

HOUSE OF REPRESENTATIVES—Wednesday, February 2, 1994

The House met at 2 p.m.

The Reverend Donald Frederick Lindstrom, Jr., Episcopal Church of the Mediator, Meridian, MS, offered the following prayer:

O Lord our Governor, whose glory is in all the world. We commend this Nation to Your merciful care. Grant to our President and the Members of this House the guidance, wisdom, and strength to know and to do Your will. Fill them with the love of truth and righteousness and make them ever mindful of their calling to serve the people of this Nation in Your faith and fear that Your people may live in peace and safety and worship You in freedom. Finally, we commend to You the men and women of our Armed Forces at home and abroad. Defend them with Your heavenly grace, strengthen and guard them in their trials and dangers, and give them an awareness of Your presence wherever they may be. All this we ask in Your holy name. Amen.

THE JOURNAL

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

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

Mr. TRAFICANT. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the approval of the Journal.

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

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

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

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 237, nays 154, answered "present" 1, not voting 41, as follows:

[Roll No. 3]

YEAS—237

Abercromble	Barcia	Bishop
Ackerman	Barlow	Bonior
Andrews (ME)	Barrett (WI)	Borski
Andrews (NJ)	Bateman	Boucher
Applegate	Becerra	Brewster
Bacochus (FL)	Beilenson	Brooks
Baesler	Berman	Browder
Ballenger	Bevill	Brown (OH)
Barca	Bilbray	Bryant

Byrne	Hutto
Cantwell	Hyde
Cardin	Inglis
Carr	Inslee
Clement	Johnson (GA)
Clyburn	Johnson (SD)
Coleman	Johnson, E.B.
Collins (IL)	Johnston
Collins (MI)	Kanjorski
Combest	Kaptur
Condit	Kasich
Conyers	Kennedy
Cooper	Kennelly
Coppersmith	Kildee
Costello	Klecza
Coyne	Klein
Cramer	Klink
Danner	LaFalce
Darden	Lambert
Deal	Lancaster
DeFazio	Lantos
DeLauro	LaRocco
Derrick	Laughlin
Deutsch	Levin
Dicks	Lewis (GA)
Dingell	Lipinski
Dixon	Long
Dooley	Lowe
Durbin	Maloney
Edwards (CA)	Mann
Edwards (TX)	Manton
Engel	Manzullo
English	Margolies-
Eshoo	Mezvinsky
Evans	Markey
Everett	Martinez
Farr	Mazzoli
Fazio	McCloskey
Fields (LA)	McCurdy
Filner	McDermott
Fingerhut	McHale
Fish	McInnis
Flake	McKinney
Foglietta	McNulty
Frank (MA)	Meehan
Frost	Meek
Furse	Menendez
Gephardt	Miller (FL)
Geren	Minge
Gillmor	Mink
Gilman	Moakley
Glickman	Mollohan
Gonzalez	Montgomery
Gordon	Moran
Green	Murtha
Greenwood	Myers
Gutierrez	Nadler
Hall (TX)	Natcher
Hamburg	Neal (MA)
Hanilton	Neal (NC)
Harman	Oberstar
Hayes	Obe
Hefner	Oliver
Hilliard	Ortiz
Hinche	Orton
Hoagland	Owens
Hochbrueckner	Packard
Holden	Pallone
Houghton	Parker
Hoyer	Pastor
Hughes	Payne (NJ)

NAYS—154

Allard	Bilirakis	Camp
Archer	Bliley	Canady
Arney	Blute	Castle
Bachus (AL)	Boehert	Clay
Baker (CA)	Boehner	Clinger
Baker (LA)	Bonilla	Coble
Barrett (NE)	Bunning	Collins (GA)
Bartlett	Burton	Cox
Barton	Buyer	Crane
Bentley	Callahan	Crapo
Bereuter	Calvert	Cunningham

DeLay
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Emerson
Ewing
Fawell
Fields (TX)
Fowler
Franks (CT)
Franks (NJ)
Gallegly
Gallo
Gekas
Gilchrest
Goodlatte
Goodling
Goss
Grams
Grandy
Gunderson
Hancock
Hansen
Hastert
Hefley
Herger
Hobson
Hoekstra
Hoke
Horn
Huffington
Hunter
Hutchinson
Inhofe
Istook
Jacobs
Johnson (CT)

Johnson, Sam	Regula
Kim	Roberts
King	Rogers
Kingston	Rohrabacher
Klug	Ros-Lehtinen
Knollenberg	Roth
Kolbe	Roukema
Kreidler	Royce
Kyl	Saxton
Laiz	Schaefer
Leach	Schiff
Levy	Schroeder
Lewis (CA)	Sensenbrenner
Lightfoot	Shaw
Linder	Shays
Machtley	Shuster
McCandless	Skeen
McCollum	Smith (MI)
McCrery	Smith (TX)
McDade	Snowe
McHugh	Solomon
McKeon	Spence
McMillan	Stearns
Meyers	Stump
Mica	Sundquist
Michel	Talent
Molinar	Taylor (MS)
Moorhead	Taylor (NC)
Morella	Thomas (WY)
Murphy	Torkildsen
Nussle	Upton
Oxley	Vucanovich
Paxon	Walker
Petri	Walsh
Porter	Weldon
Portman	Wolf
Pryce (OH)	Young (FL)
Quillen	Zeliff
Quinn	Zimmer
Ramstad	
Ravenel	

