speaker, it has now been 34 years since Cuba has been held hostage by dictator Fidel Castro. Once again, Cuban Independence has been long in coming. Yet I say to you today that it will not be much longer before a new era of independence dawns in Cuba.

I speak today to unveil the truth about Fidel Castro's unspeakable horrors, the political prisoners, the firing squads, the torture, the beatings, the human deprivation, the intentional starving of a people, and the threat of nuclear proliferation only 90 miles from our country.

By speaking out against these injustices and revealing the truth of Cuba under Castro, I hope to set the record straight, dispel the myths and strip him of the romantic mask he has assumed, exposing him for the ruthless tyrant he is.

COMMUNIST CUBA ISOLATED AND EXPOSED

For the first time in its history Castro's revolution stands not only isolated but also exposed. Due to a severe reduction in trade and subsidies from the former eastern bloc, Cuba's Communist system has been left to stand on its own two feet. And Castro has little to show for it. Left to its own resources that Communist economy may not be able to survive. It already seems that the Cuban revolution will go down in history as a typical Marxist-Leninist failure.

In the economic sphere alone, the last 3 years have been nothing but disastrous for Castro. The Cuban economy has shrunk 45 percent. Compare that to a 1-percent decrease in the United States economy during our last recession, which had all of us climbing up a wall, and one begins to understand how desperate the Cuban people really are.

Cuban imports are down by an incredible 73 percent, according to a recent study using Cuban Government statistics and figures from Cuba's trading partners. Cuban officials actually say the figure is 75 percent. Food imports, which the Cuban Government, perhaps fearing potential unrest from the Cuban people is very sensitive about, are down 41 percent. Imports of oil are down by two-thirds and imports of machinery and equipment are down by 86 percent. I for one do not think that the Cuban people will put up with this privation for long.

A SINKING BATTLESHIP

It is becoming evident that Communist Cuba, left to its own resources, is a sinking ship—a sinking battleship at that, with the largest military per capita in Latin America.

Cuba, as former United States Ambassador to Haiti Ernest Preeg states in a new publication, "Cuba and the New Caribbean Economic Order," is in a process of progressive crumbling or desmoronamiento, as one says in Spanish.

In 1986, Castro initiated an Orwellian campaign to rectify errors and nega-

tive tendencies. This was actually a counter-reform effort that put a swift and decisive end to any hope that the Cuban people had for substantive reform leading to democracy or a market-oriented economy.

To Gorbachev's declarations of perestroika and glasnost, Castro Responded with cries of socialismo o muerte! "socialism or death" Moves by Russia and Eastern Europe toward decentralization and liberalization were matched by recentralization and increased repression in Cuba.

As the emerging democracies of the former Soviet Bloc continued to embrace the language of freedom and political renaissance, Castro persisted in using the language of apocalypse. Angrily he declared that:

If fate were to decree that one day we would be among the last defenders of socialism [on Earth], we would defend this bulwark to the last drop of our blood.

It is 1993, and Castro is no longer able to brandish the alleged accomplishments of the Cuban revolution, for they were made possible only by massive Soviet subsidies. Fearing a loosening of his absolute grip on power, Fidel Castro now rules with an even firmer hand over the Cuban people.

HUMAN RIGHTS ABUSES

The Castro dictatorship uses a security apparatus under the direction of the Cuban Ministry of the Interior to impose a draconian rule capable of monitoring—at the neighborhood level—every aspect of a person's life, in all realms of activity: Economic, political, social, and cultural. This has been the reality in Cuba since 1959.

In every village and every hamlet, in every street of every city in Cuba, a Communist party member heads the local Committee for the Defense of the Revolution. Their only job in Castro's Cuba is to spy on their neighbors. These local spies check and inquire about ordinary Cubans: Did they go to work today? Who visited them? Did they say anything against the government? Were they acting suspiciously?

These Committees for the Defense of the Revolution are Castro's eyes and ears in every Cuban neighborhood. They are a vast and fearsome security network. The mere accusation of a CDR member can land you in jail. Impossible, you might say. No one is thrown in jail for simply speaking his mind or criticizing the government—as we are able to do in the United States. Can this really be true?

Well, let me read a passage from a book by a remarkable man, Armando Valladares, entitled "Against All Hope." His true story opens with a gripping account of his own arrest one night:

My eyes flew open. The cold muzzle of a machine gun held to my temple had shocked me awake. I was confused and frightened. Three armed men were standing around my bed, and one of them was shoving my head into the pillow with his machine gun.

Where's the pistol?

As the man with the machine gun kept my head immobile, another slid his hand under it to check for that purely imaginary pistol I was supposed to be armed with. The oldest of them, a thin man with graying hair, spoke to me again. He brusquely told me to get dressed, I had to go with them.

These were agents of Castro's political police.

They began the search of his home as his mother and sister looked on. He began to think about what could have put him in this predicament.

When Communists took over the leadership of the Postal Savings Bank he worked at, they fired his friend because of anti-Marxist statements. Valladares personally spoke out against the dismissal. He called it an abuse of authority and a violation of freedom of expression, which he thought had been one of the basic tenets for which Castro's revolution had supposedly been fought.

When asked by Communist party members where he worked, "Do you have anything against Castro?" Valladares answered, "If he is a Communist, I do." It wasn't surprising that he had been marked an anti-Communist:

The search finally ended, and no weapons or explosives or propaganda or lists had turned up. Nothing, absolutely nothing. They had to leave empty-handed. Or almost empty-handed—they took me with them. Although they hadn't found anything, there were some routine questions I had to answer. My mother argued with them. She said I hadn't done anything, there was no reason to take me away. They told her not to worry. I'd be right back. They'd bring me back home themselves.

The return would take more than twenty years.

We are caught unsuspecting by Valladares' eloquent but shocking testimony about the outrages committed by the Communist Cuban Government against its own people. As he awaited the inevitable sentence in his prison cell, Valladares bore witness to the young revolution's incessant brutality.

With his transfer to the infamous Isla de Pinos prison, Valladares began to experience the endless violence and harassment, putrid food and squalid living conditions, illness and forced labor, solitary confinement, and the indifference of outside humanitarian agencies.

Following are passages which detail Valladares' ordeals.

This particular one was set at Castro's infamous La Cabana prison:

At nine o'clock we were in the habit of gathering into groups and praying in all the *galeras*—faith in difficult times. The sound of a motor was heard. Total silence fell. It was the truck carrying the coffin for the corpse. Then we heard the motor of a jeep that was carrying the prisoner, and some voices. There was a long stairway leading down into the moat. A few yards from the wall stood the wooden stake to which the prisoner was tied. Before they tied him up, Julio Antonio shook hands with each one of the soldiers on

the firing squad and told them that he forgave them.

Firing squad, attention.

Ready, aim, fire.

Down with Communism—

Julio Antonio's cry was never finished:

Then there came the dry crack of the coup de grace behind the ear. I will never forget that mortal sound.

Within the prison the silence was dense and charged with suspense, until it was broken by the sound of the hammers nailing the lid on the rough pine box. From our *galera* there was nothing to be seen, but we could hear everything. I imagined the scene: The prisoner tied to the stake, the marksmen, then the fall of the dying body, it's breast ripped by the bullets.

This terrifying passage in Valladares' book was a daily occurrence in Castro's prisons:

In the Isla de Pinos prison—more savagery—

The next morning, Lieutenant Julio Tarrau, the prison director, came in at the head of the garrison. Wielding his Russian Makarov pistol, which no one had ever seen him shoot but which he thought gave him more authority, and which certainly gave him more courage, he screamed at us, "I'll kill any SOB who moves. Stand in front of your cells, at attention!"

The Garrison, which amounted to some two hundred soldiers for that search, filled the prison yard. The first wave entered without firearms, carrying only bayonets and truncheons. Behind them came the guards armed with rifles and fixed bayonets.

"OKAY!" Tarrau began speaking again. "Everybody strip! Everybody take off your clothes and stand there in front of your cells!"

Carrion and I stripped. In the next cell, ex-Captain Tapanes, from the city of Cardenas, and his cellmate Chavez followed suit.

There was someone on the fourth floor who did not take off his underwear. Lieutenant Tarrau screamed at him to come downstairs. The atmosphere grew even more tense, more frightened and expectant. Thousands of eyes were fixed on that man slowly walking down the stairs. In everyone's mind was the same question—and it was almost like a plea there was no longer enough time for: Why didn't you take off your underwear like everybody else?

When the man came to the prison yard, Tarrau himself shoved him, and a group of guards fell on him. The prisoner struggled, but only for a few seconds. The hail of blows flattened him, and staggering, almost unable to walk, he was dragged and shoved out toward the punishment cells, while they ripped his underwear from him in shreds. He had not even reached the main gate before he was naked.

A murmur of protest and indignation arose throughout the circular. Tarrau shot his pistol into the air, and the guards cocked their rifles. You could hear the bolts of the machine guns click too, as the guards in the tower cocked them and took aim at the prisoners before the cells. The rifles' power of persuasion silenced us.

The spectacle in the jail beggared description. All you could do at the moment was stare—there were hundreds of completely naked men formed into a surrealistic legion, standing at attention in perfect formation.

There is nothing more humiliating or more degrading than forced nakedness before your oppressors—you feel especially vulnerable.

The authorities knew that, and they used our nakedness against us, another in their arsenal of psychological weapons. The interrogators from the political police never failed to keep prisoners, both men and women, naked. They took the women in naked for interrogations by groups of officers. If for a man it's embarrassing to be forced to stand there completely stripped before a phalanx of interrogators, for a woman it is much more terrible, and many of the suicides and attempted suicides among the women were triggered precisely by that humiliation. Even today the government still employs this practice with women political prisoners. When they are confined to solitary, they are completely undressed and then officers from the jail, prison headquarters, and the political police stop by to see them.

And here is another passage:

"There are certain things one never thinks about when one reads or hears about a prisoner confined in a cell under the conditions we were kept in; there are things that are simply inconceivable outside a jail. And among those things are a man's bodily functions. We had to relieve ourselves there, in that hole in the ground in a corner of the cell. But when we were done, there was absolutely nothing to clean ourselves with, no water or soap or paper or even a piece of cloth.

"They continued slopping the pails of urine and excrement over us. In the cold winter mornings, they would also throw freezing water at us. That was unpleasant, but at least it cleaned some of the excrement off the cell floor. Little by little, the latrine, without water to flush out the fecal matter, grew full. As soon as night fell, cockroaches took over the walls and floors and crawled all over my body, and their ticklish creeping often made me jump awake.

"Finally, after international outcries and dramatic physical therapy performed by Castro's doctors so that he would be presentable to the world—it was time to be set free.

Listen to this ending:

"The hour of my departure arrived. The procession of several cars headed down Rancho Boyeros Avenue toward Jose Marti International Airport. The plane was scheduled for seven in the evening. The setting sun dyed the afternoon pomegranate-red. My heart sent up a hymn of thanks to God, and I prayed for my family, who hadn't been allowed to come to say goodbye, and for my friends remaining behind in the eternal night of the Cuban political prisons.

"As the cars sped along, a flood of memories rushed over me. Twenty-two years in jail. I recalled the two sergeants, Porfirio and Matanzas, plunging their bayonets into Ernesto Diaz Madruga's body; Robert Lopez Chavez dying in a cell, calling for water, the guards urinating over his face and in his gasping mouth; Boitel, denied water too, after more than fifty days on hunger strike, because Castro wanted him dead; Clara, Boitel's poor mother, beaten by Lieutenant Abad in a political police station just because she wanted to find out where her son was buried. I remembered Carrion, shot in the leg, telling Jaguey not to shoot, and Jaguey mercilessly, heartlessly, shooting him in the back; the officers who threatened family members if they cried at a funeral.

I remembered Estebita and Piri dying in blackout cells, the victims of biological experimentation; Diosdado Aquit, Chino Tan, Eddy Molina, and so many others murdered in the forced-labor fields, quarries, and

camp. A legion of specters, naked, crippled, hobbling and crawling through my mind, and the hundreds of men wounded and mutilated in the horrifying searches. Dynamite. Drawer cells. Eduardo Capote's fingers chopped off by a machete. Concentration camps, tortures, women beaten, soldiers pushing prisoners' heads into a lake of [FECES], the beatings of Eloy and Izaguirre. Martin Perez with his testicles destroyed by bullets. Robertico weeping for his mother.

In his introduction, which I use as an epilogue, Armando Valladares writes:

This book is my personal account of the twenty-two years I spent in the political prisons of Cuba, solely for having espoused and expressed principles distinct from those of the regime of Fidel Castro.

In my country there is a fact which not even the most fervent defenders of the Cuban revolution can deny—a dictators hip has existed there for more than a quarter of a century. And no dictators hip can remain in power for so long without violating human rights, without persecutions, without political prisoners, without political prisons.

Someday, when the history of all of them is known in detail, mankind will feel the revulsion it felt when the crimes of Stalin were brought to light.

Yet, on July 28, 1983, the year after Armando Valladares was set free, Fidel Castro had the audacity to say to French and American journalists this statement:

From our point of view, we have no human-rights problem—there have been no disappeareds' here, there have been no tortures here, there have been no murders here. In twenty-five years of revolution, in spite of the difficulties and dangers we have passed through, torture has never been committed, a crime has never been committed.

But lying is not new to Castro. Just a little over a month ago, in an interview with Diane Sawyer on ABC's "Prime Time," Fidel Castro said, and I paraphrase:

Political prisoners? What political prisoners? There may be a few, but after all, what are political prisoners—people who committed crimes against the state.

Just a few Mr. Castro? Well for the first time, I will now produce a partial list, given to me by a European Government official of political prisoners in Cuba. This partial list was brought out of Cuba by this official and it lists not a few but 607 political prisoners—580 men and 27 women. Mr. Speaker, I ask permission to have this list included in the RECORD.

This partial list, compiled by Aida M. Valdes Santana, a human rights activist inside Cuba, has the following introduction:

On December 10, 1948, the U.N. General assembly approved the Universal Declaration of Human Rights, the guiding document for international agencies, organizations and governments in guaranteeing the individual rights of the citizens of the world.

The celebration of this date in 1992, in our country, became one more day of struggle, since a repressive escalation took place against human rights activists.

On this day there was harassment at residences of activists, who were held for several days, with neither relatives or friends being

able to help those besieged; beatings; affronts; summons by police agencies; threats and arrests.

In this way Cuba celebrated International Human Rights Day.

We consider it necessary, as a tribute to our incarcerated brothers and the true defenders of human rights, to release an approximate list of the current political prisoners in Cuba, data obtained with difficulty, since it reached us through relatives, close friends and lists sent by the prisoners themselves.

This modest work of homage serves all the true strugglers in the world for the noble cause of human rights.

And finally this summary:

Just a short comment to point out the increases in the charges of enemy propaganda, contempt and unlawful association, which shows the growing need for the people to express themselves freely, their feelings and their deep desires for change in search of the sacred right to live in a world where individuality and freedom of opinion and expression are respected, as established in Article 19 of the Universal Declaration of Human Rights.

Mr. Speaker, more than half of Cuba's political prisoners are charged with enemy propaganda. The Universal Declaration of Human Rights, the document to which Cuba is a signatory, is the same document that the United Nations commission on human rights determined Cuba was violating. Here is what the U.S. Commission on Human Rights said:

Deeply concerned at arbitrary arrests, beatings, imprisonment, harassment and government organized mob attacks on human rights defenders and other who are engaged in the peaceful exercise of their rights, and noting with particular concern that Cuba increased its repression against leaders of several human rights groups in Cuba on United Nations Human Rights Day, 10 December 1992.

Profoundly concerned at continued violations in Cuba of fundamental human rights and individual liberties enumerated in the Universal Declaration of Human Rights, such as the freedoms of movement, thought, religion and conscience, opinion and expression, assembly and association, and rights associated with the administration of justice.

Expresses particular concern that the government of Cuba has failed to carry out its commitment, common to all member states, to cooperate with the commission on human rights, in conformity with Articles 55 and 56 of the Charter of the United Nations.

Regrets profoundly the numerous unanswered reports of violations of basic human rights and fundamental freedoms that are described in the report of the special rapporteur, and expresses particular concern at mounting intolerance for freedom of speech and assembly in Cuba.

There are still those people who say they do not believe there are political prisoners. Today in the gallery sits at least 10 or 12 of them who suffered in the same way in Castro's jails who are living testament to the fact that the question of political prisoners is unfortunately a real and abiding problem in Cuba.

The SPEAKER pro tempore (Miss COLLINS of Michigan). The gentleman

should not address the people in the gallery, please.

Mr. MENENDEZ. Freedom House, an independent, nonprofit, nonpartisan, human rights group, called Cuba among the 10 worst violators of human rights in the world.

In a 1993 special report to the 49th session of the U.N. Commission on Human Rights entitled "Tyranny and Repression Unbound, the Most Repressive Regime of 1992," Freedom House wrote:

Cubans are unable to change their Government democratically. All political and civic organization outside the PCC is illegal. Political dissent, spoken or written, is a punishable offense. With the possible exception of South Africa, Indonesia and China, Cuba under Castro has had more political prisoners per capita for a longer period than any other country. The educational system, the judicial system, labor unions, professional organizations, cultural groups and all media are tightly controlled by the State. Outside of the Catholic Church, whose scope remains limited by the Government there is no semblance of independent civil society.

Since 1989, Cuba's small community of human rights activists and political dissenters has been subject to regular and severe crackdowns. Hundreds of human rights activists and dissenters have been jailed or placed under house arrest. Others have been assaulted in the streets and in their homes by plainclothes police and the 'Rapid Action Brigades,' mobs organized by State security or the Committee for the Defense of the Revolution [CDRs] or separately.

There are continued allegations of torture in the prisons and in psychiatric institutions, where a number of the dissidents arrested in recent years have been incarcerated. Since 1990, the International Committee of the Red Cross has been denied access to prisoners. According to Cuban rights activists, more than one hundred prisons and prison camps hold between 60,000 and 100,000 prisoners of all categories.

Freedom of movement and freedom to choose one's residence, education or job are restricted.

Official discrimination against religious believers was lifted by constitutional revision in mid-1992. The measure was welcomed by the Catholic church, which has seen an increase in membership in recent years. However, by the end of the year, there was little evidence that discrimination had ended in practice. Moreover, there were at least two incidents in which suspected dissidents were dragged out of church services by State security agents, one during a Mass presided over the Archbishop of Havana.

As was evident during the 1989 show trials of officers charged with drug-trafficking, and during the trials of human rights activists and other dissidents, due process is alien to the Cuban judicial system. The job of defense attorneys accepted by the courts is to guide defendants in their confessions.

The Government has continued restricting the ability of foreign media to operate in Cuba. Journalist visas are required and reporters whom the Government considers hostile are not allowed entry. Foreign journalists interviewing dissidents risk being detained and expelled, and in a few cases reporters have been beaten up. A Mexican television news service closed its office in Cuba in 1992, claiming it was being denied the freedom to operate effectively.

DRUG TRAFFICKING

"Castro's Final Hour," a book written by the Miami Herald's Pulitzer Prize-winning correspondent Andres Oppenheimer, Opens with the 1989 firing-squad execution of Cuba's most decorated army general, Armando Ochoa, a hero of the Cuban revolution. It was the first sign of a rift in Castro's ranks as glasnost and perestroika burst onto the world stage. Oppenheimer reveals the drug scandals that plagued the upper reaches of Castro's regime, and proves that there were blatantly political motivations behind subsequent executions of Fidel Castro's top military aides.

In November 1982, a United States district attorney in Miami indicted four top Cuban officials on charges of smuggling cocaine through Cuba to the United States. The operation was almost identical to that proposed to Col. Tony de la Guardia by Reinaldo Ruiz years later.

Jaime Guillot-Lara, a Colombian drug lord, shipped drugs to Cuba at the time and had south Florida boaters pick up the cargo at sea. Between 1977 and 1981, Guillot-Lara shipped at least 2.5 million pounds of marijuana, 25 million methaqualone tablets, and 80 pounds of cocaine, much of it through Cuba.

Witnesses at the Miami trial testified that the Cuban Ambassador to Colombia, Fernando Ravelo Renedo, requested—and obtained—Havana's official green light for every shipment to Cuba. The Colombian smuggler's boats used the code word "viviana" to alert the Cuban Navy that the cocaine-laden boats should be allowed to cross Cuban waters.

In addition to Ambassador Ravelo, the indictment named Cuban Navy Vice Adm. Aldo Santamaria Cuadrado, who was charged with supervising the protection and resupplying of the drug ships from Colombia, and Rene Rodriguez Cruz, an official of the Cuban Directorate General of Intelligence [DGI]. None of them was ever prosecuted in Cuba. Castro maintained that the U.S. charges were nothing but imperialist lies. Within Cuba, the United States indictment produced only a temporary scare, and a warning to Cuban officials not to allow drugs onto Cuban soil.

Fidel Castro and Colombia's drug barons had a long association, largely based on political expedience. The Cuban leader first ordered his intelligence services to penetrate the Colombian drug-trafficking rings in the 1970's, to have a hand in what was rapidly becoming one of Latin America's most powerful economic and political forces. It was a card he would later decide how to play.

In the early 1980's, Castro used his Medellin Cartel contacts to fly weapons to Colombia's M-19 guerrillas. The planes would fly over Cuban airspace

with no questions asked, and pick up the weapons on improvised runways in various Caribbean islands, and occasionally in Cuba itself. Carlos Lehder, one of the Medellin Cartel's top leaders, would testify years later in a United States court that he had met twice with Raul Castro in Cuba to clear these flights.

The Cuban regime used its ties with the Colombian drug traffickers to help solve a \$4.6 million dispute between Panama's military chief, General Noriega and the Medellin Cartel in 1984. When the Medellin Cartel threatened to kill Noriega unless he returned the money they had paid for protection of a huge western Panama cocaine laboratory that had been destroyed in a DEA-led raid, Cuba persuaded the Panamanians to come to terms with the Colombians.

There is a virtual consensus in Cuba's interior ministry intelligence circles that the official story of the Ochoa-de la Guardia affair was ludicrous: Castro could not possibly have been shocked to find out that his top aides had been engaged in cocaine smuggling.

In reality, Castro had long-condoned occasional drug-trafficking deals when he considered them justified on national security grounds, such as in the case of the drug-for-weapons shipments to Colombia's M-19 guerrillas. What happened this time was only a matter of degree: The MC department's large-scale drug smuggling had gone beyond the limits set by Fidel.

When it became clear that the United States Government was about to uncover Cuba's role in drug smuggling, Castro moved swiftly to preempt. Castro used the opportunity to crack down on disaffected revolutionary armed forces and Ministry of the Interior officers who might become a major threat to Castro's leadership. Castro believed that Ochoa and the de la Guardia brothers were the vanguard of a reform-minded movement that was gaining strength within Cuba's military. At the same time, Ochoa and the de la Guardia brothers were accumulating enormous economic power. If they weren't stopped immediately, they would start making demands. Their grumbling would turn into defection or outright rebellion. A preemptive strike was needed.

By executing Ochoa and his friends, and by purging all disaffected officers from the Government, Castro sent a strong warning to the armed forces, the Cuban people, and the outside world. Cuba would not tolerate the new thinking that had brought about the fall of Poland, and that was threatening to shake East Germany, Hungary, and the rest of the Soviet bloc. Orthodox Marxism and military discipline would be preserved in Cuba at any cost.

The executions made it clear that there would be no independent think-

ing—let alone dissent—permitted on Castro's island. Nobody, not even Fidel's top aides, was above suspicion, as the Cuban leader and his brother had repeatedly reminded Cubans at the trial.

In times of crisis, one had to prove oneself stronger than ever, Castro told his aides. With the Socialist bloc crumbling, Cuba could not afford to show any sign of weakness.

His strategy to survive the collapse of worldwide communism was brutally simple. He summed it up in three words, which he shouted defiantly in every speech over the months that followed the Ochoa case: "Resistir! Resistir! Resistir! (Resist! Resist! Resist!)."

Castro's hands are far from clean. Not only in drug trafficking but also in other crimes.

In a recent Miami Herald article, a former Cuban agent confirmed long-held assertions by United States officials that Cuba's Marxist regime helped execute one of the biggest bank robberies in United States history.

Jorge Masetti, an Argentine-born, Cuban-raised former revolutionary who sought refuge in France in 1990, says the Cuban Communist Party's Department of the Americas provided a \$50,000 loan to Puerto Rico's Macheteros guerrillas, to perform the 1983 robbery of \$7.2 million from a Wells Fargo armored truck in Connecticut.

The Cuban Embassy in Mexico also provided logistical support to get part of the money out of the United States, and to spirit at least one of the Puerto Rican bank robbers into Cuba, according to Masetti in a telephone interview from Paris:

I know, because I was part of the operation. I was the one who prepared the bag with the \$50,000 for the Macheteros, and I was the one who prepared the fake passports to get the bank robbers from Mexico to Cuba after.

Instructions came from Havana that we should support Latin American (guerrilla) groups operating in Mexico. From bank robberies to jewelry-store holdups. The official in charge in Cuba was Armando Campos, first deputy chief of the Americas Department.

Thanks to these operations, Cuba could reduce its financial aid to revolutionary groups, and—in its capacity as administrator of the proceeds of these operations—could dispose of more money to support the revolutionary movement and the trips of Americas Department employees.

"On some occasions, Cuba would lend assistance to urban guerrilla groups by smuggling small weapons to Mexico through diplomatic pouches," Masetti said. "With time, the Cuban role in these operations grew, and the Cuban Embassy began to supply intelligence to Latin American guerrillas so they could carry out special operations more efficiently," he said.

"The Americas Department was helping in holdups and bank robberies throughout Latin America," Masetti

said. "We, at the Mexican Embassy Office, offered financial and logistical support. The Americas Department was headed by Manuel Pineiro, one of Cuban leader Fidel Castro's closest aides."

THE CONTROVERSY OVER THE EMBARGO

During the time that Cuba was subsidized to the tune of \$6 billion annually by the Soviet Union, Castro loudly insisted that the United States embargo on Cuba was irrelevant. He stated ad nauseam that Cuba's economic prosperity would enable her to sidestep the United States embargo. In the meantime, United States critics of the embargo denounced it as ineffectual and merely an irritant in relations with Cuba.

Yet now, we see what a little sunshine can do. The Soviet subsidies are gone. Trade with Russia and the countries of the former Eastern bloc are conducted strictly on commercial terms. Castro's Cuba stands isolated and exposed.

With the cushion of Soviet subsidies gone, Castro is now saying precisely the opposite of what he said for so many years. He now claims that the embargo is the reason for the misery in Cuba. Not surprisingly, there are people in this country who suddenly agree with Castro. They suggest that we should lift the embargo unilaterally, no questions asked.

They would have us forget about human rights, although the President has just asked the U.N. Secretary-General to appoint a high commissioner for human rights to give human rights a higher profile in U.S. foreign policy.

They would have us forget the hundreds of innocent Cuban political prisoners languishing in jail.

They would have us forget the atrocities of the Cuban KGB.

They would have us forget the dissidents who reach out to us.

Just lift the embargo. That's what they want the United States to do. They say that if we lift the embargo all will be well in Cuba. Mr. Speaker, here are the facts:

The fact is, lifting the embargo won't create hard currency to buy the goods Cuba needs.

The fact is, the food and medicine and other products Cuba might need are available from other countries throughout the world, but they won't sell to Cuba because it can't pay.

The fact is, Castro will not allow a free-market system to develop in Cuba and insists on keeping his centrally planned economy—which has failed.

The fact is, at the height of Soviet aid to Cuba, which amounted to nearly \$6 billion a year, Castro still rationed the Cuban people—instead of using that money to provide for their needs.

The fact is, Castro took the money provided by the Soviets and used it to export revolution around the world instead of feeding the Cuban people.

Consider the list of military missions that former General Ochoa conducted, as described in "Castro's Final Hour" by Andres Oppenheimer:

His resume read like a catalogue of Cuba's military interventions abroad: in the early 1960's, at the time when Ernesto "Che" Guevara was heading a Cuban-led revolutionary campaign in Bolivia, Ochoa was heading a Cuban guerrilla cell in Venezuela. From there, he was sent to Brazzaville, in the Congo, where he led about one thousand Cuban troops that helped defend the country's leftist regime, and trained Marxist guerrillas from Namibia, Mozambique, and South Africa.

After a brief stint as commander of the Army in Havana in 1971, Ochoa was reassigned abroad. By 1972, he was leading a 500-man Cuban contingent training the army of Sierra Leone. During the 1973 Arab-Israeli war, he trained Syrian forces in the Golan Heights. In 1975, he led 37,000 Cuban troops in Zaire. By 1976, he was a senior commander of the Cuban forces in Angola. That year, he organized a popular militia in Addis Ababa, and led 9,000 Cuban troops in the Ethiopian fight against Somalia during the Ogaden war.

By December 1977, Ochoa was a division general, and a top commander of the joint Ethiopian, Cuban, Soviet, Polish, Hungarian, and East German troops in Angola. Over the next few years, he would set up the armed forces of Grenada for Prime Minister Maurice Bishop, and would provide military training to the armies of South Yemen, Syria, Vietnam, Libya, Afghanistan, Iraq, and Laos. In 1983, he was dispatched to Nicaragua for a two-year assignment as the top military adviser to the Sandinista regime, which was seeking urgent Cuban help to repel the U.S.-financed counterrevolutionary contra guerrillas.

The fact is, repealing the embargo will not make Castro change—we know that from the simple fact that even when he was still receiving \$6 billion a year from the former Soviet Union, Fidel Castro bit the hand that fed him and said no to perestroika and no to glasnost.

Those are the facts on the embargo.

Until the Cuban Democracy Act became law, there was no meaningful embargo for the 30 years that preceded it—just some discomfort for United States corporations who had to do some legal somersaults to trade with Cuba through their foreign subsidiaries.

Many of those who propose that we lift the embargo have irreconcilable positions. An embargo, after all, is an economic sanction. Many of those opposed to this embargo support economic sanctions against South Africa such as divestiture. Likewise, have we not seen efforts to restore the democratically elected government of President Aristide in Haiti through the use of economic sanctions?

Why are these sanctions acceptable to obtain legitimate goals in South Africa and Haiti—but not in Cuba?

Finally, much aid has been sent to the Cuban people by the over 1 million friends and family members here in the United States—but much of their aid

does not reach their loved ones. Instead, the Castro government rifles through the packages and the goods intended for the Cuban people end up in the so-called *diplo-tiendas*. These *diplo-tiendas* are exclusive stores for foreign visitors and diplomats which raise hard cash for Castro. This provides little solace for the Cubans who count on those packages from loved ones.

NO SIGNS OF CHANGE

This is what our fellow Latin American neighbors are telling us about Cuba. The Inter-American Commission on Human Rights of the Organization of American States in its 1993 annual report on Cuba states.

Conditions in Cuba have become worse. As a result, the state's control over the population is tightening, with the consequent erosion in the human rights situation. The response had been to tighten state security controls, make it easier for people to emigrate to the United States and find economic alternatives that compensate for the shortages that Cuba is now experiencing. Hence, social conditions are eroding and the government is resorting increasingly to repressive methods, all of which points to the fact that the existing problems will likely become worse.

Unfortunately, there are no signs of any impending change.

Castro's primary concern—his primary obsession—is perpetuating his own power. He understands power well. He calls himself the maximum leader; he is the President of the Council of State, President of the Council of Ministers, First Secretary of the Cuban Communist Party, Commander-in-Chief of the Revolutionary Armed Forces, which in turn are run by his brother Raul.

He knows that neither a Communist political system nor a command economy can be reformed; as the unraveling of the former Soviet bloc has demonstrated, they can only be replaced. Castro knows that his regime and his power base of 34 years is so dependent upon dictatorial rule and absolute central control that any meaningful reform will undermine it, just as it undermined every communist system that attempted real reform.

This has serious implications for a transition from Castro's rule in Cuba. The following statement in the Americas society publication, "Cuba at a Turning Point" sums it up well:

"For the leader like Castro, determined to maintain his Communist revolutionary credentials, the only way out, at least in the short run, seems to be the route he has chosen: To avoid allowing reforms that would weaken his political and economic control and that would make it difficult, if not impossible to use force when he deemed it necessary to do so.

INFLEXIBLE ALTERNATIVES: THE "ZERO OPTION"

In this context, then, we understand why Castro has presented only inflexible alternatives to the Cuban people. One such alternative was presented to

the Cuban people when it became clear that the cushion of Soviet subsidies would be removed by Mikhail Gorbachev. Castro called it the zero option. This was Castro's way of telling the Cuban people how their notoriously inefficient and unproductive economy would have to adapt to the loss of the Soviet free ride: Basically, not at all.

The Human Rights Group Freedom House claims that the zero option represents "in effect the devolution into a preindustrial society cut off from the rest of the world.

Ambassador Preeg aptly describes the domestic component of the zero option as follows:

By all comparable standards, this economic program is one of undevelopment. Cuba has become an undeveloping country. Bicycles are replacing automobiles. Horses-drawn carts are replacing delivery trucks. Oxen are replacing tractors. Factories are shut down and urban industrial workers resettled in rural areas to engage in labor-intensive agriculture. Food consumption is shifting from meat and processed products to potatoes, bananas, and other staples.

Over the last 30 years, the Castro regime has been characterized by the systematic dismantling of the economic and social base of the Cuban nation. In 1959, the average Cuban enjoyed living standards among the highest in the Western Hemisphere. According to the United Nations, in 1959, the average Cuban ate as well as the average Austrian. In 1959, the average Cuban was better educated than most citizens in Latin America, and than the citizens of many industrialized countries. In 1959, Cubans lived longer than residents of the United States and Cuban infant mortality nearly equaled that of the United States.

Politically, it is true that Batista was a dictator. However, Cubans enjoyed a political space which Castro has completely shut down. Castro claims that living standards can only be improved by a repressive regime. In 1959, the average Cuban freely expressed his views, read uncensored newspapers, and listened to independent radio and television.

Castro in effect is condoning a gradual diminution of the standard of living of the average Cuban. In the modern world, living standards sometimes do decline, but it is almost unheard of for them to do so as a matter of deliberate government policy.

EXILE PLEAS IGNORED

For too long, the repeated protests of hundreds of thousands of Cubans from all walks of life who have fled Cuba—rich and poor, black, white, and mulatto—have been largely dismissed not only by the international community at large, but also by many sympathizers of the Castro regime here in the United States.

It is about time that those who have formulated opinions about the Castro regime based on unsophisticated cold

war ideological considerations, enduring romantic notions about Cuba under Fidel Castro, limited or superficial knowledge about the accomplishments of Castro's Cuba, or similar considerations, really learned more about Castro's Cuba. I would hope that this includes all of those who seriously enter into the policy debate regarding Cuba.

WHY THE UNITED STATES SHOULD CARE ABOUT UNITED STATES-CUBA POLICY

The United States has many reasons to be concerned about its Cuba neighbor—90 miles from our shore.

In addition to permitting its territory to be used as a transshipment point for narcotics, Cuba now wants to become a nuclear power.

Cuba has been building a Soviet type nuclear power reactor in Juragua, Cienfuegos, Cuba since 1983—a reactor temporarily halted because of economic difficulties.

Serious concerns have been expressed by the United States Government, numerous international and United States-based organizations which monitor nuclear energy, and some of my colleagues in Congress, with respect to the operational safety of this plant. These would be important implications for both Cuba and the United States should an accident occur at this plant.

In a September 1992 report to Congress, Concerns About the Nuclear Power Reactors in Cuba, the General Accounting Office [GAO] laid out the concerns within the nuclear energy community about the deficiencies in the Cienfuegos plant. Following are some of the concerns expressed, which I share:

First, a lack in Cuba of a nuclear regulatory structure;

Second, the absence of an adequate industrial infrastructure in Cuba to ensure the plant's safe operation and maintenance;

Third, inadequate training of plant operators;

Fourth, reports by a former Cuban technician who examined with X-rays weld sites (believed to be part of the auxiliary plumbing system) who found that 10 to 15 percent of those were defective, as well as concerns about other welds;

Fifth, exposure to the elements, including corrosive salt water vapor, of the primary reactor components; and,

Sixth, a question as to the adequacy of the upper portion of the reactors' containment domes retention capability of 7 pounds of pressure per square inch.

An accident at the Cienfuegos plant could cause obvious damage not only to Cuba and its people, but also to the United States and its people. The GAO report estimates that in only 4 days, summer winds could carry radioactive pollutants over all of Florida, parts of the Gulf States, and travel as far as Texas.

Fortunately, for the moment, construction of the Cienfuegos facility has stopped due to Cuba's inability to pay for needed materials and equipment. However, I am concerned by a December 1992 report (Frank Gaffney, Jr., the

Washington Times) that the Yeltsin government—already deep in debt and seeking United States financial assistance—has decided to extend to Cuba supplier credits so that it may complete this project. I am further concerned about news stories this week that reported that high Russian officials visited the Jurugua plant to discuss the completion of construction. Mr. Speaker, the United States doesn't need a Chernobyl 90 miles from its shores.

Cuba continues to be used for Russian intelligence operations aimed at the United States.

The Russian communications intelligence facility at Lourdes is the largest such non-American installation in the Western Hemisphere. The facility is operated by about 2,000 Russian personnel and, in addition to the Russian headquarters, consists of an antenna field; satellite receiver; and about 50 buildings that contain the monitoring, processing, and analysis equipment. The facility targets the Eastern United States and intercepts civilian and military United States communications, including transatlantic telephone calls as well as communications to and from Cape Canaveral, especially as they relate to shuttle and military space missions.

For all the following reasons the United States has a major stake in democratic reform in Cuba: Human rights abuses, Cuban support for narcotrafficking, support of criminal activities in the United States, spying, and the threat of nuclear power.

Clearly, this gives the United States a major stake in democratic reform in Cuba.

REACHING OUT TO THE CUBAN PEOPLE THE FREE AND INDEPENDENT CUBA ACT OF 1993

As a sign of our solidarity with the Cuban people, all 10.5 million who are enslaved on the island, and as a sign of our solidarity with the dissidents and

human rights activists within Cuba, I am today announcing a new initiative that will send a clear message to the Cuban people that we are willing to help them in their struggle.

Within the next 2 weeks I intend to introduce in the House of Representatives the Free and Independent Cuba Assistance Act of 1993. My proposed legislation would be the first to deal comprehensively with United States policy and assistance in a post-Castro Cuba. It would be United States policy to help a post-Castro transition government and ultimately a duly elected government under international supervision, as follows:

First, to develop and communicate to the Cuban people a plan that outlines clearly of what this assistance will consist;

Second, to provide humanitarian and developmental assistance;

Third, to provide, or facilitate the provision by other entities such as international financial institutions, long-term relief to Cuba, including loans, credits, debt forgiveness, guarantees, grants, and other assistance; and

Fourth, to work cooperatively with the appropriate international financial institutions to coordinate an international effort to assist Cuba using the resources of these institutions.

We will also send a message to the Cuban Army that in a democracy there is a role for a military that is answerable to an elected civilian government, as we have here in the United States and other elected civilian governments have throughout the world. The United States would assist a post-Castro Cuban Government with the military adjustment that takes place under a change to an elected civilian government.

The message to the Cuban military would be the following: "We are not your enemy and we are willing to help

once you help yourselves. Remember this when your brothers and sisters in Cuba seek through civil means to change from the dictatorship to a democracy that permits self-determination. When you are called by Fidel and Raul Castro and the security forces to turn your rifles against your fellow Cubans, refuse to do so."

The Free and Independent Cuba Assistance Act of 1993 will send a beacon of hope to the Cuban people. It will say to them: The possibility of a free, independent, and sovereign Cuba is in your hands.

Castro may be in his final hours of oppression, but the Cuban people stand at the threshold of a new century that can promise to be their finest hour.

Cuba's time has come.

CUBAN HUMAN RIGHTS COMMITTEE ANNUAL REPORT ON POLITICAL PRISONERS IN CUBA 1992

(By Aida M. Valdés Santana)

On December 10, 1948, the U.N. General Assembly approved the Universal Declaration of Human Rights, the guiding document for international agencies, organizations and governments in guaranteeing the individual rights of the citizens of the world.

The celebration of this date in 1992, in our country, became one more day of struggle, since a repressive escalation took place against human rights activists.

On this day there was harassment at residences of activists, who were held for several days, with neither relatives or friends being able to help those besieged; beatings, affronts; summons by police agencies; threats and arrests.

In this way Cuba celebrated International Human Rights Day.

We consider it necessary, as a tribute to our incarcerated brothers and the true defenders of human rights, to release an approximate list of the current political prisoners in Cuba, data obtained with difficulty, since it reached us through relatives, close friends and lists sent by the prisoners themselves.

This modest work of homage serves all true strugglers in the world for the noble cause of human rights.

Last names, first name	Arrest	Charges	Sentence
Abad Flamand, Marcos A		Enemy propaganda and disobedience	15 years.
Abreu Ascuy, Roger	5/7/83	Infiltration	30 years.
Abedano Conejo, Roberto		Disobedience	
Abren Hernandez, Manuel F		IDC (illeg. departure fm. country)	
Acevedo Blanco, Arnaldo	1/22/92	Enemy propaganda	3 years.
Acosta Dorga, Humberto		IDC and disobedience	3 years.
Agrego Blanco, Roberto			3 years.
Aguila Chacon, Alberto		Common w. incident and unlawful association	3 years.
Aguilera Estrada, Rene		Terrorism	30 years.
Aguilera Guevara, Alberto		Enemy propaganda	3 years.
Aguilera, Raymundo	3/24/91	Unlawful meeting/conspiracy	
Aguilar Lopez, Eliecer A			
Aiarcon Martinez, Julian		Enemy propaganda	
Alba Castellon, Aurelio		IDC	4 years.
Aleman Almeida, Angel L		Enemy propaganda	10 years.
Alfonso Gonzalez, Gustavo		Enemy propaganda	6 yrs., 6 mos.
Alfonso Molina, Manuel		Disobedience	1 yr., 6 mos.
Alfonso Rubio, Hermes	1/22/92	Enemy propaganda	
Alfonso Aguilar, Jorge H	7/16/92	Enemy propaganda	
Almaguer, Rodriguez, Alis		Enemy propaganda, terrorism and theft	10 years.
Almeida Barrera, Alba J	4/06/92	Theft	7 years.
Almendares Perez, Rey		Sabotage and enemy propaganda	
Alpizar San Martin, Regino M		Other acts agst. state sec	1 yr., 6 mos.
Alvarez Blanco, Alfredo			
Alvarez Leiva, Alfredo		Enemy propaganda	
Alvarez Lopez, Juan C		Enemy propaganda	3 years.
Alvarez Lopez, Julio C	4/19/92	Revel of secrets of Min. of Inter	17 years.
Alvarez Martinez, Pedro J	11/15/89	Enemy propaganda	3 years.
Alvarez Montes de Oca, Carlos A		IDC and disobedience	
Alvarez Pedroso, Pedro		Acts against state security	
Alvarez Salcegarra, Hector		Enemy propaganda	
Alvarez Trisna, Juan	11/04/90		
Alvarez, Freddy			
Alvarez Prieda, Felix	4/15/90		4 years.