ANSWERED "PRESENT"—1

Young (AK)

NOT VOTING—41

Andrews (TX)	Hall (OH)	Reynolds
Blackwell	Hastings	Ridge
Brown (CA)	Jefferson	Sanders
Brown (FL)	Kopetski	Sisisky
Chapman	Lehman	Slattery
Clayton	Lewis (FL)	Smith (NJ)
de la Garza	Livingston	Smith (OR)
Dellums	Lloyd	Thomas (CA)
Dornan	Matsui	Torricelli
Ford (MI)	Mfume	Watt
Ford (TN)	Miller (CA)	Williams
Gejdenson	Mineta	Wilson
Gibbons	Pickle	Wise
Gingrich	Rangel	

□ 1427

Mr. LEWIS of Georgia changed his vote from "nay" to "yea."

Mr. BARCA of Wisconsin changed his vote from "present" to "yea."

So the Journal was approved.

The result of the vote was announced as above recorded.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Ohio [Mr. HOKE] come forward and lead the House in the Pledge of Allegiance?

Mr. HOKE led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic

□ 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.

lic for which it stands, one nation under God, indivisible, with liberty and justice for all.

**WELCOMING GUEST CHAPLAIN
REV. FRED LINDSTROM, JR.**

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

Mr. MONTGOMERY. Mr. Speaker, it is an honor to introduce our guest Chaplain today. He is Rev. Fred Lindstrom, Jr., rector of my home church, the Episcopal Church of the Mediator in Meridian, MS.

The Reverend Lindstrom has a degree from the University of Georgia, a law degree from Wilson College of Law in Atlanta and a master's in divinity from the Virginia Seminary. He is a former police officer, and a radio news and political reporter in Atlanta.

He was ordained in 1969 and since that time has served churches and missions throughout the Southeast. He has been in Meridian for 2½ years.

He has always been active in civic and community affairs and has a special interest in the arts and historic preservation. He is married to Marcia Pace Lindstrom and they have four sons.

He is in Washington to attend the National Prayer Breakfast tomorrow.

I know all my colleagues will join me in welcoming the Chaplain of the day, Rev. Fred Lindstrom.

□ 1430

**ANNOUNCEMENT OF RETIREMENT
OF HON. PHILIP R. SHARP**

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

Mr. SHARP. Mr. Speaker, I want to let my constituents and my colleagues know that I will not be running for reelection. Having campaigned for Congress every other year since 1970, I am eager to spend this year working on health care reform and other vital issues—for once—without the demands and distractions imposed by a campaign. And as much as I have enjoyed serving here for nearly 20 years, I am eager to move on to other challenges.

I would like to seize this moment to say a few words about my family, my constituents, and the Congress.

My family, like many congressional families has borne an unfair share of the burdens of public service and has received fewer of the satisfactions than I have. My wife and two sons certainly deserve my thanks.

No one has had a more positive impact on my life and certainly on my thinking than my wife KK, better known to her readers as Marilyn. She passionately believes in the potential of each individual and is quick to fight any form of discrimination that curbs

that potential. She has opened my eyes to the bigotry that many women face as mothers, as wives, as careerists.

My oldest son, Jeremy, now 18, slept through his first State of the Union address in the House Gallery when he was 2 months old; but last week he was hanging on every word of the President's magnificent speech. I am most proud of his willingness to speak up for his convictions. I wish I had followed his example more often here in the Congress.

My youngest son, Justin, now 12, was a freedom fighter at the age of two. Born on November 4, he has had his birthday disrupted every 2 years by elections, I am very proud of the courage he so often demonstrates, far more than I ever did at his age.

I hope my constituents already know that I consider it a great honor to represent them in Congress; I will certainly try to give them my best efforts for the remainder of this term. They are a wonderful group of Americans with diverse needs, diverse interests, and diverse ideas about how we should govern. Frankly, there are a few whose freedom of speech I would always defend—whom I would urge to make their speeches in the precincts of the devil where they should feel right at home.

I want my constituents also to know that it is an honor to serve here because there are so many exceptional Representatives in both political parties—men and women who work very hard and in the face of intense pressures do an honest job for their constituents and our country. Frankly, there are a few who deserve only minimum high regard which is about all the rules of the House allow me to say.

In this time of change and challenge to the Congress, there are, of course, useful reforms to be made. But there is no reform that can substitute for the character and the good will of the people who serve here. There are many Members of the House who meet those tests today.