Last names, first name	Arrest	Charges	Sentence
Alvarino Perez, Jose T	12/12/90	Rebellion	
Ampido Herrera, Pedro E	4/02/89	Enemy propaganda & sabotage	5 years.
Ampido Perez, Pedro		Sabotage	5 years.
Angulo Fleitas, Albano		Enemy propaganda	
Angulo Fleitas, Luis		Enemy propaganda	
Anido Padilla, Miguel V		IDC	
Antunez Mora, Luminado	5/30/89	Theft	15 years.
Aparicio Rodriguez, Maria E	2/19/92	Unlawful association	8 years.
Arcos Bergnes, Sebastian	1/15/92	Enemy propaganda	4 yrs., 8 mos.
Aranda Rodriguez, Manuel	6/31/91	Acts against state security	8 years.
Arana Rosaine, Dr. Julian F		Terrorism	8 years.
Arias Iglesias, Carmen J	07/10/92	Revelation of secrets, rebellion	7 years.
Arias, Roberto			
Ariszala, Aroco, Ramiro		IDC	
Ayarde Herrera, Raul	12/17/90	Espionage, terrorism	10 years.
Bacallao Gonzalez, Raul		Sabotage, enemy propaganda	8 years.
Bagur Bello, Vladimir	06/13/91	Acts against state security	4 years.
Bacs Viamonte, Juan C		Enemy propaganda	
Balmaseda Martell, Jose R		Disobedience	
Banegas Barroso, Yunier A		Enemy propaganda	
Barra Tejada, Alexis	12/01/90	Enemy propaganda	3 years.
Barreras Rivero, Rafael	01/19/91	IDC	
Barrosa Enrique, Roberto		IDC, disobedience	
Baster Avila, Rolando R		Enemy propaganda/espionage	
Basulto Pimentel, Alexander		Sabotage	
Bedra Hernandez, Manuel		Enemy propaganda	
Bellos Diaz, Francisco		Sabotage	
Benitez, Jose R	01/22/92	Disobedience	
Benitez Hernandez, Manuel	11/29/90	Enemy propaganda	6 years.
Benitez Jorge, Damian R	04/27/90	Terrorism	9 years.
Bergel Hernandez, Eulogio		IDC	
Betancourt, Reynaldo	10/09/91	Illicit clandestine association	3 years.
Betancourt Escalona, Julian		Enemy propaganda	3 years.
Betancourt Montenegro, Orfilio	06/13/91	Acts against state security	6 years.
Betancourt Sanchez, Angel		Enemy propaganda	
Biamonte Leon, Carlos J		Sabotage	10 years.
Bientz Saab, Dr. Julio Z		Terrorism	13 years.
Bisel Sambonel, Angel		Enemy propaganda	
Bianco Gonzalez, Martha		Enemy propaganda	
Bogue Smith, Nelson		Enemy propaganda	
Both, Ther		Disob. Chief Comm	
Brage Borges, Rogelio	09/11/90	Sabotage	5 years.
Bren Iznaga, Pedro A		IDC	
Brocart Calas, Hernes		Enemy propaganda	8 years.
Bruno Vazquez, Juan		Enemy propaganda	4 years.
Bonilla Fonseca, Ernesto	04/04/90	Subversive oral propaganda	3 years.
Caballero Gonzalez, Raul	04/21/90	Espionage	
Cabrera Alvarez, Elpidio		Enemy propaganda	
Cabrera Cruz, Alejandro		Enemy propaganda	8 years.
Cabrera Gonzalez, Joel		Enemy propaganda	8 years.
Cabrera Martin, Benigno		Enemy propaganda	
Calzada Valle, Lazaro		Enemy propaganda	
Campos Marquez, Lazaro		Enemy propaganda	
Camejo Moeliro, Ivélise	01/06/90	Terrorism	15 years.
Camper Lugones, Humberto		Terrorism	6 years.
Campos Muniz, Guillermo	01/03/90	Terrorism	8 years.
Cantero, Silvio		Sabotage	18 years.
Cancio Vazco, Pedro R		Disobedience	
Cardo Leonardo, Osvaldo		Workers' strike	6 years.
Cardo Hernandez, Daniel	08/25/80	Rebellion	30 years.
Caldoso Companioni, Ivan		IDC	
Carmen Arias, Luis		Enemy propaganda	
Carrasco, Angel		Enemy propaganda	7 years.
Carrazana Varela, Ideliso	05/31/89	Theft	10 years.
Casanova Ponce, Miledys		Theft	15 years.
Caraballo Vazquez, Norge			
Carsilles Ibarra, Rigoberto		Enemy propaganda	5 years.
Castaneda Munoz, Antonio M		Disobedience	
Castaneda Munoz, Julio C		Disob. comm. in chief	
Castillo Espino, Raul	03/24/91	Enemy propaganda, attack	9 years.
Castillo, Loesvani		IDC	
Castillo Ferrer, Pedro A	08/27/92	Enemy propaganda	5 years.
Casto Hechevarria, Oscar E	08/14/89	Sabotage, propaganda, theft	6 years.
Cespedes Chavez, Oscar	05/25/87	Espionage and enemy propaganda	14 years.
Cisneros Silva, Nivardo		Sabotage	
Cisneros Silva, Orlando		Sabotage	
Collazo Peregrino, Ernesto		Sabotage	
Concepcion Granada, Rene		Enemy propaganda	
Contreras Hilan, Jesus	01/22/90	Enemy propaganda	6 years.
Cordova Garcia Lenin		Theft	15 years.
Cordovi, Norma		Enemy propaganda	
Corona Lopez, Enriquez		Enemy propaganda	
Corzo, Ulises		IDC	
Corzo Rodriguez, Alexis	01/11/90	Enemy propaganda	8 years.
Curra Lusson, Ielana	07/16/92	Enemy propaganda	
Curra, Ivan	07/16/92	Enemy propaganda	
Guetra Musteliler, Angel		Sabotage	
Cucalo Santana, Bienvenida		Enemy propaganda	3 years.
Crespo Diaz, Jorge A		Enemy propaganda/disobed	15 years.
Cruz Martinez, Anibal	10/09/91	Clandest, unlawful association	2 yrs., 3 mos.
Cruz Delgado, Alibal	10/09/91	Clandest, unlawful assn	3 years.
Cruz Reyes, Angel I		IDC	
Cruz Varela, Maria E		Unlawful association	2 years.
Chinaes Fajó, Marcel		Sabotage	
Chamber Ramirez, Jesus		Enemy propaganda	10 years.
Chapelle Rojas, Francisco		Enemy propaganda	
Chavez Gonzalez, Gonzalo		Enemy propaganda	
Delgado Cruz, Alberto F		Act against state security	1 yr., 6 mos.
Delgado, Julio C	09/92	Enemy propaganda	
Diaz Aguero, Jesus		Acts against state security	
Diaz Caberra, Manuel	11/09/80	Infiltration	30 years.
Diaz Echemendia, Francisco	08/09/90	Enemy propaganda/sabotage	20 years.
Diaz Estrada, Barbaro		Enemy propaganda	
Diaz Gomez, Hector	0/01/89	Theft	12 years.
Diaz Gonzalez, Miguel A		IDC	
Diaz Leiva, Azael C	06/13/90	Enemy propaganda	3 years.
Diaz Rodriguez, Ramon	02/06/82	Sabotage	30 years.
Diaz Romero, Jose L	06/02/82	Sabotage	30 years.
Diaz Rodriguez, Lazaro	08/02/90	Enemy propaganda	2 years.
Diaz Rodriguez, Ezequiel	02/10/92	Sabotage	30 years.

Last names, first name	Arrest	Charges	Sentence
Diaz Simon, Alfredo V		Disobedience	
Diaz Villalon, Guillermo		Enemy propaganda	
Diaz Villamar, Felix	01/07/89	Espionage	15 years.
Diaz Trujillo, Recardo B	12/82	Treason and espionage	20 years
Diaz Villamor, Felix	08/22/88	Espionage	15 years
Dobao Aragon, Orestes	01/24/90	Enemy propaganda	5 years.
Dominguez de la Coba, Orlando	04/15/83	Sedition	30 years.
Dominguez Sardinias, Julio		Enemy propaganda	
Duenas Martinez, Joel	12/31/91	Enemy propaganda	3 years
Duran, Adolis	09/21/92	Enemy propaganda	
Duarte Moro, Osmani		Disobed. Comm. in Chief	
Durga Acosta, Israel		IDC	
Echenique Gonzalez, Orlando	01/13/90	Sabotage, enemy propaganda	10 years.
Echevarria Marrero, Miguel		Enemy propaganda	4 years.
Echevarria Revalleche, Hector		Enemy propaganda	
E . . . Figueredo, Jose		Enemy propaganda	4 years
Enrique Hernandez, Rafael		Disobedience	
Enrique Espinosa, Luis		Enemy propaganda	5 years
Enrique Garcia, Juan		Enemy Propaganda	8 years.
Escobar, Dr. Vladimir			
Espinosa Perez, Juan E		Theft	10 years.
Esporsa Procard, Fernando		Enemy propaganda	8 years.
Estrada Leiva, Ezequiel		Arson	
Estrada Rivero, Luis		Enemy propaganda	
Felipe Pino, Ewer	03/13/90	Enemy propaganda	2 yrs., 6 mos.
Felix Garcia, Angel		Sabotage	
Fernandez, Juan F		Unlawful assoc/failure of duty to report	
Fernandez Adier, Jorge	04/26/90	Terrorism and propaganda	7 years.
Fernandez Crespo, Miguel A		Terrorism	15 years.
Fernandez Diaz-Silveira, Jorge	04/92	Enemy propaganda	
Fernandez Mapule, Julio	12/91		
Fernandez Perez, Santiago E		Disobed. Comm. in Chief	
Fernandez Saliey, Alfredo		IDC	
Feria Cao, Aurea	01/22/90	Enemy propaganda	5 years.
Ferrer Venegas, Pedro C		Enemy propaganda	
Angulo Fletes, Luis			
Figueroa Castro, Raul		Theft	4 years
Fones Perez, Frank		IDC	
Fonseca Garcia, Jose		Destruction fm. fire	
Fonseca Reyes, Enriquez		Enemy propaganda	
Fuentes Valdes, Jorge L		Enemy propaganda	
Fumero Carrado, Angel		IDC	
Galanea Galvez, Carlos E		IDC, enemy propaganda	
Galvey Contreras, Tomas	01/90	Enemy propaganda	3 years.
Garay Callejas, Jose		Enemy propaganda	3 years.
Garcia . . . Jorge W	08/02/90	Sabotage	5 years.
Garcia . . . Candad	02/92	Enemy propaganda	3 years.
Garcia Alosca, Rigoberto		Enemy propaganda	10 years.
Garcia Aguilera, Juan		Enemy propaganda	8 years.
Garcia Bello, Maria C		Sabotage	18 years.
Garcia Bello, Maria del C	11/13/88	Sabotage	13 years.
Garcia Ramos, Lazaro E	02/92	Enemy propaganda	6 years.
Garcia Cruz, Juan E		Enemy propaganda	1 yr., 6 mos.
Garcia Diaz, Carlos	04/29/82	Sabotage	30 years.
Garcia Perez, Idalberto		IDC	
Garcia Jimenez, Eduardo		Espionage	15 years.
Garcia Figueredo, Luis E	01/19/91	IDC	
Garcia Garcia, Miguel		Enemy propaganda	5 years.
Garcia Hernandez, Gladys		Espionage	8 years.
Garcia Mejias, Guillermo		Enemy propaganda, sabotage	
Garcia Moreno, Jose A			
Garcia Navarro, Nestor		Espionage	8 yrs.
Garcia Perez, Idalberto		Espionage	
Garcia Ortiz, Ramon A		Enemy propaganda	
Garcia Perez, Luis J		Enemy propaganda	8 yrs. 7 mos.
Garcia Perez, Jorge L		Enemy propaganda	5 years.
Garcia Valdes, Maria M		Enemy propaganda	8 years.
Garcia Saldivari, Jadae		Terrorism	5 years.
Cavilan Garcia, Jorge	08/02/90	Enemy propaganda	
Gil Dimas, Ruben		Sabotage	
Gomez, Rodolfo		Oil, heroes and martyrs	6 years.
Gonzalez Ogra, Luis		Enemy propaganda	
Gomez Cruz, Napoleon		Enemy propaganda	
Gomez Delgado, Aguedo	12/19/89	Enemy propaganda	5 years.
Gomez Estevez, Alexix	07/16/92	Sabotage	
Gomez Gonzalez, Fray		Sabotage	
Gomez Macias, Ibalde		Enemy propaganda	2 yrs. 7 mos.
Gomez Dias, Ibraim		Enemy propaganda	
Gonzalez, Juan	10/28/90	Sabotage	7 years.
Gonzalez Aleman, Genovevo		Theft	15 years.
Gonzalez Bello, Maria del C		Sabotage	
Gonzalez Seguei, Jennie A		Sabotage	18 years.
Gonzalez Laffita, Rosalina		Enemy propaganda	
Gonzalez Valazquez, Agustin	03/10/87	Theft	30 years.
Gonzalez Legro, Luis E		Enemy propaganda	4 years.
Gonzalez Leiva, Israel		Enemy propaganda	
Gonzalez Lopez, Rolando		Enemy propaganda	10 years.
Gonzalez Marichal, Jose		Sabotage	3 years.
Gonzalez Mateo, Emilio E	08/17/89	Sabotage/enemy propaganda	5 years.
Gonzalez Perez, Yaamani		Enemy propaganda	
Gonzalez Specks, Lino	09/01/82	IDC	30 years.
Gonzalez Vasquez, Agustin		Sabotage	
Gonzalez Veguero, Nicolas		Enemy propaganda	
Gonzalez Valencia, Marcos	04/09/91	Enemy propaganda	
Gomez, Maria			
Gorrin Verdecia, Ricardo		Enemy propaganda	
Grave de Peralta, Roberto		Enemy propaganda	
Grave de Peralta, Murrelli L	02/13/92	Rebellion	13 years.
Graveran Piloto, Juan		Enemy propaganda	
Graveran Piloto, Thomas		Enemy propaganda	
Guerra Blanco, Jesus			
Guero Rosales, Senen		Enemy propaganda	
Guerra Jimenez, Eduardo	06/11/79	Espionage	15 years.
Guerrero Garcia, Emigdio		IDC and acts rep. sabotage	5 years.
Guerrero Martinez, Faustino		Sabotage	
Guerrero Scheweyer, Alfredo	03/08/87	Espionage	12 years.
Guillen Zalduva, Jose		Sabotage	1 year.
Golobo Quinones, Ricardo		Sabotage	
Gutierrez, Angel M		Theft	3 years.
Gutierrez Martinez, Guillermo A		IDC	

Last names, first name	Arrest	Charges	Sentence
Gutierrez Ramos, Rodolfo		Rebellion	
Gutierrez Sosa, Jose L		Disobedience	
Granda Oveido, Alain			
Hernandez Reyes, Sanvel	12/09/80	Attempted asylum	25 years.
Hernandez Tesis, Orlando		Enemy propaganda	5 years.
Hernandez Eduardo		Enemy propaganda	5 years.
Hernandez Gonzalez, Alcides		Enemy propaganda	
Hernandez Garcia, Marcos A		Espionage, sabotage, Enemy propaganda	20 years.
Hernandez Hernandez, Juan		Enemy propaganda	
Hernandez Morales, Yosvani		Theft	3 years.
Hernandez Luaces, Omar		Enemy propaganda	
Herrera Macuran, Pastor			
Hernandez Oveido, Alain	10/19/90	Sabotage	5 years.
Hernandez Toledo, Gelacio			
Hernandez Viera, Alberto		Theft	
Hidalgo Gato, Armando		Enemy propaganda	2 years.
Herrera Macuran, Pastor		Enemy propaganda	
Herrera Ramirez, Ibrahim		Enemy propaganda	
Hidalgo Labrada, Rigoberto		Enemy propaganda	
Hoyo Ruiz, Ruben		Enemy propaganda	6 years.
Huerra Paraza, Carlos		Enemy propaganda	3 years.
Ibanez Sanchez, Pablo		Enemy propaganda	
Ibarra Tejeda, Alexis		Enemy propaganda	
Infante Estrada, Victor R		Revelation secrets Min. Int	8 years.
Isaac Nunez, Francisco		Enemy propaganda	
Izquierdo Carmona, Esteban		Espionage	15 years.
Jimenez Leon, Rafael		Enemy propaganda	5 years.
Jimenez Ramos, David	12/09/80	Attempted asylum	
Jimenez Ramos, Gerardo A	12/09/80	Attempted asylum	25 years.
Jimenez Rivero, Francisco	07/03/90	Espionage	10 years.
Jimenez Trujillo, Enerido		Disobedience	2 years.
Jorin Verdecia, Ricardo	09/09/90	Enemy propaganda	3 years.
Kerr Michel, Jorge			
Licourt Medina, Barbaro			
Labrada Rafael		Sabotage	
Ledesma Quijano, Isidro	11/02/89	Rebellion	3 years.
Lamothe Teras, Emilio		Enemy propaganda	
Lazaro Dominguez, Manuel		Enemy propaganda	8 years.
Lazo Martinez, Andees		Enemy propaganda	
Leon Aleman, Rene	12/12/90	Rebellion	
Leon Leon, Luis		Theft	4 years.
Leon de la Rosa, Abraham		Acts against state secur	
Leiva Eduardo		IDC, enemy propaganda	
Leiva Trista, Osmani G		Enemy propaganda	5 years.
Leiva Balado, Lilliana		Enemy propaganda	
Leiva Leiva, Croniel		Enemy propaganda	3 years.
Leiva Miguel, Orlando		Sabotage	
Licour Medina, Barbaro		Enemy propaganda, sabotage	
Linacero Martinez, Luis E	01/10/90	Terrorism	15 years.
Lino Cardoso, Hector		Sedition	30 years.
Lopez Beltran, Martin	03/23/79	Ex-milit	25 years.
Lopez Contreras, Leopoldo		IDC, enemy propaganda, worker strike	6 years.
Lopez Contreras, Ramon L		Transportation strike	6 years.
Lopez Estevez, Carlos		Enemy propaganda	
Lopez Estevez, Valeriano		IDC	
Lopez Jimenes, Leonardo		Sabotage	15 years.
Lopez Lopez, Ruben		Enemy propaganda	
Lopez Martin, Manuel		Enemy Propaganda	
Lopez Miranda, Diego	07/23/92	Enemy propaganda	
Lopez Novegil, Nelson	12/90	Rebellion	
Lopez Quinta, Jose		Enemy propaganda	8 years.
Lopez Rodriguez, Luis J		Enemy propaganda	6 years.
Lopez de la Rosa, Andres		IDC	
Lopez Torres, Luis A		Sabotage, enemy propaganda	
Lopez Torres, Luis A	12/12/90	Sabotage	
Lopez Gonzalez, Gilberto		IDC, enemy propaganda	
Lucio Rodriguez, Ernesto	11/21/90		
Llanes Marquez, Wilfredo		Enemy propaganda	
Llyh Ojeda, Raul		Rebellion	
Matos Sanchez, Huber L		Unlawful and clandestine association, printing	1 yr., 4 mos.
Maestre Saborit, Alexis	06/18/90	Enemy propaganda	12 years.
Magdalena Morales, Jorge D		Disobedience	
Manasa Elijah, Ham		Disobedience, comm. in chief	
Maragoto Martin, Justo		Enemy propaganda	
Marchal, Orillana, Waldo M		Attack, disobedience	
Marin Ramirez, Victor O		Disobedience, comm. in chief	
Marlote Triana, Felix		Theft, rebellion	3 yrs., 9 mos.
Marquez Medina, Rolando		Other acts	
Marrero Martinez, Lic. Jorge	01/14/85	Espionage	15 years.
Marti Callejas, Roman	09/18/90	Espionage	12 years.
Marti Rivas, Roman	09/18/90	Espionage	8 years.
Martin Callejas, Ruperto R		Sabotage	12 years.
Martin Roca, Pedro S		Enemy propaganda	
Martin Roca, Pedro	12/22/90	Enemy propaganda	3 years.
Martin Roca, Aurelio		Enemy propaganda	
Martin Terras, Gabriel		Enemy propaganda	10 years.
Martinez Alonso, Pablo		Enemy propaganda	
Martinez Benavides, Reinaldo		Enemy propaganda	
Martinez Francisco R			
Martinez Bustamante, Bienvenido			
Martinez Garcia, Angel D	02/06/92	Sabotage	
Martinez Garcia, Angel D		Enemy propaganda	
Martinez Gomez, Luis M		Theft	20 years.
Martinez Machado, Jesus		IDC, disobedience	
Martinez Martin, Maria T		Enemy propaganda	
Martinez Martinez, Luis E	03/23/90	Enemy propaganda	3 years.
Martinez Vidal, Jose L		Terrorism	15 years.
Matiendo Borroto, Jose A		Enemy propaganda	
Matos Colombie, Rodolfo	02/07/91	Enemy propaganda	5 years.
Matos Sanchez, Hubert L			
Mauré Justiz, Roberto		Enemy propaganda, assault	
Mayo Mendez, Juan	01/90	Enemy propaganda	4 years.
Mayo Gomez, Rafael		Sabotage	2 years.
Mena Perez, Adan		Sabotage	10 years.
Medina Corzo, Santiago	06/27/92	Sabotage	4 years.
Mendez Rafful, Juan P		Enemy propaganda	20 years.
Mendez Montesinos, Rene		Enemy propaganda	
Mendez Fernando, Juan		Enemy propaganda	6 years.
Mendez Kenol, Manuel		Disobedience, comm. in chief	
Mendez Veloz, Anibal		IDC	

Last names, first name	Arrest	Charges	Sentence
Mendoza Marrero, Maria	02/20/92	Theft	10 years.
Merino Guerra, Luciano		Enemy propaganda	
Mesa Hernandez, Mario	01/07/90	Enemy propaganda	5 years.
Miero Diaz, Jorge R		IDC	
Mojena Anjeris, Jose M	01/19/91	IDC	
Monjer Quintana, Eduardo		Sabotage	
Montes Prendes, Reinaldo		Economic espionage	
Montes de Oca, Rene		Disobedience	
Montes de Oca Cancio, Ronaldo de la C		IDC	
Monteagudo Rodriguez, Luis		Attempt Span. Embas. asylum	4 years.
Montero Hernandez, Alfredo		IDC	
Montesinos Arguelles, Sara		Theft	
Montoya Gonzalez, Jesus		Sabotage	10 years.
Morales Vior, Lazaro L	02/03/90	Enemy propaganda	4 years.
Martinez Hernandez, Mario		Disobedience	
Moral Veliz, Martin		IDC, disobedience	
Morales Beltran, Omar		Possible sabotage	
Morales Cantero, Silvio A		Sabotage	18 years.
Morales, Pedro J		Enemy propaganda	
Morales Gerrero, Ariel		Sabotage	
Morales Rodriguez, Pablo		Unlawful assoc. group	
Morales Trujillo, Fredy		Sabotage	20 years.
Moreno Reyes, Juan J	11/21/92	Enemy propaganda	
Morejon, Rodriguez, Felipe A	11/21/89	Enemy propaganda	
Moreno Tapia, Juan P		Disobedience	
Murez Justiz, Roberto	03/24/91	Enemy propaganda, assault, disobedience	3 years.
Munoz Lopez, Pedro R		Disobedience, comm. in chief	6 years.
Munoz Rodriguez, Guillermo		IDC	2 years.
Napoles Fernandez, Raidel		Disobedience, defamation of heroes and martyrs	2 years.
Naranjo Ramirez, Eladio		Probable sabotage	
Naranjo Fonseca, Jose M		Terrorism	8 years.
Nasco Marrero, Ares	01/13/90	IDC	
Noguera Napoles, Julio	01/19/92	IDC	
Noto Barrios, Agustin		Sabotage	
Nunez Lopez, Pastor		IDC	
Nunez Nunez, Martin		Enemy propaganda	
Nunez Cos, Ariel A		Disobedience	1 yr., 6 mos.
Nunez Villegas, Alcides		Sabotage	2 years.
O'Farrill Victor, Felix		Rebellion	7 years.
Orme Caballero, Carlos C		Disobedience, comm. in chief	
Ortega Hunt, Leandro A		Enemy propaganda	5 years.
Orunda Montejo, Fernando		Sabotage	
Osoorio Pupo, Merquiades		Sabotage	
Osoorio Sierra, Ramon		Sabotage	
Oviedo Hermida, Ala	10/15/90	Sabotage	3 years
Pairal Diaz, Omar		Enemy propaganda	
Pantoja Flores, Fidel		Enemy propaganda	
Pacheco Victoria, Luis		Enemy propaganda	
Pantoja Rodriguez, Antonio		Enemy propaganda, sabotage	
Pasanni Siro, Roman		Sabotage	5 years.
Pascual Bello, Rodolfo		Unlawful association	1 year.
Pages Navarro, Rolando C	12/20/89	Sabotage and propaganda	
Pelegri Campbell, Osmani		Sabotage	
Pelegri Ramirez, Raymundo		Acts against state security	
Pena Ruiz, Mario		Enemy propaganda	5 years.
Peraza, Carlos	10/21/88	Sabotage	15 years.
Peraza Cabrera, Eduardo		Sabotage	
Perdomo Feria, Rafael		Enemy propaganda	2 years.
Perez, Omar		Disobedience, comm. in chief	
Perez de Agreda Gomez, Ricardo L		Enemy propaganda	2 years.
Perez Parrera, Pedro			
Perez Batista, Fidel		Enemy propaganda	3 years.
Perez Cardoso, Osvaldo		Falsific documents	8 years.
Perez Fuentes, Nerida		IDC	
Perez Hernandez, Jorge O		IDC	
Perez Manso, Benito S		IDC	
Perez Martin, Juan	02/09/90	Enemy propaganda	
Perez Martinez Justo		Sabotage	
Perez Martinez, Manuel F		Disob. commander in chief	
Perez Miranda, Ariel O		Disobedience	
Perez Morales, Omar	03/22/90	Enemy propaganda	2 years.
Perez Pulido, Osvaldo		Enemy propaganda	2 yrs., 6 mos.
Perez Rodriguez, Victor L		IDC	
Perez Smith, Angel M		Other acts against st. sec	5 years.
Perez Trueba, Carlos		Enemy propaganda	5 years.
Perez Vidal, Lazaro		Sabotage	2 yrs., 6 mos.
Pino Gonzalez, Ramon I		Enemy propaganda	
Pintado Vitier, Armando	05/01/90	Unlawful assn/disobedience	5 years.
Pita Santos, Luis A	03/24/91	Assault	6 years.
Piris Piyd, Fernando		Disobedience	2 yrs., 6 mos.
Placencia, Gonzalo		Enemy propaganda	
Poinet Hernandez, Omar	01/24/90	Enemy propaganda	8 years.
Poli Ramos, Jorga		Disobed., Comm. in chief	
Pulido Valdivia, Juana M	12/10/89	Sabotage/enemy propaganda	
Polanco Vazquez, Reynaldo		Unlawful association	2 years.
Pomar, Jorge		Disobedience	2 yrs., 6 mos.
Portal Ariles, Armijail		Enemy propaganda	
Portuondo Rodriguez, Rafael		Revelation secrets Min. of Int	15 years.
Poso Marrero, Dr. Omar		Economic espionage	
Pomar Montalvo, Jorge A		Sabotage	15 years.
Prendes Montes, A. Jaime		Enemy propaganda	3 years.
Pridas, Eduardo		Disobedience	
Prio Ayala, Rafael A	12/26/91	Other acts agnst. state secur	
Prieto Mendez, Angel		Enemy propaganda	3 years.
Puig Valdes, Rolando	02/92	Enemy propaganda	
Pujol Inzar, Jose L		Enemy propaganda	
Puentes Valdez, Jorge L		Enemy propaganda	
Pruno Isaac, Alberto		IDC	
Quesada Fernandez, Carlos		IDC	
Quesada Fernandez, Juan P		Bearing firearms	
Quesada Garcia, Roberto		Sabotage	
Quiala Parra, Vismark		Sabotage	
Quiala Parra, Jorge S		Enemy propaganda	
Quinta Lopez, Jose		Alleged disobedience	
Quintana Silva, Jorge			
Quinones, Raul	01/19/91	IDC	4 years.
Quinones Estrada, Luis E	07/23/87	Enemy propaganda	
Quirolo Echevarria, Mirrian		Theft	15 years.
Ramirez Perez, Eduardo	08/24/87	Asylum attempt	4 years.
Ramirez Terrero, Frank			

Last names, first name	Arrest	Charges	Sentence
Ramirez, Mario		Enemy propaganda	3 years.
Ramos Andreu, Pedro R		Sabotage	36 years.
Ramos Carrateala, Lazaro	07/10/92	Ex-military	1 yr., 6 mos.
Ramos Lechuga, Aurelio	02/18/72	Enemy propaganda	13 years.
Ramon Llorens, Juan		Theft	20 years.
Ramos Martinez, Donato	03/18/87	Terrorism and rebellion	10 years.
Ramos Rodriguez, Tomas		Rebellion	20 years.
Ramos Rojas, Domingo		Enemy propaganda	
Restano Diaz, Rolando		Assault	20 years.
Reyes Martinez, Pablo		IDC	
Reyes Lopez, Ricardo	05/15/90	Enemy propaganda	
Reyes Sanchez, Jesus A	01/19/91	Theft	3 yrs., 6 mos.
Risco Herrera, Ramon		Enemy propaganda	6 yrs., 10 mos.
Rivas Hernandez, Celestino		Sabotage/enemy propaganda	5 years.
Rivera Gutierrez, Jose		IDC	
Rivero Betancourt, Martha L	04/06/91	Enemy propaganda	
Rivero Rodriguez, Pablo		Theft	
Ricardo, Aurelio	01/05/90	Sabotage/enemy propaganda	
Rodriguez Abreu, Oar		IDC	
Rodriguez, Tomas		Enemy propaganda	
Rodriguez Alonso, Cecilio		Enemy propaganda	
Rodriguez Benitez, Jose R		IDC	
Rodriguez Carrillo, Juan		Sabotage	10 years.
Rodriguez Campos, Jacinto		Theft	8 yrs., 6 mos.
Rodriguez Castillo, Carlos M	11/22/89	Theft	7 yrs., 7 mos.
Rodriguez Castillo, Manuel C		Enemy propaganda	
Rodriguez Hernandez, Arnaldo P		Enemy propaganda	
Rodriguez Herrada, Jose		Hijacking	12 years
Rodriguez Leon, Luis		Enemy propaganda	
Rodriguez Fuentes, Humberto		Rebellion	
Rodriguez Leiva, Robier		Disob. Comm. in chief	
Rodriguez Martinez, Israel C			
Rodriguez Martinez, Jose A	12/05/91		
Rodriguez Perez, Aine		Enemy propaganda/sabotage	9 years.
Rodriguez Placencia, Water	08/90	Theft	3 years.
Rodriguez Pupo, Ramon		Sabotage	30 years.
Rodriguez Ramirez, Jaquin F		Enemy propaganda	4 yrs., 6 mos.
Rodriguez Rangel, Ramiro	04/15/83	Sedition	30 years.
Rodriguez Rivero, Librado		Disob. comm in chief	
Rodriguez Rodriguez, Armando	03/21/91	Enemy propaganda	4 years.
Rodriguez Rodriguez, Bernardo		Espionage	14 years.
Rodriguez Rodriguez, Orelvis		Theft	15 years.
Rodriguez Rodriguez, Raudel	01/25/80	Rebellion	30 years.
Rodriguez Roque, Alexis		Enemy propaganda	2 years.
Rodriguez Simon, Jorge		Disobed. comm in chief	
Rodriguez Sosa, Gustavo	01/11/91	Rebellion	18 years.
Rodriguez Villavicencio, Julio		IDC	
Rodriguez Cala, Alberto		Theft	
Rodriguez Fonseca, Alberto L		Theft	
Romero Fernandez, Carlos		IDC	
Roman Pasarin, Gabriel	03/24/91	Enemy propaganda/assault	4 years.
Roman Pasarin, Ciro	03/24/91	Enemy propaganda/assault	11 years.
De la Rosa, Garcia, Nelson		Theft	17 years.
Rosa Mendoza, Juan A	01/06/90	IDC	
Rosado Torres, Francisco		Terrorism	10 years.
Rosano Carballo, Damian			
Royo Estrada, Carlos	02/92	Enemy propaganda	
Ruiz Columbie, Arquimides		Rebellion	10 years.
Ruiz Diaz, Rafael		Enemy propaganda	
Ruiz Matos, Maximo O		Disobed., IDC, desertion	20 years.
Ruiz Echevarria, Jorge		Sabotage	
Ruiz Varela, Antonio		IDC	
Ruiz Varela, Daniel		IDC	
Ruiz Vincent, Maurilio		Sabotage	20 years.
Saez Alvarez, Gregorio			
Sainz Castro, Roberto		Disobedience	
Salvia Ricardo, Ismael		Grouping	
Sanchez, Alexis		Enemy propaganda	1 year.
Sanchez Echevarria, Julio		Sabotage	
Sanchez Figueredo, Pedro	01/12/90	Enemy propaganda	
Sanchez Olivares, Luis		Enemy propaganda	
Santana Luis, Jose		Enemy propaganda	
Santos Davila, Guillermo	01/04/90	Other acts agnst. state secur	3 years.
Sarmientos Hernandez, Jose	03/31/81 or 09/18/80	Ex-military Batista	30 years.
Santovenia Fernandez, Daniel		Other acts agnst. state secur	
Seibanes Padron, Luis	04/28/90	Terrorism and propaganda	13 years.
Sierra Guerra, Albetto L		IDC	
Sierra Perez, J. Carlos		Terrorism	15 years.
Simon Poll, Sergio		Enemy propaganda	2 years.
Sixto Lopez, Alberto		Sabotage	9 years.
Socarras Lopez, Alberto T	12/12/90	Sabotage	
Soto Morell, Marco A		Enemy propaganda	3 years.
Sotolongo Rodriguez, Ramon	03/90	Sabotage	30 years.
Speck Gonzalez, Lino	09/07/92	Enemy propaganda	
Steneno Betancourt, Arturo		Enemy propaganda	
Suarez Cao, Wilder		Enemy propaganda	
Suarez Fernandez, Julio	06/08/90	Sabotage	5 years.
Suarez Perez, Felipe	12/24/90	Sabotage	
Suarez Taboada, Jose		Theft	8 years.
Suarez Ramos, Arturo	05/10/87	Sabotage	30 years.
Tamayo Mojena, Luis L		Sabotage	
Tapanes Tapanes, Regla	03/14/92	Enemy propaganda	
Tejeda Rodriguez, Angel		Sabotage	
Tenreiro, Abelardo		Enemy propaganda	2 yrs., 6 mos.
Tobal Sanchez, Roberto		Disob., comm. in chief	
Toledo Lugo, Timoteo		Rebellion	30 years.
Toledano Rodriguez, Jaime A	11/22/90	Enemy propaganda	3 years.
Torres, Juan G		IDC	4 years.
De la Torre Calero, Reidel	03/05/92	Possible sabotage	
Torre Jimenez, Lorenzo	04/28/90	Terrorism/enemy propaganda	7 years.
Torres Lourdano, Bislan	83	Sabotage	30 years.
Torres Santana, Adhil		Sabotage	7 years.
Trujillo Cervantes, Rafael		Disobedience	3 years.
Trujillo Graberon, Jose		Enemy propaganda	3 years.
Valenzuela Tabon, Luis		Disob., comm. in chief	
Valenzuela Tabon, Pedro F		Disob., comm. in chief	
Valdez Baro, Fidel		Enemy propaganda	
Valdes Medina, Antonio		Disob., IDC	
Valdes Semanat, Ismael		Sabotage	
Varona Betancourt, Virgilio		Other acts agnst. state sec	

Last names, first name	Arrest	Charges	Sentence
Valladares Eligenio, Jose		Other acts agnst. st. sec/enemy propaganda	

SUMMARY

Total number of political prisoners (approximate), 607.

Men, 580.

Women, 27.

Broken down according to cases:

Enemy propaganda, 275.

Sabotage, 89.

Illegal departure from country (with enemy propaganda), 58.

Theft**, 32.

Disobedience, 43.

Terrorism, 19.

Espionage, 20.

Acts against state security, 16.

Rebellion, 15.

Unlawful association, 14.

Attempted asylum, 5.

Revelation of secrets, 4.

Ex-military, 4.

Sedition, 4.

Assault, 3.

Infiltration, 2.

Worker strike, 2.

Treason, 1.

Defamation of heroes and martyrs, 1.

Just a short comment to point out the increases in the charges of enemy propaganda, contempt and unlawful association, which shows the growing need for the people to express themselves freely, their feelings and their deep desires for change in search of the sacred right to live in a world where individuality and freedom of opinion and expression are respected, as established in article 19 of the universal declaration of Human Rights.

**Translator's note: The term "pirateria" can be translated as theft or piracy. When combined with "aérea" it means hijacking. The translation theft is used here, but the word could refer to one of the other crimes.

□ 1530

Mr. DIAZ-BALART. Madam Speaker, will the gentleman yield?

Mr. MENENDEZ. I yield to the gentleman from Florida.

Mr. DIAZ-BALART. Madam Speaker, I would like to commend the gentleman from New Jersey [Mr. MENENDEZ] for a superb survey of the current and recent past of the Cuban people and commend the gentleman for his fundamental initiative that he has announced today which will play a very important role in accelerating the liberation of Cuba, and, of course, the reconstruction of Cuba.

I would like to read for the RECORD at this time an editorial of just a few days ago in the Portland, ME Sunday Telegram, written by an editor, Mr. George Neavoll. He accompanies his editorial with a photograph of a poetess in Cuba. Her name is Maria Elena Cruz Varela. He entitles his editorial, "This woman is a dangerous poet."

[From the Maine Sunday Telegram, May 2, 1993]

BWARE, THIS WOMAN IS A DANGEROUS POET

Look on the face of this young woman. She scares Fidel Castro to death. That's why he's had her beaten, robbed, assaulted, humiliated, and why she now spends her days in one of the Cuban dictator's political prisons.

The visage of Maria Elena Cruz Varela peered out at me from a recent mailing by

Freedom House. This is the human rights organization formed 52 years ago to resist the evil of Nazism then sweeping Europe. In the way of human rights groups, this is no Johnny-come-lately.

You'll have to forgive the quality of the photograph. It's the only one we have, and it was smuggled out of Cuba.

Castro has good reason to be afraid of Maria Elena, actually. She is a poet, and no one knows better the power of the written word than the aging Cuban Mussolini-with-hair.

In 1989, a collection of her poems, "Hija de Eva" ("Daughter of Eve"), was given a national poetry award.

In 1991, however, she also was the author of the "Declaration of Cuban Intellectuals." The open letter advocated a broad national debate, direct elections and freedom for political prisoners.

She and fellow intellectuals formed the Alternative Criterion, a small, non-violent human rights group.

Even more than her activism, though, it was Maria Elena's words that worried Castro and his toadies. Words such as these, published by the New York Times after she was dragged off to prison, scared Castro.

"How terrible is the mirror image of a man looking himself in the face and discovering his fear. Dramatic plastic surgery is needed on the Cuban nationality to restore its looks!

"Years will go by before many realize the quality of the byproduct they've become.

"But me, I exist. I speak up. I write. I oppose. I shall not stop shouting: I oppose the system you represent; I oppose the barbarism being imposed on us; I oppose you because your irresponsible leadership may give excuses to others to intervene and to be the ones to 'resolve' our problems. I am not the CIA. I don't represent their interests; I'm not interested in them, or interested in the Insecurity of the State and the psychological terror you've patiently inflicted on us for 32 years like a brutal, deadly inoculation.

"... Not only do I exist; we are many, so many, that our existence is imperiously denied; we are opponents and we are not exactly in the U.S. We are here, a few steps away from you, and you know it."

Maria Elena's letter to Castro was written on Sept. 27, 1991. On Nov. 19, state-controlled mobs swarmed around her apartment in East Havana, chanting slogans such as "Down with worms!" and firing shots into the air.

Finally, some of the goons burst into her apartment and dragged her by the hair down four flights of stairs and into the street. There, she and her daughter were beaten. This typical "act of repudiation," as the government likes to call it, was capped off by the goons stuffing some of her writings in her mouth.

Maria Elena's husband, daughter and son then were hauled off to the police station with her for the night. While they were away, their house was ransacked, and Maria Elena's poems and other writings were confiscated.

Two days later, she was arrested. On Nov. 27, 1991, she was tried, convicted and sentenced to two years in prison for "disrespect of state institutions" and "illegal association."

Maria Elena has almost seven months remaining on her prison term, unless it is lengthened in the meantime.

By the way, that is an all-too common occurrence in Cuba today.

The editorial continues:

One can't be too careful with dangerous poets, after all.

The Cuban people, however, are serving a life sentence under the brutish regime that has stripped them of their freedom, thrown their best thinkers, writers and poets in prison and returned the country to the economic dark ages.

Against it all, Maria Elena Cruz Varela stands unmoved, a voice of saneness and courage amid the din of Communist orthodoxy and street justice.

"Here I leave my scent," Maria Elena wrote in one of her poems. "The scent of the persecuted, of the animal chased by every pack of hounds from hell."

The chase isn't over yet, however, and the hunter can become the hunted overnight.

Madam Speaker, despite the arrogance of indifference in an all-too-indifferent world and the indifference of the arrogant, there will be no retreat on our policy toward the Castro dictatorship. The heroism of the Cuban people, such as the heroism of this woman, will be supported by the United States of America and the only change in our policy will be our insistence that the international community join us in caring about the Cuban people.

As I stated last night in a special order of my dear friend and colleague, the gentlewoman from Florida [Ms. ROS-LEHTINEN], our intense efforts are dedicated to accelerate the arrival of the day that the Cuban nightmare of today will be but a dreadful remembrance of the past.

□ 1540

Madam Speaker, this last weekend a classroom full of small children in France that had been kidnaped by a crazed gunman was freed by the French police. It impressed me upon hearing that the French Security Minister addressed his countrymen on television with the following words.

Mr. MENENDEZ. Would the gentleman yield for moment?

Mr. DIAZ-BALART. Yes, I do.