Congress is not a convent; it is not a tea party. It is the public arena where we battle over ideals and scrap over funding; where we champion just causes and represent regional interests. It is not always pretty or pleasant; but at the end of the day there are many decisions made that affect the lives of our people and the future of this country. It is this system of representation—so often misunderstood and too often denigrated by some of today's commentators—it is this system of representation that best assures that the people will control our Government.

It is clear from history that the only real alternatives are anarchy where the people turn their guns on each other or dictatorship where the Government turns its guns on the people.

Mr. Speaker, I am very proud to be a Member of the U.S. Congress.

NEGLECT

(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, coverup is a nasty word in Washington. It is a powerful word, one that conjures up scandal and sin. It's a word that brought down a President.

I hesitate to use the word "coverup," so I won't when discussing the Whitewater affair. Instead, I will use the word "neglect."

By refusing to hold hearings or mount an investigation into the Whitewater affair, the Congress neglects its sacred oversight duty.

The chairman of the Banking Committee acknowledged yesterday that his committee should and will investigate this affair. But he changed his story later in the day, no doubt under considerable pressure from the White House and the Democratic leadership.

Mr. Speaker, the Congress investigates many different things every year, from the ridiculous to the sublime, from the October surprise to BCCI.

But when it comes to a sordid story that has the Nation's newspapers intrigued, the Congress falls strangely quiet. I do not like to use the word coverup, but let me say this. We should not neglect our duty to investigate this affair.

**A CRISIS IN AMERICAN HEALTH
CARE**

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

Mr. GEPHARDT. Mr. Speaker, the Republican Party tells us there is no health care crisis in this country. And maybe, as far as they know, there is not one.

But those of us who spend time in our districts, walking the streets and talking to the people who are suffering from that crisis—we know better.

Those of us who are trying to help the working families of America—trying to free them from the fear of losing their insurance, or being shut out of decent care—we know better.

This week, I received a letter from an elderly woman in Imperial, MO. She had decent insurance—but she lost it when her husband retired.

Because she is only 60 years old, she has to wait 5 years before she can qualify for Medicare.

Now she has an inoperable brain cyst. She is unable to work—and under our current system, she cannot qualify for any kind of private health insurance.

She wrote to me: "I realize our Nation is in a health care crisis. I appreciate the efforts you are making to help resolve the problem."

"However, I am in a crisis now. We have worked hard all our lives, and

now face undue hardship. It just doesn't seem right."

The fact is, it is not right. But this year, in the term of this Congress, we can make it right.

So I ask all of you: What kind of system shuts people out of decent care when they need it most, but can afford it the least?

What kind of system takes away health insurance after a lifetime of hard work, just because you or your spouse are not working anymore?

What kind of system is long on loopholes, but short on solutions for those in need?

If that is not a crisis, then I would like to know what is.

And if the Republicans think the system is just fine the way it is—then I suggest they spend a little more time listening to the people who are crying out for guaranteed health care.

URGING MEMBERS TO REJECT H.R. 3425, DEPARTMENT OF ENVIRONMENTAL PROTECTION ACT

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

Mr. HEFLEY. Mr. Speaker, when the Clinton administration proposed to reinvent government, it sounded good, but I had no idea that this meant that the Federal Government would be made larger, more expensive and more burdensome on Americans. However, this is precisely what will happen if a new Department of Environmental Protection is established in accordance with H.R. 3425.

In a nutshell, H.R. 3425 takes what has historically been an important but inept Federal Government agency, elevates it to cabinet level, creates various new offices and bureaus that essentially do nothing new, and increases the amount of taxpayer dollars spent on this by \$10 million per year. To add insult to injury, the Democrat leadership refuses to allow an amendment to be considered that would require cost benefit analyses to be done on environmental regulations that already cost Americans more than \$140 billion per year.

Mr. Speaker, the American people have sent a clear message to Washington. They want less bureaucracy, less spending, and less regulation. I urge my colleagues to act on this message and reject H.R. 3425 in its present form.

□ 1440

TIME TO TAKE THE COUNTRY BACK

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

Mr. TRAFICANT. Mr. Speaker, the IRS recently wrongfully accused over 100,000 honest taxpayers of cheating.

They said, "No big deal; it was a computer mistake. We apologize."

Maybe in this case I can agree. But, ladies and gentleman, here is the law: When the IRS points an accusatory finger at an American taxpayer, the American taxpayer is guilty and must prove themselves innocent. Unbelievable, disgusting as it is. And the American people keep asking Congress, "How can you allow this, Congress?"

My bill, H.R. 3261, says that when the IRS points an accusatory finger, they have the burden of proof. I say, "Congress, it is time for Congress to give the IRS the finger for a change. It is time to take the country back."

Think about it.

EPA RUNNING ROUGHSHOD

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

Mr. THOMAS of Wyoming. Mr. Speaker, today we debate the elevation of EPA to a Cabinet level. There are some changes in the bill. However, they do not solve the growing problem of unfunded mandates and restrictive regulations based on questionable science. That is the discussion we ought to be having today. A strong cost/benefit analysis amendment such as the Johnston amendment in the Senate needs to be an integral part of any bill elevating EPA to Cabinet level.