Mr. MENENDEZ. Madam Speaker, I just wanted to call to the gentleman's attention that I think we have 4 minutes or so, 5 minutes, left, and I know that the gentlewoman from Florida [Ms. ROS-LEHTINEN] wants to speak.

Mr. DIAZ-BALART. Madam Speaker, I appreciate the fact of the time, and I am glad, of course, to listen to our colleague.

The French minister ended his statement on television by saying:

"The nightmare is over. The madman is dead."

We look forward to the time, very soon, when those days will be applicable to the Cuban people.

Mr. MENENDEZ. I thank the gentleman from Florida [Mr. DIAZ-

BALART] very much for his intervention here with us today and his eloquent statement on the continuing situation in Cuba, and I would be happy to yield, Madam Speaker, to the distinguished gentlewoman from Florida [Ms. ROS-LEHTINEN].

Ms. ROS-LEHTINEN. Madam Speaker, I say to the gentleman, "Thank you so much, Congressman MENENDEZ. What a welcome addition you are to this distinguished body."

Certainly this is a very important moment, Madam Speaker, because I think it shows very dramatically that the issue of Cuba is a bipartisan issue. The solutions that we seek are not partisan solutions, and the gentleman on one side of the aisle and us on this side of the aisle, we can work together very carefully and systematically to make sure that we can enlighten the other Members of this body as to the realities of the situation in Cuba and who was really responsible for the harsh conditions in our native homeland.

Last night, as my esteemed colleague, the gentleman from Florida [Mr. DIAZ-BALART] pointed out, we had a special order, and we are so thankful that we are continuing this today through the guidance of the gentleman from New Jersey [Mr. MENENDEZ], and we discussed the violation of human rights, and I talked about too many pages in report after report talking about the direct violations of human rights in Cuba. We talked about the plight of Cuban political prisoners, the plantados, those who do not subject themselves to the whims of their jailors and who stand up, and for their principled stand they suffer harsh treatment, even harsher than the normal treatment of political prisoners in Cuba, and I am so glad that the gentleman from Florida [Mr. DIAZ-BALART] brought up the plight of Maria Elena Cruz Varela along with other women Members of this body. We signed a letter to the leadership of Freedom House asking more attention be paid to the plight of this human rights activist, and I was glad to have the cooperation of women who perhaps may not agree totally with certain positions that I take regarding the embargo, but, when it comes to human rights violations, they understand the plight of women, especially in Cuba, and I had the support of the gentlewoman from California [Ms. PELOSI], and the gentlewoman from Colorado [Mrs. SCHROEDER], and so many women who signed that letter with me, and I am glad for their support.

And we discussed also last night the plight of the balseros, the human living tragedy that we experienced in south Florida all too often, and we devoted that special order last night to the memory of Raiza Santana and so many other women who are sacrificing—women and men are sacrificing their lives, and sometimes the lives of their

families, to seek freedom in our generous shores of this democratic land, and we must talk about organizations such as Brothers to the Rescue, Hermanos Al Rescate, and the president, Jose Basulto, and the brothers, the Blados brothers. One of them was paralyzed, semiparalyzed, is now walking with great difficulty with a walker, and we hope he will get the full use of his limbs shortly—a pilot of Brothers to the Rescue, volunteer pilots not paid, who navigate through the skies of south Florida linking through to Cuba while looking out for rafters and trying to save them. One of the brothers, as I say, is semiparalyzed. Another brother just this week had a Cuban Mig fighter plane buzz by him in an act of aggression, and these are two brothers who are not even Cuban, and yet they are there showing great solidarity with the Cuban people, and we should talk on another occasion, and I know our time is up, about the monkey trials and about Castro's insistence that no human rights groups examine the prison conditions and the rapid response brigades, and I will just finish in 10 seconds saying that one of the favorite people that I have to quote is Dr. Jeane Kirkpatrick who always says that we should not go along with the blame-America-first crowd. The problem of Cuba is related to the policies of Fidel Castro and not to the policies of the United States.

Madam Speaker, I thank the gentleman from New Jersey [Mr. MENENDEZ] for having yielding to me.

Mr. MENENDEZ. Madam Speaker, I thank the gentlewoman for participating today. Hopefully we have unveiled the true Cuba and stripped away the mask of Fidel.

GENERAL LEAVE

Mr. MENENDEZ. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on Senate Joint Resolution 45.

The SPEAKER pro tempore. (Miss COLLINS of Michigan). Is there objection to the request of the gentleman from New Jersey?

There was no objection.

THE NECESSITY FOR AN ACTIVE, VIABLE U.S. MERCHANT MARINE

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Maryland [Mrs. BENTLEY] is recognized for 60 minutes.

Mrs. BENTLEY. Madam Speaker, National Maritime Day traditionally is observed in the United States on May 22 in recognition of the crossing of the Atlantic Ocean by the Nation's first steamship, the S.S. *Savannah*, in the year 1819. This year, on its birthday, the U.S. maritime industry receives an unwelcome birthday present because

the Clinton administration, strongly influenced by the Department of Defense and others, last week announced that it will not be offering maritime reform legislation.

Everyone in this Chamber painfully is aware of the divergent views within the industry as to what is the best course of action to place U.S. maritime industries on a level playing field in a global economy where virtually every other merchant fleet is subsidized.

But, Madam Speaker, what I particularly find egregious is the fact that the Department of Defense is of the opinion that we—as a Nation—have no future need for a privately-owned merchant fleet.

Why, you may ask, would our military take such a hard-line position, given the fact that it relies heavily on merchant shipping in times of war or national emergency. During every major foreign military engagement in our Nation's history, at least 95 percent of all ordnance, equipment, and supplies needed by our military and by our allies, was carried by ship. The recent Persian Gulf war was no exception.

That requirement—ocean transportation—has not changed, Madam Speaker. The most efficient and effective way of transporting the enormous volume of military equipment and supplies is by ocean transport. Quite simply, there is no equal.

What has changed is our military's philosophy or policy governing ocean transportation.

The military, particularly the Navy, has developed its own fleet of sealift ships, some Government-owned, some Government-chartered and controlled—some even carrying Government cargoes that ought to be carried by our privately owned commercial fleet. Still others are held in the reserve fleet.

In short, Madam Speaker, the Navy has created a second merchant fleet by using, in my opinion, vessel utilization strategies and creative interpretations of existing laws that favors its own, captive Government fleet—all at the expense of our active commercial merchant marine.

As I mentioned, Mr. Speaker, one component of the Government's fleet is the National Defense Reserve Force [NDRF] and its subcomponent, the Ready Reserve Force [RRF].

Like many of my colleagues in the House and Senate, I supported the NDRF and the creation of the RRF, because I saw it as a critical source from which we quickly could supplement our active fleet in times of national emergency or war.

What the Congress failed to foresee was the Navy's intention—specifically the Military Sealift Command's intention—to expand its mission to become the Nation's largest ship operator and largest deepsea employer.

Madam Speaker, DOD is nationalizing our merchant fleet.

This must not be allowed to stand.

Maritime reform legislation died, critics say, because it was framed around subsidies that the Federal Government could no longer afford. My response, Mr. Speaker, is that we cannot afford not to pay vessel operating subsidies or some other form of operating fiscal support.

It is ironic that the Congress and the administration can find billions upon billion of dollars for agricultural subsidies, educational subsidies, welfare subsidies, or for study after study on a wide range of subjects and issues that often borders on the ridiculous, yet is more than willing to write off an industry that plays a crucial role in the defense and the economy of this great Nation.

The figure we are talking about is approximately \$350 million a year, or less, to keep more than 100 modern U.S. flagships operating in our foreign trades. And remember, of this \$250 million, nearly one-half will be returned the same year in personal and corporate taxes. It is money put to work in our economy that generates jobs and a defense capability and helps our balance trade.

Military planners were unwilling to support maritime reform because they say it is too expensive—that our merchant ships in the international trades are not necessary for a military surge deployment or to sustain that mission.

What our military planners are saying is that foreign flag ships are readily available, such as was the case in the Persian Gulf when more than 140 foreign-owned ships were chartered.

Military planners, with an eye on the bottom line, are selling one of the most important components of our national defense down the drain, but we, as a nation, will not see the results of this misguided policy until it is too late—after all of our ships have been reflagged, crewed with foreigners, and they are no longer available to assist our military.

Opponents of continued assistance to our merchant fleet will say that foreign flag shipowners will not let the United States down, that they will make their ships available. They may be right, to a degree. The ships will be available—for a price, a very high price; but, what about the crews. Will they be available? There is no clear, definitive answer to that question.

Our military quickly points to the successes of Operations Desert Shield and Desert Storm, when foreign flag vessels were used extensively.

Madam Speaker, I believe our military establishment is making a serious mistake by assuming that in all future engagements the United States will have the same cooperation from foreign governments as it enjoyed in the Persian Gulf conflict. They also do not tell you about the foreign-flag vessels that refused to carry gulf war cargoes

and the foreign crews that refused to sail when we needed them.

But after all, these men and same planners who testified before the Subcommittee on Merchant Marine a few years ago and asserted, during a paper exercise conducted at the U.S. Transportation Command, that all 96 vessels in the Ready Reserve Force were broken out successfully within the allotted time frame.

Such an assumption was not based on reality. At that same hearing, I questioned another witness, Vice Adm. Paul Butcher, the then-commander of the Military Sealift Command, about the probability of repeating in the real world the successes gained during the "paper".

The admiral, to his credit, agreed with me that getting any vessel out of the reserve fleet would be extremely difficult, unless it is given great attention and strictly maintained.

My views on that subject, which were supported by Admiral Butcher, proved to be correct during the breakout of RRF vessels during Operation Desert Shield.

U.S. shipyards and other companies engaged to breakout RRF vessels found it extremely difficult to meet their target dates. I am convinced the same serious miscalculations are being made in this case, when the military assumes cooperation between the U.S. Government and foreign governments will give us unlimited access to foreign flag vessels and foreign crews.

If we are to learn from history, we must look back to other U.S. military involvements, such as Korea, Vietnam, and, yes, the Persian Gulf war.

Foreign seamen, whether they work for U.S. or foreign vessel owners, have no loyalty or allegiance to U.S. flag or to U.S. objectives—objectives to which we may commit our young men and women to combat.

We have witnessed time and time again how foreign crews have refused to man vessels destined to carry supplies and equipment into U.S. military theaters of operation. The only reliable seamen, who will answer the call, support the objectives of the United States and support the U.S. military, are U.S. seamen.

Madam Speaker, if we proceed down this foolish path on which the administration is leading us, and U.S. vessels now engaged in the international liner trade eventually are reflagged, where will we obtain the trained, skilled seamen that will be needed to man vessels broken out of the RRF?

Precipitous reductions in U.S. deepsea jobs will create a void that will be impossible to fill. We only have to look at the experiences we endured during Operation Desert Shield when there was a critical shortage of U.S. radiomen and other crafts needed to man reserve vessels. Vessels were delayed until men could be recalled from re-

tirement and placed back on active duty.

Madam Speaker, officials of the Office of Management and Budget during their deliberations concerning maritime reform legislation with other Federal agencies said that maritime reform was too expensive, that the Federal Government could not afford to underwrite operating subsidies for U.S. liner vessels competing with cheaper foreign vessels.

Madam Speaker, given the importance of a strong merchant marine for commercial and national defense, the question must be asked: How can we afford not to keep this industry afloat?

Consider, if you will, the fact that U.S. taxpayers spent \$17 billion this year to support American agricultural interests—many of them multi-national conglomerates, and some of them even foreign owned.

Part of that effort was the expenditure of U.S. taxpayer dollars to help promote U.S. agricultural products in foreign nations. The administration has included in its fiscal year 1994 budget \$147 million for this program.

While the program may assist in the promotion and export of U.S. commodities—and there is no proof that it does even that—I question the wisdom of using taxpayers dollars to support companies like Sunkist Growers, which received \$66.9 million between fiscal years 1986 and 1992; Blue Diamond, \$35.7 million; Sunsweet Growers, \$19.1 million; and Dole Foods, \$14.9 million.

These companies should be using their own advertising dollars to promote their product line, not tax dollars.

According to a recent article in the Washington Post, Dole Foods, which received nearly \$15 million in Federal aid for supermarket promotions in Japan and magazine ads in Europe, reported \$570 million profits during the same period it was receiving Federal aid.

Supporters of this program argue that promoting U.S. exports creates U.S. jobs. How can anyone argue with that?

Yet, that is precisely the same argument—in part—for continuation of the U.S. operating differential subsidy or some other form of fiscal support for the merchant marine.

Madam Speaker, many years ago when I was taking typing classes, there was an exercise we use to employ to improve our typing skills. It consisted of typing over and over again the following sentence: Now is the time for all great men to come to the aid of their country.

This is no classroom. This is the U.S. Congress. And this is no typing class exercise. Now is the time for all great men—and women—to come to the aid of the U.S. merchant marine.

Without an active, viable U.S. merchant marine, without our fourth arm

of defense, without a manpower pool of skilled, highly trained seamen, this Nation will be weakened greatly—both economically and militarily.

I want to urge all of my colleagues to join me in supporting maritime reform legislation introduced this week by the distinguished bipartisan leadership of the Merchant Marine and Fisheries Committee.

Madam Speaker, if we are to continue to have a strong, independent Nation, then this legislation must prevail—the U.S. merchant marine must prevail.

Let's have a happier birthday next year.

Madam Speaker, for the RECORD I include the following articles.

[From the Journal of Commerce, May 18, 1993]

SHIPPERS, SHIPYARDS PRESS AHEAD WITH REFORM PLANS DESPITE SETBACK

(By Tim Sansburg and Tim Shorrock)

WASHINGTON.—The wreckage of the Clinton administration's maritime reform plan won't deter shippers and shipbuilders from seeking changes that appeared headed to Congress as part of a package designed primarily to preserve the U.S. merchant fleet.

The administration last week scrapped the centerpiece of the omnibus maritime bill it worked on for nearly three months, saying budgetary constraints prevent it from making federal funds available for new subsidies for U.S.-flag ocean shipping lines.

Loss of the primary legislative vehicle, however, won't ground efforts by U.S. importers and exporters reliant on ocean transportation to reform the 1984 Shipping Act, or by shipbuilders to revitalize their industry, chief lobbyists for the groups said.

Meanwhile, more details emerged about the Clinton administration's decision not to pursue legislation to extend the maritime subsidy program beyond 1997.

The decision, industry and government sources said, was made primarily by the National Economic Council and the Office of Management and Budget. Those White House agencies rejected a recommendation from the Department of Transportation to proceed with a scaled-down subsidy program.

Several studies quoted by the OMB concluded a maritime subsidy program would cost \$100,000 a job. The OMB decided it would be better to spend that money to create 10 jobs in a more competitive industry than shipping, one source said.

The Defense Department played a key role in the debate. The Pentagon's representatives to the interagency working group argued that a subsidized U.S.-flag container-ship fleet was not as important to long-term defense needs as the 20 roll-on, roll-off vessels the Pentagon will shortly order from U.S. shipyards, sources said.

Those large, medium-speed vessels will be used to supply U.S. forces in the initial "surge" of a conflict. In the longer, sustenance period of a future conflict, the Pentagon is likely to use the same combination of U.S. and foreign-flag ships it used during the Persian Gulf war, the sources said.

"Most people don't think we'll need a pipeline of containers," one official said.

But one industry source said part of the blame belongs to the Clinton administration for not having its senior people in place to make a difference.

The "central failure" is with the Transportation Department, the source said. He explained that relations with industry groups were handled smartly by Mr. Pena but the "interagency process" leading up to the final decision by top administration officials was ignored.

Sen. Ernest Hollings, D-S.C., used the confirmation hearing Monday of three DOT nominees to send the message that he doesn't think the issue of maritime reform is closed. He told Mortimer Downey, the deputy-secretary-designate, that the administration should find money to pay for reform.

He said he considers the administration's announcement last week as a "holding tactic" and that the Department of Defense should help fund the program. "If DOD can find a billion dollars for commercial conversion programs, it can find some money for U.S. bottoms," he said.

A committee aide said the panel would be considering maritime reform this summer and said Pentagon officials would be asked to testify.

Peter Gatti, director of policy development for the National Industrial Transportation League, said shippers will continue to press the administration for support and to have legislative reform proposals introduced in both houses of Congress. NIT League members account for 80% of the commodities the nation transports by sea, land, and air.

Shippers want to reform U.S. shipping law to limit carriers' anti-trust immunity and to allow for individual, confidential contracting for ocean transportation rates and services. Shipper-backed reforms aren't linked to subsidies, don't cost the taxpayers any money and are needed to keep U.S. exporting and importing companies competitive in the world marketplace, Mr. Gatti noted.

The benefits of antitrust immunity for carriers seem to diminish if they all switch to foreign flags, Mr. Gatti added. He was referring to U.S. carriers' pledge to reflag their vessels in the absence of government subsidies. Foreign vessels aren't crewed by U.S. labor.

The administration's consideration of shipbuilding issues will go forward under an interagency task force created by the National Defense Authorization Act, said John Stocker, president of the Shipbuilders Council of America.

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KEY CONGRESSMEN UNVEIL \$1.9 BILLION SHIP SUBSIDY PLAN

(By William DiBenedetto)

WASHINGTON.—House maritime leaders Wednesday sought to revive the campaign for maritime subsidy reform that the Clinton administration abandoned last week, but they face the same funding problems that stymied both the Clinton and Bush administrations.

One of the bills in the maritime revitalization package that was unveiled by key House members calls for a new 10-year, \$1.9 billion subsidy, beginning in fiscal 1996, covering 90 U.S.-flag vessels in a so-called maritime security fleet.

That is slightly more than the Bush administration unsuccessfully sought last year but much less than the 15-year, \$4 billion plan urged by U.S. shipping lines earlier this year as necessary to keep their vessels under the U.S. flag.

A second bill would change maritime tax policies, including revising and expanding the Capital Construction Fund, a tax-deferred account that U.S. operators use to amass funds to build ships in U.S. shipyards.

Chairman Gerry Studds, D-Mass., and other members of the House Merchant Marine and Fisheries Committee, described the two measures at a news briefing Wednesday, National Maritime Day, and indicated there will be more to come.

Future initiatives will include a promotional program for U.S. shipyards and a funding mechanism to pay for the new subsidy program. The shipyard program, likely a package of tax breaks and funding for research and development, will be unveiled in two weeks. Hearings on the committee's reform program begin on Tuesday.

Rep. Studds noted that last week the Clinton administration—constrained by budget concerns and the lack of Pentagon support for maintaining a strong U.S.-flag fleet—announced it would let Congress take the lead on maritime reform. "It's our intention to do precisely that. It's now or never," Rep. Studds said.

The congressman said it is "unthinkable this nation could find itself without a U.S.-flag fleet and unable to build a fleet, it won't happen on our watch if we can help it." Rep. Studds was referring to repeated threats by the two largest U.S. carriers, Sea-Land Service Inc. and American President Lines Ltd., to switch to foreign registries if maritime reform is not forthcoming.

"We're going to move as far as we can and as fast as we can," said Rep. Studds. "We hope the administration can support us later this summer or in the fall."

Rep. William O. Lipinski, D-Ill., said he has spoken to Transportation Secretary Federico Pena about the new initiatives. "The administration position is one of neutrality at the present time," he said.

The top official of a shipboard engineers union Wednesday said he welcomed the proposed legislation's stress on economic security.

The nation's five key maritime unions welcomed the legislation. In a joint statement, they said that "like the congressmen who introduced the bill, we are hopeful the administration will join in the effort to put in place a maritime program that will have beneficial effects on the nation's economy and its defense capability."

An APL statement said the company appreciated the committee's attention, but added, "Unfortunately, the administration's clear statement of its position last week requires us to plan for the future without the expectation of timely or satisfactory maritime reform."

CSX Corp., the parent company of Sea-Land Service Inc., released a statement praising Rep. Studds and Rep. Lipinski for introducing the legislation.

But one industry source said, "There's not a snowball's chance in hell this will pass. Without strong administration support it's going to die."

The legislation does not address how the new subsidies will be financed. Rep. Lipinski has suggested a big increase in the tax on cruise vessel passengers, but Rep. Studds has skirted any endorsement of that proposal.

"It's an interesting question; we will have to come up with \$189 million a year," said Rep. Studds. One consideration is whether to continue appropriating money for a reserve fleet of defense sealift ships, or whether some of that money could go to subsidies for commercial operators, he said.

Elements of the two bills include: Depreciation of U.S.-flag ships over three years, rather 10 years.

Use of CCF money to build vessels for U.S. domestic trades and to acquire ships by lease.

Maintenance of a maritime security fleet by paying operators \$2.3 million a vessel in fiscal 1996 and \$2.1 million a vessel each year after that. (U.S. operators have insisted they need a minimum of \$2.5 million a vessel throughout the life of any subsidy program; many operators currently receive \$3 million to \$4 million a vessel.)

Availability of subsidy to liner and bulk operators, with permission to build vessels in foreign shipyards that receive no construction subsidies.

Elimination of the three-year waiting period for eligibility of reflagged vessels to carry U.S. preference cargoes.

□ 1600

MORE ON FAMILY VALUES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. DORNAN] is recognized for 60 minutes.

Mr. DORNAN. Madam Speaker, I will not take anywhere near my full hour, because I assume those that have signed up for a special order will probably not avail themselves of that wonderful opportunity and that this will be the last remarks on the House floor. And we can let our hardworking staff catch their breath.

Let me use this opportunity, again, as I like to do, at least every other couple of months, to thank all these patriotic men and women who serve us here in the Chamber, some of them with far more seniority than most of us have, who serve us so well with such good nature and dedication to duty.