Without such a measure, which would fundamentally change the way the EPA does business, there is little reason to support Cabinet status. Instead of changing the sign on the door, we ought to be changing what's going on behind it.

As I talk to folks in Wyoming, landowners, small business owners, and local officials alike, it has become obvious that the EPA is running roughshod over folks. The perception is that EPA is not here to work with us, it is here to dictate to us.

A loose horse is always looking for new pastures and, unfortunately, Congress has not done much to fence the EPA in. This Agency, many times at the direction of Congress, only increases its intrusion into our daily lives.

Time does not permit me to list every example of this in Wyoming, but I can tell you every community has been affected in some way.

A perfect example was when Kelly Walsh High School in Casper, WY, was closed down for over a year and a half. Students were forced to attend school in the evenings, sharing the other high school in town. Over \$1 million was spent to slay the ugly monster named asbestos. All this so the EPA could come back 1 year later and tell us they were wrong. Now they say it may be more dangerous to remove asbestos than to let it be.

Certainly I see no track record that entitles EPA to even wider powers. We should be looking for ways to focus the power of the EPA, we should be demanding better methods and science, we should be eliminating unfunded mandates and we should be assessing the cost and benefit of environmental regulations. Elevating EPA to Cabinet level alone does not accomplish any of these goals.

NO HEALTH CARE CRISIS?

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

Ms. DELAURO. Mr. Speaker, I have been dismayed at the tenor of the health care reform debate. Some opponents of health care reform have abandoned substantive debate and have lapsed into a state of denial: "There is no health care crisis," they say.

No health care crisis? Where have these people been? Who have they been talking to? Certainly not the same people I've been talking to. My office is flooded with calls and letters from people with real health care crises. Here is just one example:

An elderly woman writes to me that her husband recently died of cancer, after a long illness. Before he died, he went through months of operations and chemotherapy for which the medical expenses were astronomical. Their insurance would not cover everything. She writes to me: "I had nightmares during his illness because one does not know how much long-term care will be needed. Now I worry if or when I will be in that position."

This woman has a health care crisis. Her nightmares are caused by a health care system that is a nightmare. And, her nightmares are shared by 76 percent of insured Americans whose policies have lifetime limits. The Health Security Act will end lifetime limits on coverage and will allow people to sleep at night without worrying that one accident or one illness could cost them their lives' savings.

Is there a health care crisis in America? Of course there is. The question is: Do we have the courage to face it and to fix it?

PASS THE MICA AMENDMENT

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

Mr. BOEHNER. Mr. Speaker, my colleagues, Government regulations are the No. 1 killer of small business.

What are Government regulations? They are nothing more than unfunded mandates on small businesses around America, on local governments, State governments, even local schools get unfunded mandates from here in Washington. An example would be the pro-

posed worker protection standards, well meaning but burdensome regulations designed to protect workers from the use of pesticides.

These regulations proposed by the EPA would be impossible for States to enforce, and, yes, there is no money for the States to go out and enforce these proposed regulations. Another unfunded mandate.

There is no money for farmers or farm organizations to go out and protect these workers with their proposed regulations. Nobody is going to pay those costs.

Another unfunded mandate.

The fact is we do not have to allow the EPA to continue this. If we defeat the rule today and we can consider the Mica amendment, we can force the EPA to do risk-benefit analysis, force the EPA to do cost-benefit analysis, and then we will have an EPA that is worthy to be called the Environmental Protection Agency.

HEALTH CARE REFORM

(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 express some of the concerns that the people of the 29th Congressional District have on health care reform. Over the past several months, we have held a number of townhall meetings in my district to discuss health care reform and nearly everyone agrees that something needs to be done to reform our current system, but not lose the quality we have.

First, we must provide everyone coverage; second, we must include prescription drug coverage for senior citizens; third, we must allow individuals to choose their own doctor. Last week I received a call from a constituent who explained that city of Houston employees had recently been put in one health plan and lost their choice of doctors. Because of this, she will have to repeat an entire series of medical tests with her new doctor at great expense and waste of time. We cannot allow this to continue.

If we pass a plan that does less than this the American people will not support it. We have an opportunity to address the largest social problem of our time because we have reached a state of crisis. During the townhall meetings in my district, I discovered that health care is a crisis if you do not have health care, yet health care is only a problem if your neighbor doesn't have health care. In Washington, it may be a problem, but in the real world it is a crisis. For the people of the 29th District, our health care system is in a crisis and these needed reforms must be passed without delay.

VOTE DOWN THE RULE

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

Mr. HOKE. Mr. Speaker, Congress is back in session, and it is business as usual.

Today we begin where we left off last year. We face another gag rule put together by the esteemed Committee on Rules.

Once again, we witness the blatant rigging of the legislative process and the stifling of debate.

But what is it this time? A bipartisan coalition of Republican and Democratic Members wants to offer an amendment to the EPA bill that would require a cost-benefit analysis before imposing any new unfunded mandates on State and local taxpayers. The United States Senate has already passed this measure by a vote of 95 to 3, and public opinion polls indicate that 92 percent of the American people are in favor of it.

But what is the Democratic leadership's response? "No way. The amendment is out of order." The people's House will not even be permitted to vote on it.

Mr. Speaker, I urge my colleagues to do their constituents a favor. I urge them to say "no" to one more expensive new bureaucracy, to say "no" to this heavy-handed bullying by the Committee on Rules.

I urge them to vote "no" on this gag rule and allow the people's House to work its will.

THE INSURANCE INDUSTRY'S COMMERCIALS

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

Mr. STRICKLAND. Mr. Speaker, I just saw the insurance industry's latest commercial featuring Harry and Louise, criticizing the President's health care plan. Harry frets about the President's attempt to reform our health care system and Louise says, "Write to us and get information so you can tell Congress what you think."

Well, Mr. Speaker, here stands one Member of Congress who has gotten the message and knows exactly what he thinks about the insurance industry and their misleading commercials.

Who do they think they are kidding? They want us to believe that the insurance industry cares about ordinary Americans?

After years of skyrocketing premiums?

After years of excluding people with pre-existing conditions?

After years of cancelling policies when someone becomes ill?

Mr. Speaker, when the insurance industry talks about health care, it makes me sick.

UNFUNDED ENVIRONMENTAL MANDATES

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

Mr. CLINGER. Mr. Speaker, State and local governments have high hopes that 1994 will bring real relief from the burdens of unfunded Federal mandates. This week our Nation's Governors are in town and the No. 1 topic of conversation is how do we get Congress to provide us with relief.

It is timely then that for the first time we will discuss the issue of unfunded mandates on the floor if we consider H.R. 3425, the Department of Environmental Protection Act of 1993.

A survey conducted by the U.S. Conference of Mayors shows that of the top 10 unfunded Federal mandates, 8 are environmental. Costs to cities, which does not include costs to States or small local governments, is projected to be more than \$50 billion over the next 4 years. Often these costs are simply passed onto taxpayers.

All of us support protection of human health and the environment. However, State and local governments are going bankrupt trying to implement every environmental regulation without any flexibility or fiscal support.

I will offer an amendment to H.R. 3425 as a first step to help State and local governments. My amendment directs the new Department to promote a strategy, consistent with environmental laws, to ease the burden of unfunded environmental mandates. The Secretary would identify areas of flexibility where it exists as well as any other means to assist State and local governments.

Let me repeat, the amendment requires that the strategy must be consistent with environmental laws so that all environmental requirements must still be met. The strategy would promote effective alternatives of State and local governments struggling to comply with rigid, complex mandates which dictate not only what they must do, but also how they must do it.

Mr. Speaker, I urge my colleagues to carefully examine and support this common sense amendment. Let us take a step in the right direction towards helping State and local government with these burdens.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Edwin Thomas, one of his secretaries.

□ 1450

THE HEALTH CARE CRISIS IS VERY SERIOUS

(Mr. ROMERO-BARCELÓ asked and was given permission to address the

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

Mr. ROMERO-BARCELÓ. Mr. Speaker, it does not stop to amaze me when I hear Members, usually on the other side of the aisle, say that there is not a health care crisis in this country. They are either not in contact with the real world and the struggle that so many Americans are living every single day or else they are simply against this bill because it was proposed by a Democratic President.

I can think of a million examples that clearly demonstrate our Nation's health care crisis. Actually, I can think of 3.6 million examples: the disenfranchised American citizens of Puerto Rico, whom I represent here in Congress. People like Frances, a playful 5-year-old girl from the small town of Florida, PR, who was recently diagnosed with a brain tumor. Frances's mother is divorced and supports her family with her \$700 monthly income, working as a teacher in the local Head Start Program. As 37 million of her fellow American citizens, she lacks health insurance, and to make matters worse, she lives in Puerto Rico, a territory where U.S. citizens do not receive equal treatment in the Federal health programs such as Medicaid. The cost of her surgical procedure was estimated to be \$100,000. How in the world can people like Frances's mother afford the health care that their sick and hurting children desperately need?

I will give you a simple answer: The answer is the Health Security Act.

HEALTH CARE REFORM PACKAGE SHOULD BE ON BUDGET

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

Mr. ALLARD. Mr. Speaker, I rise to address an issue which is of fundamental importance to the coming health care debate; keeping federally mandated health care reform on-budget. Today Congressman TIM PENNY and I will introduce a bipartisan resolution to ensure the true costs of health care reform are part of the budget and can be reviewed annually. Before Congress passes any health care reform package, we owe it to the American people to be honest about what it is going to cost. It would be irresponsible for Congress to claim that the largest expansion of Federal entitlement spending in history should be off-budget. Many in Congress and especially in our home districts agree. In the last week our resolution has grown from 35 to 124 original cosponsors. The resolution is also being introduced today in the Senate. It is time that Congress, on both sides of the aisle, and in both Chambers send the message we will not allow massive Federal mandates to be hidden off-budget.