Madam Speaker, it is always my desire at the beginning of one of these special orders to point out something very important about the outreach of this House, as though it is one large townhall meeting, reaching out to America through the wonderful communication abilities we have with television and cable systems. And it is just being enhanced at a supersonic speed with fiber optics.

But there are about a million, the gentlewoman from Maryland [Mrs. BENTLEY], who is still on the floor argues with me, gently pointing out that it may be as high as 3 million American citizens, from Alaska to Hawaii to all 48 continental States, watching the proceedings of this Chamber as we speak here, even after the legislative duties are over, and we are speaking with these special orders.

They are just like the 1-minute speeches at the beginning of the day. Our fellow American citizens, particularly taxpayers, are watching the proceedings of this House, not only when we are discussing bills but also during these special orders.

If there are a million or 3 million people watching and 59 million American households are wired, and all of the cable systems across America pool their services and created C-SPAN 1 to bring the proceedings of this Chamber all across America and out to Hawaii,

and then a couple of years later the Senate amended their rules. It was inevitable, and C-SPAN 2 was created to broadcast the proceedings of the Senate.

And I will register again, Madam Speaker, a complaint to our current Speaker, who did not set this into policy, and I know he does not like it, but panning this Chamber with the six cameras paid for by the taxpayers to convey the impression, as even bright reporters deliberately lie in print when they put down, "DORNAN, BENTLEY, GONZALEZ speaking to an empty Chamber."

The Chamber is not empty. There is a Member on the floor. There are dozens of people up in the gallery and millions of people across the country. Why do we pan this Chamber? To convey the impression that I am speaking to what the United Nations was once described as, a cave of winds.

It is a demeaning thing. It was put into place by a man who is now sorry, the longest run any Speaker has ever had in consecutive years, 10 years for Tip O'Neill, a great Irish-American. He did it in a fit of pique, if not anger, to get at my colleague, the gentleman from Georgia, NEWT GINGRICH, who was hammering away on this House floor against—it was probably NEWT's first 2 years—against President Jimmy Carter's economic policies that were weak. Those policies look solid now compared to the Bubba policies that are coming down at an ever-increasing rate from down at the White House up here to the Hill.

I would like to say, please, my colleagues, both sides of the aisle, I remember a former fine Member and friend from the other side, Steve Solarz, and I signed a letter. We got the majority whip, the minority whip, BOB MICHEL signed on board. I took it to TOM FOLEY, our great Speaker, last year and said, "Stop this panning of the Chamber. It demeans the whole House."

You want to know, I am telling my fellow Americans this, Madam Speaker, when there is a tribute to a dead Member who is a sitting Member, who died in service in this Chamber, or we are paying tribute to a Senator who died in office or a former Member who has died that earned great respect here, when we have one of those colleagues tributes, and there are maybe six or seven Members only on the floor and at the leadership table, the mikes and down at the two lecterns, guess what, somebody, Madam Speaker, is able to give a sensible order not to insult the memorial tribute to a former or sitting Member who has gone to his eternal reward. And the darn cameras do not pan then.

I feel like going downstairs, after I am through, and asking the Communications Room downstairs, who are only following orders, show me the

written order that says you do not pan the Chamber when we are doing a tribute to a former Member. So stop. I give an order right now, as a sitting U.S. Congressman, stop panning this Chamber.

Let us see if my order, which I sincerely give right now, is more powerful than no written order, a vocal order of the commander, a vocal, let us see if some amorphous order out there from TOM FOLEY that is not in writing supersedes what I am telling the men downstairs right now.

Do you hear me, ladies and gentleman? Stop panning the empty Chamber. A million people are watching.

Now, why did I get up today: to continue speaking about the onslaught on family values by the man who is now in the White House.

Today, for people of my Christian denomination, actually for all Christians, it is Ascension Thursday. This is the day 40 days after Easter that the Son of God rose to Heaven to return again and judge the living and the dead.

□ 1610

For my faith it is a holy day of obligation, which means go to church or you are not in good standing. I went to church today over here at St. Peter's. Senators are going over to St. Joseph's on the other side. It is pretty nice that we have a church two blocks away.

In church I started thinking about where our country is headed. I think a lot about the abortion issue in church, because this administration has unleashed an abortion on demand for any reason or no reason, paid with U.S. tax dollars, that is going to send the abortion rate in this country skyrocketing again.

Candidate Clinton said that he wanted abortion to be safe. It is never safe for the baby, whose body is crushed and its life stamped out, its heartbeat snuffed out, its brain waves zeroed out, and that heartbeat starts at day 18, the brain waves start at day 40.

The youngest of my Sally and my five, our Kathleen, is about 8 months pregnant. She thinks she is going to deliver early, any day now. She is as big as two Kathleens. I am watching that baby. It has to be a young fighter pilot in there, male or female, because it is doing slow rolls in there.

When you go after that baby, and there are, let's say, 3 percent of the abortions of this country are in the last 3 months, what the Supreme Court coined this word, trimester. They are in the last 3 months.

What is 3 percent of a daily 4,500 abortions, a yearly 1,600,000? What 3 percent is of 1,600,000, it is more people than we lost in combat in the entire 10 years of Vietnam, and then some.

When a so-called doctor, and no OB doctors perform abortions in the second, third, and fourth month, the defi-

dition of an OB doctor being a doctor that occasionally delivers live children, that does not try to kill every child the minute he puts that woman on a delivery table and puts her in that birth position, an OB/GYN doctor may do abortions, and that is tragic that they do, but nobody in the military who is a military doctor does abortions, and have told the White House, "We aren't going to do them, even though you are telling us we should."

I will say there are thousands of OB/GYN doctors that do perform occasional abortions, and if he wants to hang up an OB shingle I will bet you most of them do not kill more than they try to save lives. A so-called doctor who only does abortions to this Member is the virtual scum of the Earth, a demon turned loose. Those doctors who only do abortions, when they look at a pregnant woman or a pregnant young girl and see that she is 7, 8 months, or in her ninth month of pregnancy, and go after that child to kill it, which is serious surgery, either caesarean or mutilation of that child in the womb, with this latest technique that we have all learned about, the evacuation of the brain tissue while the child is in the birth canal so they do not run what they themselves call the horrible circumstance of having the child they are trying to kill delivered live, and then they have to make a decision, which is clearly infanticide, to strangle it, suffocate it, or let it starve to death.

When that happens, out of 1,600,000, you can imagine that happens occasionally, but any doctor who is going after a woman carrying a child at the end of her term, 6, 7, 8, 9 months, that is murder.

When I sat in my home, in my daughter's home, and looked across the room, I could see the movement of the child through her dress. When you go to kill something like that, you are not just killing, which takes place when you smash a mosquito, you are killing something, we kill germs, you are killing from the embryonic stage.

When does it become murder? That should be the great debate of our time on this House floor, and it is not. When you go after a child that could live outside the womb, and we are killing tens of thousands of them, even if it is only, quote-unquote, 3 percent, when you do that you are committing first-degree murder. Every abortionist who has performed that death-dealing process beyond the first few months, they know they are a first degree murderer.

Just as the left wing of this House, Members in both parties, say to the National Rifle Association that they are unyielding, that they are always using lines about "We don't even want to talk about automatic weapons, AK 47's being banned, because it is the crack in the door, it is the camel's nose under the tent, it is the beginning of

the end, it is a slippery slope," I say to my friends over here who give me this phony, let us call it, Catholics in the Senate, phony line about "I am personally opposed to abortion, but," when they give me that stuff, that "I am pro-choice but I am personally opposed," why is it there is not legislation generated from those pro-choicers personally opposed to do something about waiting periods, late term abortions, parental, not just parental notification but parental consent? Where is that legislation?

I say to them, Don't give me your garbage about all these cliches applied to the gun lobby in this country, because the pro-abortionists over here say "That is a crack in the dike, that is the camel's nose under the tent, that is the slippery slope, there is no ending."

No, I have decided most people in this country who claim they are pro-choice, they won't give us the Democrat Governor Bob Casey Pennsylvania rules of some sense about late-term abortions, clean abortion mills, hospitals being involved, parents being involved, with all the provisions that if you have psycho parents, abusing parents, an incestuous father who has brought about this pregnancy, of course you want court protections.

As a matter of fact, the Pennsylvania law says only one parent has to be informed, and that parent obviously has to be stable, and there are court protections.

All that is coming out of the White House is abortion on demand for all 9 months, the ninth month included, for any reason, and I have picked up three little words just in the last week, even after debating here for 15 years, simple words, "or no reason." All 9 months for any reason, or no reason.

Overwhelmingly, 80 percent of Americans, particularly in the lower economic levels, do not want to pay for abortion on demand as back-up birth control. Overwhelmingly, we don't want that, and the Clinton team, Donna Shalala, his arrogant appointee to be Surgeon General, all the friends of Hilary and the FOBs that are touching social policy, are telling us that within a few weeks we are going to be debating the biggest health plan in the health care system overall, in the history of civilization for any country, and included is going to be abortion on demand for all 9 months for any reason or no reason at all.

They are going to make every Orthodox Jewish person who practices faith pay for it with their dollars, every ecumenical Christian, fundamentalist Christian, charismatic Christian, loyal, practicing Catholic, and I don't care about the Judas Iscariot Catholics, every loyal, practicing Catholic, every hospital that is Catholic or Lutheran or any other denomination, every other institution, every businessman or busi-

ness woman who owns a company in this Nation is going to be told, "You will participate in a health care system where the abortions will be paid for."

The White House wants every Federal worker to have abortion on demand at taxpayer expense. I repeat, they are trying to force our military, Navy, Air Force, and Army doctors, the Marine Corps doctors who are all Navy, to offer abortion on demand at taxpayer expense.

We are in for a moral rough ride in this country that is beyond belief. Do you think this White House has the bully pulpit to tell kids not to smoke marijuana, when every kid I know laughs about not inhaling, because those that do put that cannabis to their lips do inhale?

Does anybody here really think that the inspiration from the White House now is going to cause SAT scores to go up? I doubt it. Just think, just answer in your own head what I mentioned here yesterday about the following words. Have you got a pencil, Madam Speaker, or any of my colleagues listening or anybody else listening?

Do you have a pencil? Just write down these letters in a column, and if you can't remember the words, go back to your Economics 101 book, you know, where you first learned about supply and demand and free markets and free economies and tariffs.

Just write down the letters, and you won't remember all of them, but you will eventually as you discuss economics with your friends. I will give you a little acronym for the first one, tsar, because usually only tsars put this kind of a revenue on their people, and it is usually a tyranny.

□ 1620

T-S-A-R, TSAR. The "A is for and," taxes, spending and regulations, TSAR. Taxes are going up, that is a given. Spending is going up big-time around here. That is a given. Do not believe all of this stuff about spending cuts. Spending will be bigger next year than this year, and I do not think it is just adjusted for inflation.

Regulations, going up. Ask my colleague and truly my friend, and I served with him 8 years, AL GORE, ask him if regulations are going up, not just in protecting the environment where I am open to any adjustments and help there and regulation to go up. But I do not want to destroy jobs wholesale, and I do not want to tell loggers that you are stupid, ugly and evil, and you do not know what you are talking about, we are not even listening to you. That is what we are doing with the health care. If you are a nurse, if you are an anesthesiologist, if you are a medical aide, if you are a helicopter pilot that flies a hospital helicopter ship, if you own a hospital, if you have invested in a hospital, if you are a hospital administrator, do not

dare ask to get on Ms. Hillary's task force, and do not ask to be allowed to play a part in the Rodham-Clinton force. And I leave out doctors deliberately, because if you are a doctor, male or female of any age or ethnic background, do not show your face around here. You provide health care. You used to take a Hippocratic oath that says I will do no harm, I will do everything to maintain life. But we do not want to hear from anybody that has an M.D. or any other medical letters after their names. Get out of here. Only bureaucrats need apply.

As I said in a 1-minute this morning, I found out only in the last few days that the legislative counsel, that means the people that write our ideas into possible law with all of the whereases and the wherefores and diplomatic, yes, diplomatic and legalistic language, and they are terrific. I have worked with them since 1977. I have put in some bills today on term limits. These are good men and women. Guess what? One of their senior boss's counselors has been seceded, lent, borrowed by Hillary Clinton for months to work on health care things.

Does that mean if I put a health care bill into the hopper and introduce legislation, and it goes downstairs to the Cannon Building to the legislative counsel, one of the senior guys can pick it up and take it over to the Clinton team, either as an intelligence foray to say here is what the Republicans are up to, or to borrow an observably good idea and integrate it into their plans that they are slaving over? No. I wrote a letter to the Speaker. I want to know how much that person is paid per year, who is paying for that. Does it come out of our legislative appropriations bill for this House, and are there any other people on Federal payrolls, because I understand that of 489 of the people on the 500-person task force—11 people still a mystery—but 489 of 500 I repeat, for emphasis, no doctors or health care people at all, that the 489 are bureaucrats from Health and Human Services under Hillary's best friend, Donna Shalala, or out of the offices here on the Democrat side, always of the liberal persuasion. That is what is coming up with this health care plan, and the abortion part of it is the cancer in the middle, to use a good medical word, that is going to rot this whole thing.

TOM BLILEY of Virginia told me that he said to the President's face, and BOB MICHEL said it was one of only two notes he took that day a few weeks ago going along in a meeting, the first meeting with Republican Members, and TOM BLILEY, Congressman of Virginia, said, "Mr. President, if you put abortion-on-demand in that health care package, you start off down 140 votes."

Well, I think it starts down with 140 of just Republican votes. I know 50 good Democrats, liberal labor Demo-

crats like my friend, DALE KILDEE, and the whip himself, Mr. BONIOR of Michigan. I know 50 people over there that in spite of the way the Democrat Convention conducted itself in the Big Apple, my home of birth, shutting down the Honorable Bob Casey, Governor of Pennsylvania; besides the fact that the party of my parents' early years, the great Democratic Party, founded by Thomas Jefferson has become the party of abortion-on-demand for any reason or no reason for all 9 months, in spite of that, 50 people over there, I am sure I can count on them, to say I do not vote for any health package with that death, killing, in spite of his executive execution orders, five of them, as I and 100,000 other pro-lifers were actually on our feet marching up Jenkins Hill on Constitution, and while we were doing that he signed five executive execution orders, abortions in the military at your taxpayers' expense being one of them.

That kind of in-your-face approach to the killing of American babies in their mothers' wombs, and then I think back to the statement, "safe, legal, and rare." That is going to make abortion rare?

David Gergen, a columnist for U.S. News & World Report, or maybe Newsweek, I think it's U.S. News, who was one of President Reagan's communications directors, Gergen who is a conservative, very bright, articulate, moderate Republican, and he says I am pro-choice here, and that is his sentence, and this is going to make abortion rare. And it goes out to point out that every poll ever taken in the last two decades since Roe versus Wade points out that Americans have come to a very peculiar understanding on abortion. Most Americans want it legal, but a third of Americans say it is murder, murder. Remember, Mosaic law says that thou shalt not kill. I always thought that that commandment should be translated to thou shalt not murder. You are allowed to kill if you are being attacked, or your wife is being raped and murdered, and if you don't use lethal force on an assailant you are what we call today a gutless wimp, unworthy of the name of father or husband. You are allowed to kill an enemy if your country is at war, and God hope it is a moral war, a defensive war, and even when you are on offense it starts from defense.

If you are allowed to kill in certain circumstances, what you are never allowed to do is in your head make an analysis that this is a grievous offense. Obviously every killing is, but then give sufficient reflection and full consent of your free willpower to murder. That you can never do. And a third of our Nation says it is clearcut m-u-r-d-e-r. And some of them flop over to create a majority that will tolerate it. I do not understand that reasoning, never will. But that is what it is.

But an overwhelming majority of Americans, 70 percent, 75 percent, 80 percent, 85 percent say parents have a role to play if they are good, loving parents. You know, what was sweet, beautiful Chelsea, trying to have a normal life in that goldfish bowl, what did she say to one of the people that wanted to give her an aspirin, I believe, that we have to have permission now to give her an aspirin, we have to have permission, and it became a national story because she said, "Well, call my dad because my mother is very busy." And she was not being funny. Her mother had just taken on the overwhelming burden of the health care task force.

But the power in that story is you cannot give the President's daughter a pill. By the way, I wonder if abortion providers at an abortuary could abort, God forbid, some President in the past who might have had a daughter of age, could abort a First Lady's child without the First Lady's knowledge? That is notification or permission. That is what we call consent. I mean, what kind of a mad, dark alley have we driven ourselves into without as much as we discussed this on the floor. Where is a debate from lectern to lectern, rooted in theology, rooted in Grecian ethics with a little Socrates, passed on to Plato, passed on to Aristotelian philosophy, and where is Thomas Aquinas discussed, and Augustine, and the great Protestant and Catholic theologians still alive? Where is the debate over this issue instead of this Bubba approach that I want it rare and here, and I will sign five executive execution orders? And let us go, and I will put it into the health bill, and the devil take the hind-most; let us see what happens?

No, this is the most peculiar period in American history for me. I know a lot of Jewish friends get upset when you use the Holocaust. The Holocaust was a horrendous 6 million murdered brutally of the world's 14 million living Jews that most demographers say existed at the beginning of World War II.

□ 1630

Hitler's *ausstreichen*, his final plan to rip them out by the roots and destroy all of European Jewry, and with his dying breath in his bunker he bragged that that was his greatest accomplishment. Tell me that Satan was not waiting to embrace this madman. We are not supposed to prejudice people's deaths, but there are certain things you want to put on the line in Las Vegas, that this was a sure thing where this madman was headed along with Stalin and Tojo.

Well, where is the debate on this floor that does not involve 6 million murdered, or 14 million that we are already bumping up against the 30 million death toll, just since Roe-Wade, just in the last 20 years? Where is it? Why are we not allowed to say holocaust when we kill 1.6 million?

Madam Speaker, now, listen, and my fellow Americans, listen to these statistics: America was suffering, among pregnant women, about 12.5-percent abortion when Roe versus Wade was signed by the Supreme Court. They said that might limit abortions because it would make it safe, free, and take it out of the back alleys. Wrong. It doubled to 23 percent of all pregnancies terminated brutally within 3 years, every heart-beat snuffed out, every brain wave zeroed out.

And then HENRY HYDE came along, the year I was campaigning for the first time, our bicentennial year. I win, and that same year HENRY gets the Hyde amendment through. I come, my first year of 1977, Hyde law takes effect and kicks in.

Did it diminish the abortions? No. The evil dice had been rolled. We went up 2 percent to 25, but God bless my colleague and his supporters in 1976, before I got here, because he created a ceiling. We hit 25, and we pretty much stayed at that ghastly death toll for 20 years; 25 percent of all pregnancies are terminated voluntarily and violently in our country today.

That is where you get that 1.6 million.

If the Hyde law that Wild Bill has targeted, that the White House has targeted, if the Hyde amendment goes down, I think we will see, and HENRY HYDE believes this, that 25 percent figure double as the 12.5 went up to 23 and then was ceilinged by HYDE at 25 percent; it is going to double.

What happened to candidate Clinton's line about rare, safe, legal? That is all the NOW standard blue signs, the same ones you saw in the lesbian parade, lesbian rights now, safe and legal now, same printing house, some NOW little logo down at the bottom, and I do not care what the parade is. The unholy alliance of sodomy and abortion works together in this country, and even though only 1 percent of the country is homosexual, three-quarters of that is in private, and they use the ugly term "in the closet," but in private. Privacy is what I call the way you should say in the closet.

That means that less than a tenth of a percent is activist, in your face, groaning and chanting, "We're queer, we're here, get used to it," and that group, making an unholy alliance because they think that the tissue of aborted, killed babies is going to get them a cure for AIDS, if you ever wondered about the nexus, the connection of the unholy alliance. That handful of people at NARAL and at NOW, producing both the sodomy and proabortion stickers at the same time, these people know that the 1.6 million is not going to go down. If it is free, it goes up.

I do not care whether it is a lunch or whether it is arms given to a country, if you create free anything and you get more of it and you get instant usage.

That is what happened after Roe versus Wade when the 12 went up to 23. That is why we are at 25 now, because there are a lot of charity abortions around this country where Planned Parenthood inflames people without ever discussing the facts, without ever looking at the photographs.

There is one word I would like to mention at this point. I think I would have thought we would have won the debate on this one word: "sonogram."

Do you know that proabortion people do not want any woman, whether she is 13 or a miracle pregnancy at 43, they do not want them to see a sonogram? Because when you see a sonogram, and I have seen this with the last two of our grandchildren, No. 9 in the hangar and No. 8 of our nine, not available to me or Sally with our five, but when you look at that sonogram, it is phenomenal. You see the baby sucking its thumb, see it rolling, and I mean in the early stages when it cannot live outside the womb on its own, you see hands, fingers, feet, toes, you see a baby, and those sonograms that some cold-hearted abortionist use during the abortion so they do not have complications leaving any of the body parts behind as they rip apart this human being, those abortionists who use a sonogram turn the screen away to avert it from the mother's eyes, because you can see that little infant, that preborn American pulling back in pain, whether it is ingesting the saline solution which they are trying to get away from, to go to brain tissue evacuation, when you see that child recoiling in pain, the month opening, and that is where those of us who are pro-life get the term "silent scream," when you see that, believe me, I would love to take that film to the Oval Office or to the family chambers and show it to Bill. I know I could break him down. The hard-hearted one who gives the orders there, I think, is the person who owns him and made his victory responsible by singing like Tammy Wynette, "I will stand by my man in spite of any protestations otherwise."