ELEVATING EPA TO CABINET LEVEL, A NECESSARY AND WISE MOVE

(Ms. MARGOLIES-MEZVINSKY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Ms. MARGOLIES-MEZVINSKY. Mr. Speaker, I rise today in support of H.R. 3425, the Department of Environmental Protection Act [EPA]. Elevating the EPA to a Cabinet-level Department is a necessary and wise move which is long overdue.

This bill takes several important steps that will ensure better understanding of environmental programs by heightening awareness of the problems we face and improving public access to information relating to our environment. This, coupled with the EPA's commitment to working with the business community, will accomplish two important goals: a safer, cleaner environment that does not jeopardize economic growth.

I am proud to be an original cosponsor of this legislation and I urge my colleagues to support placing the EPA where it rightly belongs—as a Cabinet-level Department with the muscle and authority to confront and continue tackling the many environmental challenges we face as a nation.

EPA SHOULD ISSUE COST-BENEFIT ESTIMATES

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

Mr. WALSH. Mr. Speaker, what is the Democratic leadership of the House afraid of? Is it afraid that some measure of reason might be incorporated into environmental regulations? Is it afraid that the \$140 billion burden on Americans due to environmental regulations might be reduced? Are they afraid that American businesses might become more competitive in the global market?

These are the questions I must ask myself when trying to figure out the reason that the Democrat controlled Rules Committee refuses to let House Members even consider an amendment that would require a new Department of Environmental Protection to issue cost/benefit estimates for its regulations.

Mr. Speaker, while there are manifold documented cases of pointless environmental regulations, and while environmental regulations cost State and local governments between \$30 and \$40 billion a year in unfunded mandates, Members are prohibited from addressing this problem by yet another restrictive rule.

The rejected Mica-Thurman amendment would have answered the cries for regulatory relief made by the U.S. Conference of Mayors, the U.S. Chamber of

Commerce, the Farm Bureau, and other groups. But, because the Democrat leadership has so chosen, small businesses' cries for relief will continue to go unanswered.

GIVING CREDIT WHERE CREDIT IS DUE

(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, last month, along with a big swathe of Eastern States, Kentucky, my home State, was dealt a very dangerous and almost lethal blow by the plunging temperatures that reached 22 degrees below zero in Louisville, and severe snows. We had 16 inches of snow, very much unusual in this century.

As we so often find out, and have seen in Los Angeles, the very worst times brings out the very best in people. So to that extent, I would like to pay tribute today to the people at home and the organizations and groups which really distinguished themselves in the middle of all that weather problem.

I cite specifically the employees of the Louisville Gas & Electric Co. and the Louisville Water Co., whose employees had to report to duty in the middle of the storm. The employees of the city of Louisville and the county of Jefferson, the Louisville Police, the county police, the Louisville Division of Fire, as well as the volunteer fire departments.

Mr. Speaker, it is not likely that we will see many opportunities for these people to get the public notoriety that they deserve, but I would like to bring to everyone's attention the outstanding performance by these good people under those adverse conditions.

WHITEWATER HEARINGS

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

Mr. DOOLITTLE. Mr. Speaker, yesterday, the chairman of the House Banking Committee, in answer to the question, "Will hearings be held on the Madison Guaranty Saving And Loan affair?" replied, "Yes, they will."

That was the first good bit of news we have heard so far on this issue. Unfortunately, it was a short-lived moment. Later in the day, the chairman retracted his statement.

Obviously, the Democrat leadership and the White House would rather keep the chairman off this case.

We all know and respect the investigative abilities and dogged determination of the Banking Committee chairman, the distinguished gentleman from Texas.

It seems to me that the Madison Guaranty Savings and Loan is a wor-

thy subject to investigate. It had many ties to powerful politicians, it engaged in many questionable activities, and it cost the taxpayers a great deal of money.

It is a shame that the chairman changed his mind on Madison. We need to have the Congress look into this matter for the good of the American taxpayer.

EPA: A SEAT AT THE CABINET TABLE

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

Ms. FURSE. Mr. Speaker, I rise in strong support H.R. 3425. The United States is the only industrialized country that fails to provide the environment a seat at the Cabinet table. The environment is the one thing that binds together every single human being on this planet. We all rely on the environment for the air we breathe, the water we drink, the food we eat. A healthy environment is not a luxury or a special interest; a healthy environment is a prerequisite for national security, for public health, and for a vibrant economy. It is paramount that we ensure that the natural resources upon which we depend for our sustenance and livelihoods are not degraded by overexploitation or pollution. As such, Americans deserve to have a Secretary of the Environment advising their President at Cabinet-level meetings, representing the United States in international environmental agreements, and ensuring that environmental concerns are considered on par with other issues, such as commerce and defense, covered by other Cabinet departments.

H.R. 3425 does not create more government; it cleans up existing government. The bill corrects management shortcomings in the EPA by, among other things, requiring the development of a strategic business plan and disallowing frivolous contracting expenses. It will save American taxpayers millions of dollars and greatly improve the Department's effectiveness in protecting environmental and public health.

The rule for debate of H.R. 3425 is a fair, balanced, and bipartisan rule. The intent of this legislation is to make needed structural changes to the EPA; not environmental policy. The Rules Committee was consistent and fair in accepting nine germane amendments and they are from both sides. The rule does not pass judgment on the merit of any policy issues. It merely recognizes that H.R. 3425 is not the appropriate forum to debate them.

I am proud to be a cosponsor of H.R. 3425. Let us not impede the enactment of this important bill by arguing over a fair rule. I urge you to vote in favor of H.R. 3425 and its rule.

JUMP-START CONGRESSIONAL REFORM

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

Mr. BARRETT of Nebraska. Mr. Speaker, I hope your recent comments about bringing a congressional reform bill to the floor this spring, truly reflect a commitment to jump starting our reform efforts.

The recommendations from the Joint Committee on the Organization of Congress are very basic, obvious reforms, like having Congress comply with the laws we pass. They should receive broad, bipartisan support.

But if we are going to make real changes around here, then those recommendations must only be our starting point, and start we must.

We should have the chance to openly debate the additional, and very significant proposals for change, upon which the Joint Committee could not agree. Those include such basics as improving the ratio of Democrats to Republicans on committees and committee staff, the elimination of proxy voting, and limiting committee chairs to 3 terms; to name but a few.

Just as I read your comments in the press about the year's schedule, I read of your desire to improve the image of Congress. It is obvious, Mr. Speaker, where to start. Let us clean up our act first, and as soon as possible.

□ 1500

SUPPORT URGED FOR RULE ON EPA CABINET ELEVATION BILL

(Mr. RICHARDSON asked and was given permission to address the House for 1 minute, and to revise and extend his remarks, and include extraneous matter.)

Mr. RICHARDSON. Mr. Speaker, the most important vote today on the EPA issue is to vote on the rule, and the bipartisan environmental group, the League of Conservation Voters, has sent every Member a letter stating that this vote will be used in its environmental scorecard.

Mr. Speaker, elevating the Environmental Protection Agency to Cabinet status is long overdue. The United States was the only industrialized nation to participate in the 1992 Rio Summit that did not have ministerial-level representation. If the United States wants to maintain its leadership position in world markets for exporting environmental technologies, and improving environmental quality around the globe, the Administrator of the EPA must be viewed as representing the President and the United States of America on par with the Cabinet members of our trading partners and partners in global environmental improvement. Elevating EPA to the Depart-

ment of Environmental Protection will create a level-global playing field for developing national and international environmental policies. The rest of the world is looking to the United States to lead the way in improving environmental quality at home and abroad. A vote for H.R. 3425 is an important first step at building the U.S. leadership role in this vital area.

Mr. Speaker, I include herewith the letter to which I referred from the League of Conservation Voters bearing today's date:

LEAGUE OF CONSERVATION VOTERS,
February 2, 1994.

REPRESENTATIVE,
House of Representatives, Washington, DC.
Re: H.R. 3425, EPA Cabinet elevation bill, support the rule.

DEAR REPRESENTATIVE: Since 1970, the League of Conservation Voters (LCV) has served as the bipartisan, political arm of the national environmental community. Each year LCV publishes the *National Environmental Scorecard*, which details the voting records and actions of Members of Congress on environmental legislation. The Scorecard is distributed to LCV members and concerned voters nationwide.

On behalf of LCV, we urge you to support the rule on H.R. 3425, the Department of Environmental Protection Act, introduced by Representatives Conyers (D-MI) and Boehlert (R-NY). Proponents of anti-environmental amendments are seeking to defeat the rule on the EPA Cabinet Elevation bill to permit far-ranging policy amendments beyond the organizational nature of this bill. Anti-environmental policies promoted as amendments, however, will swiftly derail the bipartisan effort to elevate EPA to cabinet status.

H.R. 3425 is an organizational bill which does not address policy issues. The Rules Committee has crafted a fair rule that ensures that this bill deals only with organizational issues, not controversial anti-environment measures that would prevent the cabinet elevation of EPA.

LCV is especially concerned about harmful amendments in three areas: cost-benefit or risk assessment, "takings," and "unfunded federal mandates." Cost-benefit or risk assessment amendments require EPA to conduct detailed studies of the risks addressed by a promulgated rule compared to all other risks faced by the public. Cost-benefit amendments are burdensome, unnecessary, and attempt to apply a "one size fits all" approach to specific environmental problems. The end result is to undercut EPA's ability to protect the health and safety of the American people.

A second threat which faces the EPA Cabinet bill is a takings amendment. State and Federal constitutions already protect property owners by requiring compensation when a court finds, on a case by case basis, that the government has "taken" private property. Takings bills would create a massive bureaucracy and mandate diversion of scarce taxpayer dollars to meaningless analyses or unnecessary payments.