Here we are going to fight. I will be back to the well on this subject when the health care bill comes up. This is one fight that I want on my gravestone, win or lose, "He fought the good fight for the sanctity of human life in 1993." I want that there whenever God calls me, and on Ascension Thursday, I make that vow to Stephanopoulos, to Dee Dee Myers.

I was in New Hampshire this weekend, and they know I am back in their face. I gave them 6 months before I came to this well with this kind of passion and fervor.

Hey, Dee Dee, hey, Stephanie, tell them, please, Madam Speaker, I am in your face, and I am in your face to stay. If you win this one, our country is in decline, and I do not know of any Republican President who can ever re-

verse when the Great Democratic Party, the party that was on the wrong side during abolition of slavery, when that party sold its soul out for a few measly votes to enhance this death toll of 1.6 million American children, preborn in their mother's womb; when this fight starts, it is going to be for the very soul and the existence of our country, not as a Christian nation, because we are multiplural and multicultural, but a moral nation, a nation adhering to the Western civilized standards from Greece and Rome, and through the Son of God, Jesus Christ, right down to now, the very roots of our law from Moses up there, the great Jewish law, the refiner of the 11th century, Maimonides, Pope Innocent to Pope Gregory to St. Louis, to St. Edward the Confessor, all of these great lawgivers up here, and even Napoleon, the despot, understood that abortion was the killing of a human life, and he did not have modern science and a sonogram or brain waves or heart noises to show this.

This is the battle of our lifetime.

But guess what, folks, I really did not get up to speak about this today. Every time I just happened to think it was Ascension Thursday, May 20.

There are a lot of nice things I would like to have talked about: 1927, Charles Lindbergh took off for Paris all by himself, the Lone Eagle, made it in 33 hours and 29 minutes. What an inspiration in the Age of Innocence, 1927.

That is when Babe Ruth hit 60 home runs.

I wanted to get up today to talk about one of my colleagues I just saw who I am pulling for to be Ambassador to Rome. Do you know what he told me that drove me out here? That the White House today under Mr. Clinton chose sides in the struggle in Angola. Mr. Clinton has sided with the Communist murderers, the MPLA of Luanda in Angola.

Jonas Savimbi is no saint, the founder and leader of UNITA. When Jonas Savimbi lost that election, and it was rigged by the Communists, and he was not the best loser in the world, but he came into town, or he sent his advanced guard in. Twenty of his senior officers who had survived years of combat in the jungle against Cuban troops, Russian arms, Russian brigadier generals, Russian pilots in Migs, Russians commanding tank units, and these thug Communists in Luanda, these 20 leaders of UNITA, Jonas Savimbi's people, and I have met with them 3 times on this Hill, he sent his 20 advanced people into Luanda to talk about fraud in the election, and they were brutally murdered and machinegunned to death in their hotel.

So Jonas Savimbi said, "To hell with the election, I am avenging my murdered generals, colonels, majors, and lieutenants." They are all really gut sergeants fighting in the jungle.

The fight was on again. They lost more people in the last year than maybe the last 4 years of the war, and Jonas Savimbi has taken 70 percent of the country. And there is no Soviet Evil Empire to help the Communists, Dos Santos and his gang in Luanda, there are no Cuban troops there, because they were negotiated out and went home to economic decay, and the serial killer, Fidel Castro, in his decaying, palm-covered prison.

But what did Clinton and company do today? They sided with the Communists in Luanda without any preparation of the diplomatic battlefield, with no rationale whatsoever, telling Jonas Savimbi, who controls 70 percent of the country, "Get lost," the same Communists that ordered the murder by firing squad of Daniel Gearhart on July 10, 1976.

I do not have to reach hard for that date. I did not look it up today. I was campaigning, and at a press conference in my freshman campaign, a month after I won the primary, because the Pope himself, and that would have been Pope Paul VI, then begged for mercy to this former Portuguese Catholic country, Angola, "Do not kill Danny Gearhart."

□ 1640

He was down on his luck, a Vietnam vet, married, three kids, and he went over on a CIA contract, after answering an ad out of his Sacramento newspaper. He was sent there, in other words, by Henry Kissinger, Secretary of State, and by George Bush, our fine CIA chief at the time, and they captured Danny. Who captured him? The Communist troops, Cuban troops over there to help the Communists that Clinton recognized today, weighing in for no reason on the wrong side. And they stood Danny Gearhart up, his wife pouring out her heart, sending letters. Three children writing on the letters, "Please don't kill our daddy," the Pope saying, "Don't do it," and they killed him. And guess what? They turned around and told our diplomat—Henry was being forced to contract in those days, Mr. Kissinger—in fact, in those days we had a cave-in mentality here in the House because Saigon had fallen the year before, with a no-win politically manipulated war that was lost in the Halls of Congress, we lost our guts, and Kissinger said we are a second-rate power and his is going to negotiate the best deal for the United States. It was Reagan and Bush that built us back, the world's only nuclear power with unlimited technocracy to dominate and the technology to dominate the military scene. In fact, that's why Bosnia is such a tough call, because there are lots of things we could do but whether we should do it or not and get Americans killed when it is a European problem, that is why this thing should be debated in this Chamber the way Somalia was currently debated today.

What happened to Danny Gearhart? Kissinger, then Secretary of State, George Bush, then the director of the CIA, they asked for his body back. Do you know what these Communist thugs did that Clinton has recognized today? They demanded \$5,000 for his corpse. Daniel Gearhart's corpse. And then they sent this proud Vietnam vet with a Bronze Star back in a wooden casket. I guess it arrived at Dover, like all men and women killed overseas trying to help other suffering people. They counted over 70 bullets in his body. What kind of a firing squad is that? He was buried out here in a little Catholic Church ceremony with a requiem mass, with his wife and kids crying in the front row. That was July of 1976.

One of the reasons I wanted to be a Congressman. Do you think for a minute I ever thought that 17 years later that the President of the United States, who had been a draft-, not just a draft-dodger, he was drafted. You do not know that in America. Time, Newsweek, U.S. News, New York Times, L.A. Times particularly, even the Wall Street Journal which bailed out halfway through the story that broke, NBC, ABC, CBS, even CNN, which was supposed to give us a fourth way to go. I do not know about C-SPAN. But all of the major 22 network and print outlets in this country did not tell you, deliberately. He did not just avoid the draft three times; he avoided it, evaded it, though inducted twice, and sent other men off in his place. But on the third time, in the spring, April 1969, William Jefferson Blythe Clinton III was drafted, that is "e-d" at the end, the verb, past tense; with a short notice to be inducted into the U.S. Army as a buck private, July 24, 1969.

He came home and through a Republican Governor's office, Winthrop Rockefeller, with connections there, through his wealthy dealer uncle, through the Democratic offices of the chairman of the Senate Foreign Relations Committee, he suppressed, crushed, reversed an induction short notice. I never heard of that in my life, ever, not once. If it has ever happened, it was with severe political clout and some young man from the Hot Springs, AR, quota went off to Vietnam and only God knows if the particular person died or is home here in a wheelchair or lost a young marriage because of separation. We do not know what happened because of that separation. But this young man, talk about sending air crewmen, including women now, into combat into a three-way war between Muslim, Orthodox Christians, and Catholic Christians, to send it into that 700-year-old mess and then to recognize Communists in Angola and then to hire his cousin today, 25-year-old, to run the airline ticket office, and then to let a 747 wait for an hour while he gets a \$200 haircut from one of these hairdressers with one name. In this

case the name is Christophe. And let's face it, I am glad it is the hair; I think Saturday Night Live, with that girl on there going, "And his hair, what is that all about?"

I am glad he got a haircut. He ought to come over and get one of our \$10 jobs here at the House or over on the Senate side, since we take all of this nutty criticism that it is not a free-enterprise operation. I get a \$6 job back in Garden Grove, CA.

You know, it is like hammer blows, some silly, like the haircut, some ugly, like recognizing the Communist killers in Rwanda. I am telling you we are in for one heck of a ride, as I said the other day up in New Hampshire, quoting Bette Davis from one of her classic films, "Americans, fasten your seat belts, we are in for a bumpy ride."

Madam Speaker, I close on this: Are you ready with your pencil? I give you plenty of time to get them. I only give you the first three: taxes up; spending up; regulations up; deficit up; debt, both national and personal, up; interest rates up; inflation up; capital flight up. That means no Europeans or Asians are going to invest in this country when we are in this economic mess. Unemployment up, productivity down, crime up, SAT scores down, investment goes down, that is Econ 101, Mr. Leader in the White House.

How about job creation? Down. That is Jack Kemp's favorite subject. That is how he got elected, "It is the economy, Stupid." Down. That is his quote, by the way, you should not call the President that name. That is what James Carville called him and AL GORE any time they got off message, off focus on the bus rides.

All of this that is going up and down, the last one, and I already said, "Crime, up; cannabis use with inhaling up; crack cocaine, inner cities, up; wife abuse, up; violence, up; child abuse, up." All of that begins and ends with killing children in the womb. How do you tell a parent, "Well, you had three abortions and you let two be born and now you are beating them. Gee, is something wrong with you?" No. All the ups and downs in this society, a bumpy ride.

Madam Speaker, how much time do I have left?

The SPEAKER pro tempore (Miss COLLINS of Michigan). The gentleman from California has 12 minutes remaining.

Mr. DORNAN. Madam Speaker, it is Thursday, not Friday, but this is our getaway Thursday, I yield back because I know Dee Dee and Stephanie are watching, and I do not want to torment them. They have enough problem with Rush Limbaugh using common sense like a sledgehammer. To show them that I can be generous and I can accommodate, I yield the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:
Mr. SYNAR (at the request of Mr. GEPHARDT) for today, on account of illness in the family.

SPECIAL ORDERS GRANTED

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

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

Mr. ISTOOK, for 5 minutes each day, on May 24 and 25.

Mr. FAWELL, for 60 minutes each day, on June 8, 9, 15, and 16.

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

Mr. MEHAN, for 5 minutes, today.

Mr. GONZALEZ, for 60 minutes, on May 20, 24, and 27.

EXTENSION OF REMARKS

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

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

Mr. SOLOMON.

Mr. DUNCAN.

Mr. GALLO.

Ms. SNOWE.

Mr. GEKAS.

Mr. CLINGER.

Mrs. BENTLEY in five instances.

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

Mr. SERRANO.

Mr. DINGELL.

Mr. LIPINSKI.

Mr. HAMILTON.

Mr. CYLBURN.

Mr. BROWN of California.

Mr. HUGHES.

Mrs. SCHROEDER.

Mr. VENTO.

Mr. LAUGHLIN.

Mr. ORTIZ.

Mr. KREIDLER.

Mr. LANTOS.

Mr. MARTINEZ.

Mr. HOLDEN.

Mr. BROWN of Ohio.

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

Miss COLLINS of Michigan.

Mr. DOOLEY.

Mr. STUDDS.

Mr. LEWIS of Georgia.

Mr. TRAFICANT.

Mrs. ROUKEMA.

Mr. HORN.

Mr. SHAYS.

Mr. JACOBS.

Mr. MILLER of California.
Mr. PETRI.
Mrs. JOHNSON of Connecticut.
Mr. GALLO.
Mr. FISH.
Mr. DREIER.

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

Mr. COSTELLO.

Mr. KENNEDY of Massachusetts.

Mr. STARK.

Mr. SOLOMON.

Mr. DREIER.

Mr. MICHEL.

Mr. GOODLING.

SENATE JOINT RESOLUTION REFERRED

A joint resolution of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S.J. Res. 84. Joint resolution designating the week of June 1, 1993, through June 7, 1993, as a "Week for the National Observance of the Fiftieth Anniversary of World War II"; to the Committee on House Administration.

ENROLLED BILL SIGNED

Mr. ROSE, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 1378. An act to amend title 10, United States Code, to revise the applicability of qualification requirements for certain acquisition work force positions in the Department of Defense, to make necessary technical corrections in that title and certain other defense-related laws, and to facilitate real property repairs at military installations and minor military construction during fiscal year 1993.

ADJOURNMENT

Mr. DORNAN, Madam Speaker, I move the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 49 minutes p.m.), under its previous order, the House adjourned until Monday, May 24, 1993, at 3 o'clock p.m.

EXECUTIVE COMMUNICATIONS, ETC.

1258. Under clause 2 of rule XXIV, a letter from the Acting Assistant Administrator for Legislative Affairs, Agency for International Development, transmitting a report on economic conditions prevailing in Portugal that may affect its ability to meet its international debt obligations and to stabilize its economy, pursuant to 22 U.S.C. 2346 note, was taken from the Speaker's table and referred to the Committee on Foreign Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DINGELL: Committee of Conference, Conference report on S. 1. An act to amend the Public Health Service Act to revise and extend the programs of the National Institutes of Health, and for other purpose (Rept. 103-100). Ordered to be printed.

Ms. SLAUGHTER: Committee on Rules, House Resolution 179. Resolution waiving points of order against the conference report to accompany the bill (S. 1) to amend the Public Health Service Act to revise and extend the programs of the National Institutes of Health, and for other purposes, and against consideration of such conference report (Rept. 103-101). 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 Mr. HUGHES:

H.R. 2198. A bill to amend the Federal Election Campaign Act of 1971 and the Internal Revenue Code of 1986 to clarify such provisions with respect to Federal elections, to reduce costs in House of Representatives elections, and for other purposes; jointly, to the Committees on House Administration and Ways and Means.

By Mr. STUDDS (for himself, Ms. FURSE, Ms. SCHENK, Mr. HAMBURG, Mr. HOCHBRUECKNER, Mr. KENNEDY, and Mr. FRANK of Massachusetts):

H.R. 2199. A bill to amend the Federal Water Pollution Control Act to reauthorize and modify the State water pollution control revolving loan program, and for other purposes; jointly, to the Committees on Public Works and Transportation, Merchant Marine and Fisheries, and Ways and Means.

By Mr. BROWN of California (for himself, Mr. HALL of Texas, Mr. VOLKMER, Mr. TRAFICANT, Mr. BACCHUS of Florida, Mr. CRAMER, Ms. ESHOO, Mr. MCCURDY, and Mr. PETE GEREN):

H.R. 2200. A bill to authorize appropriations to the National Aeronautics and Space Administration for research and development, space flight, control, and data communications, construction of facilities, research and program management, and inspector general, and for other purposes; to the Committee on Science, Space, and Technology.

By Mr. KREIDLER (for himself, Mr. WAXMAN, Mr. MOORHEAD, Mr. TOWNS, Mr. GREENWOOD, Mr. McDERMOTT, and Mrs. MORELLA):

H.R. 2201. A bill to amend the Public Health Service Act to revise and extend programs relating to the prevention and control of injuries; to the Committee on Energy and Commerce.

By Mr. WAXMAN (for himself, Mr. BLILEY, Mr. DINGELL, Mr. MOORHEAD, Mr. HALL of Texas, Mr. ROWLAND, Mr. TOWNS, Mr. STUDDS, Mr. KREIDLER, Mr. BILIRAKIS, Mr. McMILLAN, and Mr. GREENWOOD):

H.R. 2202. A bill to amend the Public Health Service Act to revise and extend the program of grants relating to preventive health measures with respect to breast and cervical cancer; to the Committee on Energy and Commerce.

By Mr. WAXMAN (for himself and Mr. Towns):

H.R. 2203. A bill to amend the Public Health Service Act to extend the program of grants regarding the prevention and control of sexually transmitted diseases; to the Committee on Energy and Commerce.

By Mr. WAXMAN (for himself, Mr. MOORHEAD, Mr. TOWNS, and Mr. STUDDS):

H.R. 2204. A bill to amend the Public Health Service Act to establish a program for the prevention of disabilities, and for other purposes; to the Committee on Energy and Commerce.

By Mr. WAXMAN (for himself, Mr. MOORHEAD, Mr. HALL of Texas, Mr. TOWNS, Mr. BROWN of Ohio, Mr. BILIRAKIS, Mr. MCMILLAN, and Mr. GREENWOOD):

H.R. 2205. A bill to amend the Public Health Service Act to revise and extend programs relating to trauma care; to the Committee on Energy and Commerce.

By Mr. BILBRAY:

H.R. 2206. A bill to authorize the Secretary of the Interior to transfer public lands for the purposes of providing affordable housing; to the Committee on Natural Resources.

By Mr. BREWSTER (for himself, Mr. YOUNG of Alaska, Mrs. VUCANOVICH, Mr. BARCIA, Mr. EMERSON, and Mr. WALSH):

H.R. 2207. A bill to amend the Endangered Species Act of 1973 with common sense amendments to strengthen the act, enhance wildlife conservation and management, augment funding, and protect fishing, hunting, and trapping; to the Committee on Merchant Marine and Fisheries.

By Mr. BROWDER:

H.R. 2208. A bill to amend the Federal Election Campaign Act of 1971 to provide for a voluntary system of spending limits and benefits for House of Representatives election campaigns, and for other purposes; jointly, to the Committees on House Administration, Ways and Means, Energy and Commerce, and Post Office and Civil Service.

By Mr. CLINGER (for himself and Mr. HOLDEN):

H.R. 2209. A bill to amend subtitle C of the Solid Waste Disposal Act to establish safety zones around Federal prisons in which certain facilities may not be permitted; to the Committee on Energy and Commerce.

By Miss COLLINS of Michigan (for herself, Mrs. CLAYTON, Ms. NORTON, Mr. PETERSON of Minnesota, Mr. MCHUGH, Mr. THOMPSON, Mr. MYERS of Indiana, Mr. ACKERMAN, Mrs. VUCANOVICH, Ms. ROYBAL-ALLARD, Ms. DANNER, Mr. LIPINSKI, Mrs. MINK, Ms. SCHENK, Mr. RANGEL, Mrs. COLLINS of Illinois, Ms. EDDIE BERNICE JOHNSON, Ms. ROSLEHTINEN, Mr. KING, Mr. BARRETT of Wisconsin, Mrs. LLOYD, and Mr. EVANS):

H.R. 2210. A bill to amend the Internal Revenue Code of 1986 to provide an employer a credit against income tax for the cost of providing mammography screening for his employees; to the Committee on Ways and Means.

By Mr. DOOLEY (for himself and Mr. POMBO):

H.R. 2211. A bill to amend the Consolidated Farm and Rural Development Act to provide greater access to credit for family farmers who grow specialty crops or operate in high land cost areas, and for other purposes; to the Committee on Agriculture.

By Mr. DUNCAN:

H.R. 2212. A bill to amend the Federal Water Pollution Control Act to provide me-

dium-sized cities 2 additional years for submitting applications for stormwater permits and to extend the date for issuance of stormwater permits to medium-sized cities correspondingly; to the Committee on Public Works and Transportation.

By Mr. FRANKS of Connecticut:

H.R. 2213. A bill to provide that excess amounts from official allowances of Members of the House of Representatives be returned to the Treasury for deficit reduction or for the purpose of making the amounts available for small business loans and investments; to the Committee on House Administration.

H.R. 2214. A bill to amend the Federal Election Campaign Act of 1971 to require that candidates for the House of Representatives receive at least half of their campaign contributions from individuals; to the Committee on House Administration.

H.R. 2215. A bill to amend title 18, United States Code, to provide a death penalty for the murder of Federal law enforcement officers; to the Committee on the Judiciary.

H.R. 2216. A bill to provide that a State may not take into account income from sources outside the State in determining the amount of tax imposed on the income of non-residents; to the Committee on the Judiciary.

By Mr. GEKAS:

H.R. 2217. A bill to control and prevent crime; to the Committee on the Judiciary.

By Mr. GOODLING (for himself, Mr. FORD of Michigan, Mr. KILDEE, and Mr. GUNDERSON):

H.R. 2218. A bill to amend the Elementary and Secondary Education Act of 1965 to ensure that students are counted by using data from local educational agencies when available; to the Committee on Education and Labor.

By Mr. GORDON (for himself and Mr. GOODLING):

H.R. 2219. A bill to amend the Higher Education Act of 1965 to achieve savings in the operation of the student loan programs under part B of title IV of that act, and for other purposes; to the Committee on Education and Labor.

By Mr. HEFLEY:

H.R. 2220. A bill to amend the Education Amendments of 1972 to ensure that students attending institutions of higher education that receive Federal funds are able to exercise the right to freedom of speech, and for other purposes; to the Committee on Education and Labor.

By Mr. HUTTO:

H.R. 2221. A bill to amend the Congressional Budget Act of 1974 to provide for a 2-year (biennial) budgeting cycle, and for other purposes; jointly, to the Committees on Government Operations and Rules.

By Mrs. JOHNSON of Connecticut (for herself and Mr. MACHTLEY):

H.R. 2222. A bill to amend the Foreign Trade Zones Act to allow foreign trade zones to be established where a regional commission involving more than one State will coordinate zone activities; to the Committee on Ways and Means.

By Ms. EDDIE BERNICE JOHNSON:

H.R. 2223. A bill to designate the Federal building located at 525 Griffin Street in Dallas, TX, as the "A. Maceo Smith Federal Building"; to the Committee on Public Works and Transportation.

By Mr. KENNEDY:

H.R. 2224. A bill to establish the Office of National Environmental Technologies, and for other purposes; jointly, to the Committees on Science, Space, and Technology,

Banking, Finance and Urban Affairs, and the Judiciary.

By Mr. KIM:

H.R. 2225. A bill to amend title 23, United States Code, to require States to enter into contracts with private persons to finance construction of toll facilities, and for other purposes; to the Committee on Public Works and Transportation.

By Mr. LEWIS of Florida (for himself, Mr. DOOLITTLE, Mr. TOWNS, and Mr. WALSH):

H.R. 2226. A bill to amend the Internal Revenue Code of 1986 to restore the pre-1986 exclusion for scholarships for degree candidates; to the Committee on Ways and Means.

By Mr. MORAN:

H.R. 2227. A bill to amend the Internal Revenue Code of 1986 to provide that married couples may file a combined return under which each spouse is taxed using the rates applicable to unmarried individuals; to the Committee on Ways and Means.

By Mr. PETRI (for himself, Mr. MURPHY, Mr. BALLENGER, Mr. PENNY, Mr. GUNDERSON, Mr. GOODLING, and Mr. FAWELL):

H.R. 2228. A bill to amend the Internal Revenue Code of 1986 to increase the amount of the earned income tax credit for taxpayers with school age or preschool age children, to repeal the health insurance credit thereunder, and for other purposes; to the Committee on Ways and Means.

By Mr. RANGEL:

H.R. 2229. A bill to lift the trade embargo on Cuba, and for other purposes; jointly, to the Committees on Foreign Affairs, Ways and Means, Energy and Commerce, and Post Office and Civil Service.

By Mrs. SCHROEDER (for herself, Mr. DURBIN, Mrs. COLLINS of Illinois, Mr. LANCASTER, Ms. NORTON, and Mr. DIXON):

H.R. 2230. A bill to amend section 520 of the Cranston-Gonzalez National Affordable Housing Act to authorize the Secretary of Housing and Urban Development to make grants to establish midnight basketball league training and partnership programs incorporating employment counseling, job training and other educational activities for residents of public housing and federally assisted housing and other low-income families; to the Committee on Banking, Finance and Urban Affairs.

By Ms. SNOWE (for herself and Mr. BERMAN):

H.R. 2231. A bill concerning international women's human rights; to the Committee on Foreign Affairs.

H.R. 2232. A bill to establish standards and guidelines for providing overseas assistance to refugees and displaced persons; to the Committee on Foreign Affairs.

By Mr. STARK (for himself, Ms. PELOSI, and Mr. SABO):

H.R. 2233. A bill to deny, under certain conditions, most-favored-nation treatment to the products of countries that engage in nuclear explosive device testing; to the Committee on Ways and Means.

By Mr. STARK:

H.R. 2234. A bill to amend the Internal Revenue Code of 1986 to make S corporations eligible for the rules applicable to real property subdivided for sale by noncorporate taxpayers; to the Committee on Ways and Means.

By Mr. VENTO (for himself, Mr. NEAL of North Carolina, and Mr. MCCOLLUM):

H.R. 2235. A bill to amend the Bank Holding Company Act of 1956, the Revised Stat-

utes of the United States, and the Federal Deposit Insurance Act to provide for interstate banking and branching; to the Committee on Banking, Finance and Urban Affairs.

By Mr. WILSON:

H.R. 2236. A bill to extend Federal restrictions on the export of unprocessed timber to timber harvested in the State of Texas; jointly, to the Committees on Agriculture and Foreign Affairs.

By Mr. KREIDLER (for himself, Mr. COOPER, Mr. THOMAS of Wyoming, Mr. MURTHA, Mr. MINETA, Mr. DEUTSCH, Mr. PETERSON of Florida, Mr. COSTELLO, Mr. LAFALCE, Mr. BARCIA, Mr. FROST, Mr. DOOLITTLE, Mr. COLEMAN, Mr. EVANS, and Mr. GALLEGLEY):

H.J. Res. 199. Joint resolution to recognize the achievements of radio amateurs, and to establish support for such amateurs as national policy; to the Committee on Energy and Commerce.

By Mr. DORNAN:

H.J. Res. 200. Joint resolution proposing an amendment to the Constitution of the United States limiting the number of consecutive terms Members of the U.S. Senate and House of Representatives may serve; to the Committee on the Judiciary.

By Mr. THORNTON (for himself, Mr. YOUNG of Alaska, Ms. LAMBERT, Mr. DICKEY, and Mr. HUTCHINSON):

H.J. Res. 201. Joint resolution designating the beach at 53 degrees 53 minutes 51 seconds north, 166 degrees 34 minutes 15 seconds west to 53 degrees 53 minutes 48 seconds north, 166 degrees 34 minutes 21 seconds west on Hog Island, which lies in the Northeast Bay of Unalaska, AK, as "Arkansas Beach" in commemoration of the 206th regiment of the National Guard, who served during the Japanese attack on Dutch Harbor, Unalaska, on June 3 and 4, 1942; to the Committee on Natural Resources.

By Mr. SANTORUM:

H. Con. Res. 104. Concurrent resolution expressing the sense of the Congress that the President of the United States should not proceed toward the normalization of diplomatic and economic relations with Socialist Republic of Vietnam until the Vietnamese Government has furnished a complete accounting of missing American servicemen in southeast Asia and opened its archives to inspection; to the Committee on Foreign Affairs.

By Mr. DORNAN:

H. Res. 180. Resolution amending the Rules of the House of Representatives to provide certain qualifications pertaining to service as a Member, and for other purposes; to the Committee on Rules.

ADDITIONAL SPONSORS

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

H.R. 6: Mrs. UNSOELD, Ms. BYRNE, Mr. GUTIERREZ, Mr. DICKEY, Mr. GENE GREEN, Mr. TRAFICANT, Mr. CLAY, Mr. MARTINEZ, Mr. JEFFERSON, Mr. SCOTT, Mr. ROMERO-BARCELÓ, Mr. PETERSON of Minnesota, Mr. DURBIN, Mr. PENNY, Mr. TOWNS, Ms. MALONEY, Mr. KLINK, Mrs. CLAYTON, Mr. LAFALCE, Mr. MINETA, Mr. RANGEL, Mr. FROST, Mr. FILNER, Mr. HASTINGS, Mr. MILLER of California, Mr. PARKER, Mr. PAYNE of New Jersey, Miss COLLINS of Michigan, Mr. BLACKWELL, Mr. FAZIO, Mr. HUGHES, Mr. INSLEE, and Mr. STUPAK.

H.R. 58: Mr. CARDIN.

H.R. 173: Mr. BATEMAN.

H.R. 300: Mr. PARKER, Mr. BEVILL, and Mr. SHUSTER.

H.R. 324: Mr. BUNNING and Mr. PAXON.

H.R. 357: Mr. CLINGER.

H.R. 388: Mr. ARMEY.

H.R. 431: Ms. MARGOLIES-MEZVINSKY.

H.R. 462: Mr. GOODLATTE, Mr. BOEHLERT, Mr. LANCASTER, Mr. STRICKLAND, Mr. COBLE, Mr. BATEMAN: Mr. BISHOP, Mr. ENGEL, Mr. ROWLAND, Ms. MARGOLIES-MEZVINSKY, Ms. ROS-LEHTINEN, Mr. SCHAEFER, Mr. COLLINS of Georgia, Mr. MANZULLO, and Ms. EDDIE BERNICE JOHNSON.

H.R. 549: Mr. PACKARD.

H.R. 550: Mr. TRAFICANT and Mr. HOLDEN.

H.R. 567: Mr. BUNNING.

H.R. 736: Mr. TAUZIN.

H.R. 739: Mr. POMBO and Ms. FOWLER.

H.R. 826: Ms. THURMAN and Ms. EDDIE BERNICE JOHNSON.

H.R. 840: Mr. DEFazio.

H.R. 899: Mr. MCCREERY.

H.R. 901: Mr. SHAW, Mr. PORTER, and Mr. ARMEY.

H.R. 961: Mr. ALLARD, Mr. DOOLEY, Mr. EVANS, Ms. FURSE, Mrs. SCHROEDER, and Mr. MURPHY.

H.R. 999: Mr. ANDREWS of New Jersey and Mr. BOEHNER.

H.R. 1048: Mr. PRICE of North Carolina and Mr. FAWELL.

H.R. 1078: Mr. HANSEN and Mr. SAXTON.

H.R. 1079: Mr. HANSEN and Mr. SAXTON.

H.R. 1080: Mr. HANSEN.

H.R. 1081: Mr. HANSEN.

H.R. 1082: Mr. HANSEN.

H.R. 1083: Mr. HANSEN.

H.R. 1097: Mr. FAWELL, Mr. DIAZ-BALART, Mr. HANCOCK, Mr. BAKER of Louisiana, Ms. FOWLER, Mr. INGLIS, Mr. LIGHTFOOT, Mr. ZELIFF, Mr. HUNTER, Mr. GILLMOR, Mr. KYL, Ms. DUNN, Mr. UPTON, Mr. KOLBE, Mr. PORTER, Mr. MOORHEAD, Mr. HOBSON, Mr. SENSENBRENNER, Mr. EMERSON, Mr. BILIRAKIS, and Mr. FISH.

H.R. 1120: Mr. BUNNING and Mr. ARMEY.

H.R. 1123: Mr. BAKER of California.

H.R. 1124: Mr. BAKER of California.

H.R. 1126: Mr. KLUG and Mr. BAKER of California.

H.R. 1127: Mr. KLUG and Mr. BAKER of California.

H.R. 1128: Mr. BAKER of California.

H.R. 1129: Mr. KLUG and Mr. BAKER of California.

H.R. 1130: Mr. KING and Mr. BAKER of California.

H.R. 1151: Mr. DURBIN, Mr. BOEHLERT, Mr. TRAFICANT, and Mr. TORRICELLI.

H.R. 1275: Mr. BAKER of Louisiana, Mr. SENSENBRENNER, and Mr. BARTLETT.

H.R. 1276: Mr. DORNAN, Mr. CRAPO, and Mr. ARMEY.

H.R. 1277: Mr. SPENCE.

H.R. 1293: Mrs. LLOYD.

H.R. 1295: Mrs. VUCANOVICH, Mr. GEKAS, Mr. BALLENGER, Mr. ROTH, Mr. RAMSTAD, Mr. BOEHNER, Mr. MCKEON, Mr. DREIER, Mr. GUNDERSON, Mr. DUNCAN, Mr. PAXON, Mr. QUILLEN, Ms. MOLINARI, Mr. SUNDQUIST, Mr. GALLEGLEY, and Mr. SAXTON.

H.R. 1322: Mr. CLYBURN, Mr. BARCIA, Mr. VALENTINE, Mr. TRAFICANT, Mr. PALLONE, Mr. HERGER, Mr. LINDER, and Mr. BROWN of Ohio.

H.R. 1349: Mr. BARRETT of Wisconsin.

H.R. 1360: Mr. PETE GEREN.

H.R. 1399: Mr. SHAYS, Mr. PORTER, Mr. PACKARD, Mr. BAKER of Louisiana, Mr. MCKEON, and Mr. LIVINGSTON.

H.R. 1406: Ms. NORTON, Mr. GEJDENSON, Mr. MCCLOSKEY, Mr. GOODLATTE, Mr. MYERS of Indiana, and Miss COLLINS of Michigan.

H.R. 1419: Mr. STUPAK.

H.R. 1452: Mrs. LLOYD, Mr. SMITH of Oregon, and Mr. SHAYS.

H.R. 1489: Ms. ESHOO.

H.R. 1492: Ms. ROYBAL-ALLARD.

H.R. 1493: Mr. HANCOCK.

H.R. 1494: Ms. MALONEY, Ms. EDDIE BERNICE JOHNSON, Mrs. CLAYTON, and Ms. FURSE.

H.R. 1527: Mrs. JOHNSON of Connecticut.

H.R. 1543: Mr. KOPETSKI.

H.R. 1544: Mr. KLINK, Mr. MOLLOHAN, Mr. STRICKLAND, and Mr. SISISKY.

H.R. 1551: Ms. SHEPHERD, Mr. ZELIFF, Mr. FISH, Mr. JACOBS, and Mr. SENSENBRENNER.

H.R. 1565: Mr. ARMEY.

H.R. 1630: Mr. WALSH.

H.R. 1682: Mr. ROBERTS.

H.R. 1718: Mr. SCOTT, Mr. FALEOMAVAEGA, Mr. MARTINEZ, Ms. FURSE, Mr. CLYBURN, and Mr. HILLIARD.

H.R. 1733: Ms. MALONEY, Mr. SCHUMER, Mr. LIPINSKI, Mrs. COLLINS of Illinois, Mr. RUSH, Ms. ROYBAL-ALLARD, Mr. FROST, Mr. FOGLETTA, Mr. VENTO, Mr. REYNOLDS, Ms. FURSE, and Mr. FISH.

H.R. 1759: Mr. SCOTT, Mr. PAYNE of Virginia, and Mr. CASTLE.

H.R. 1788: Mr. FROST and Mr. SENSENBRENNER.

H.R. 1804: Mr. WILLIAMS, Mr. ANDREWS of New Jersey, Mr. TOWNS, Mr. KLINK, Mrs. CLAYTON, Mr. MAZZOLI, Mr. FROST, Mr. RANGEL, Mr. BLACKWELL, Mr. GORDON, Mr. BARLOW, Ms. ENGLISH of Arizona, Mr. PASTOR, Ms. FURSE, Mr. HUGHES, Mr. PARKER, Mr. MCCURDY, Mr. OLVER, Mr. FALEOMAVAEGA, and Mr. EVANS.

H.R. 1813: Mr. HANCOCK.

H.R. 1814: Mr. WYNN, Mr. DEFazio, and Mr. DEUTSCH.

H.R. 1815: Mr. SOLOMON, Mr. ZELIFF, and Mr. HANCOCK.

H.R. 1816: Mr. PETE GEREN, Mr. POSHARD, Mr. HALL of Texas, Mr. HOUGHTON, Mr. COLEMAN, and Mr. WILLIAMS.

H.R. 1873: Ms. LOWEY, Mr. FINGERHUT, Mr. SKAGGS, Mr. WILSON, Mr. ENGEL, Mr. TORRICELLI, and Ms. MARGOLIES-MEZVINSKY.

H.R. 1885: Mr. HOBSON, Mr. MCHUGH, Mr. BARTLETT, Mr. KYL, Mr. WALSH, Mr. LIVINGSTON, and Mr. SENSENBRENNER.

H.R. 1901: Mr. PARKER.

H.R. 1902: Mr. PETERSON of Minnesota, Mr. TOWNS, Mr. FROST, Mr. FILNER, Mr. LIPINSKI, Mrs. CLAYTON, and Mr. EVANS.

H.R. 1917: Mr. STRICKLAND and Mr. OXLEY.

H.R. 1930: Mr. FRANK of Massachusetts.

H.R. 1966: Mr. TORRES and Ms. PELOSI.

H.R. 1967: Mr. HUGHES.

H.R. 1970: Mr. HUGHES.

H.R. 1980: Mr. BOEHLERT and Mr. BARLOW.

H.R. 1986: Mr. DEFazio and Mr. HANCOCK.

H.R. 1996: Mr. LANCASTER and Mr. GENE GREEN.

H.R. 2048: Mr. PETRI.

H.R. 2070: Mr. FRANK of Massachusetts, Mrs. COLLINS of Illinois, and Mr. THOMPSON.

H.R. 2136: Mr. ZIMMER.

H.J. Res. 44: Mr. ARMEY.

H.J. Res. 92: Mr. RIDGE, Mr. SANDERS, Mr. SANGMEISTER, Mr. SAWYER, Mr. SISISKY, Ms. SLAUGHTER, Mr. SOLOMON, Mr. STENHOLM, Mr. SWIFT, Mr. WELDON, Mr. YATES, Mr. ANDREWS of Texas, Mr. BLACKWELL, Mr. BROWN of California, Mr. BRYANT, Ms. CANTWELL, Mr. CARE, Mr. COSTELLO, Mr. DEUTSCH, Mr. DOOLEY, Mr. FINGERHUT, Mr. FORD of Tennessee, Ms. FURSE, Mr. GLICKMAN, Mr. HAMILTON, Mr. KLECZKA, Mr. KLEIN, Ms. LAMBERT, Mr. LAROCO, Mr. LEVIN, Mr. MCHALE, Ms. MALONEY, Mr. MENENDEZ, Mr. ORTON, Mr. PASTOR, Mr. STARK, Mr. TEJEDA, Mr. UNDERWOOD, Mr. VALENTINE, Mr. WHEAT, Mr. TAYLOR of Mississippi, Mr. FRANKS of New

Jersey, Mrs. KENNELLY, Mr. ENGEL, Mr. BELL-ENSON, Mr. BROWDER, Mr. BUNNING, Mr. CHAPMAN, Mr. CONYERS, Mr. COOPER, Mr. DEFAZIO, Mr. DICKS, Mr. DORNAN, Mr. DREIER, Mr. EDWARDS of Texas, Mr. FAZIO, Mr. FOGLIETTA, Mr. FRANK of Massachusetts, Mr. PETE GEREN, Mr. GRANDY, Mr. HAYES of Louisiana, Mr. HUTTO, Mr. JEFFERSON, Mr. JOHNSON of South Dakota, Mr. KANJORSKI, Ms. KAPTUR, Mr. LEWIS of Georgia, Mr. MARKEY, Mr. MILLER of California, Mr. MINETA, Mrs. MINK, Mr. MOLLOHAN, Mr. NATCHER, Mr. OLVER, Mr. ORTIZ, Mr. PAYNE of New Jersey, Mr. POSHARD, Mr. RAHALL, Mr. RICHARDSON, Mr. WYDEN, Mr. BURTON of Indiana, Mr. CASTLE, Mr. GALLEGLY, Ms. MOLINARI, Mr. TORRICELLI, Mr. GEPHARDT, Mr. HEFNER, Mr. LAUGHLIN, Mr. MEEHAN, Mr. NADLER, Mr. HANSEN, Mr. INHOFE, Mrs. BENTLEY, Mr. BREWSTER, Mr. HOYER, Mr. KENNEDY, Mr. MCHUGH, Mr. PRICE of North Carolina, Mr. STUMP, and Mr. QUINN.

H.J. Res. 122: Ms. SNOWE, Mr. FILNER, Mr. CLINGER, Mr. BORSKI, Mr. LEWIS of Georgia, Mr. SKEEN, and Mr. FIELDS of Texas.

H.J. Res. 135: Mr. LEWIS of Florida, Mr. WYNN, Mr. STARK, Mr. GEKAS, Mr. MFUME, Mr. SARPALIUS, Mr. DELLUMS, Mr. LEWIS of California, Mr. PACKARD, Mr. MARTINEZ, Mr. PALLONE, Mr. HOCHBRUECKNER, Mr. SCHIFF, Mr. MILLER of California, Mr. GORDON, Mr. SAWYER, Mr. ENGEL, Mr. ABERCROMBIE, Ms. BYRNE, Mr. MORAN, Mr. KENNEDY, Mr. BILBRAY, Mrs. CLAYTON, Mr. CRAMER, Mr. NADLER, Mr. HAMBURG, Mr. VALENTINE, Mr. HORN, Mr. FIELDS of Louisiana, Mr. GILMAN, Ms. MOLINARI, Mr. POSHARD, Ms. CANTWELL, Mr. EMERSON, Mr. ROSE, Ms. FURSE, Mr. VOLKMER, Mr. COLLINS of Georgia, Mr. HANSEN, and Mr. CONYERS.

H.J. Res. 139: Mr. SAXTON and Mr. FALEOMAVAEGA.

H.J. Res. 149: Mr. FORD of Michigan, Mr. SPRATT, Mr. HUNTER, Mr. KASICH, Mr. FISH, Mr. DEFAZIO, Mr. BALLENGER, and Mr. WILSON.

H.J. Res. 179: Mr. ARCHER, Mr. BEVILL, Mr. CALLAHAN, Mr. CARDIN, Mr. EDWARDS of Texas, Mr. EMERSON, Mr. EVERETT, Mr. PETE GEREN, Mr. HALL of Texas, Mr. HUTCHINSON, Mrs. MEYERS of Kansas, Mr. MOORHEAD, Mr.

PICKLE, Mr. RAMSTAD, Ms. ROYBAL-ALLARD, Mr. SMITH of New Jersey, Mr. THOMAS of Wyoming, Mr. VALENTINE, and Mr. YOUNG of Alaska.

H.J. Res. 190: Mr. BURTON of Indiana, Mrs. CLAYTON, Mr. DEUTSCH, Mr. EVANS, Mr. FALEOMAVAEGA, Mr. FILNER, Mr. FISH, Mr. HUTTO, Mr. MARTINEZ, Mr. PARKER, Mr. SPENCE, Ms. THURMAN, Ms. PELOSI, and Mr. SOLOMON.

H.J. Res. 194: Mr. PICKETT, Mr. FROST, Mr. THOMPSON, and Mr. MONTGOMERY.

H. Con. Res. 61: Mr. TORRICELLI.
H. Con. Res. 74: Mr. CLINGER and Mr. GILLMOR.

H. Con. Res. 80: Mr. MILLER of California, Mr. MCCURDY, and Mr. ENGEL.

H. Con. Res. 83: Mr. MACHTLEY and Mr. KYL.

H. Con. Res. 84: Mr. FILNER and Mr. WISE.

H. Con. Res. 91: Mr. PETERSON of Minnesota, Mr. GILMAN, Mr. GEKAS, Mr. FROST, Mr. DEFAZIO, and Ms. NORTON.

H. Res. 53: Mr. BOEHNER and Mr. CASTLE.
H. Res. 97: Ms. MARGOLIES-MEZVINSKY.

H. Res. 127: Mr. QUINN.