Lastly, the issue of unfunded federal mandates may be raised as part of the debate on this bill. Unfunded federal mandates should not become an excuse to roll back important environmental, health, and labor laws. The problem is not only a lack of money, but also poor funding priorities and policies. Policies that establish the "polluter-pays" principle,

and reduce anti-environmental subsidies, can ensure that needed federal funds needed are raised without budget shocks.

In summary, LCV urges Members to support the rule on the EPA Cabinet bill. LCV's Political Committee will almost certainly consider including a vote on the rule on H.R. 3425 and any other weakening amendments allowed under the rule when compiling its 1994 Scorecard.

Thank you for your consideration of this issue. If you need more information, please call Betsy Loyless in my office.

Sincerely,

JIM MADDY,
President.

HOSPITAL MERGER IN NEW HAMPSHIRE SETS AN ENCOURAGING PATTERN

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

Mr. ZELIFF. Mr. Speaker, as we are now full swing into the health care debate, I want to share with my colleagues a success story from my home State of New Hampshire.

The two largest hospitals in Manchester, NH, have just completed a long and hard trek through Department of Justice bureaucracy to receive permission to merge their two hospitals into one. After spending over \$1 million in legal fees, the Elliot Hospital and the Catholic Medical Center will now combine to become one of the most cost-effective and technologically advanced facilities in the country.

But most importantly, the people of southern New Hampshire will benefit. The two hospitals, a mere 3 miles apart, will now eliminate duplication of services such as separate MRI machines, they will streamline administration, and improve outcomes. Current estimates put savings at over \$150 million in the first 10 years.

My colleagues should take note of this accomplishment, and should support efforts to allow these types of mergers to go forward.

Antitrust reform needs to be a major part of any health care reform package. The ones who will benefit the most are the citizens of America.

INVESTMENTS IN OUR FUTURE: WHERE ARE OUR PRIORITIES?

(Ms. EDDIE BERNICE JOHNSON of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, yesterday America's future suffered a significant setback.

The Clinton administration's proposal to restructure the Chapter 1 funding formula was rejected in subcommittee by a number of my colleagues.

The single largest Federal educational program, chapter 1 was origi-

nally designed as a supplemental resource for the poorest of this Nation's poor children.

The Clinton plan merely concentrated our very scarce resources to where the need is the greatest, in areas with the highest population concentrations of low-income children.

Who are these children? These are the children whose family incomes fall below \$10,000 a year; these children are most likely to live with a single parent; rural or urban, these children are most likely to drop out of school.

It was the intent of President Lyndon Baines Johnson that this program would target its resources to those who needed it most.

In my district, 49 schools, with student populations from impoverished families in excess of 50 percent receive no chapter 1 funds.

Nationwide 90 percent of all school districts receive Chapter 1 assistance regardless of how wealthy the district may be.

I raise the concern about the defeat of the Clinton administration proposal because in a time when we are told to tighten our belts and pinch every penny, we can afford to spend \$22 billion on a crime package that builds more prisons.

I'm not opposed to cracking down on crime and eliminating violence in this country but I've always believed that education and job training are the best crime fighters around.

Helping children to excel in school, teaching them that they have a value in society, and that society values them is the best investment we can make.

I hope my colleagues agree with me on this issue and urge them to reflect carefully as they continue their work in developing a new formula.

I yield the balance of my time.

TODAY MARKS THE GROUNDHOG'S SHADOW AND THE SHADOW OF REGULATORY REFORM

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

Mr. MICA. Mr. Speaker, this morning in Punxsutawney, PA, a groundhog poked its head out of its hole, saw his shadow, and quickly hid for 6 more weeks of winter.

Today my colleagues in Congress will rear their heads out of their offices to find the shadow of regulatory reform at their doorstep. As we debate the EPA elevation bill, will they duck the issue and slide back into their foxholes? Will you, my colleagues, let a little light shine on the issue of risk assessment and allow debate on this important issue in the House of Representatives? Or will you dart back into the darkness and cast a long shadow over the States, cities, businesses, agriculture, and industry?

Vote today to end the cold winter at EPA. Vote today to defeat the rule. Vote today to lift the shadow of Government at EPA and bring a little sunshine into the process.

A CALL FOR ACTION IN TRADE TALKS WITH JAPAN

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

Mr. LEVIN. Mr. Speaker, the United States trade deficit with Japan remains at \$50 billion. Foreign investment in Japan remains very low. Import penetration into the United States is 30 percent, in Europe it is 15 percent, and in Japan it is only 3 percent.

We have tried the so-called MOSS talks, and then SII. We do not need another acronym; we need action.

In the so-called framework negotiations, our negotiators are now in Japan. We say here today, for all to hear, that we stand behind them. What is needed is results. The time for talk is over. Let us get busy and do it before the distinguished Prime Minister from Japan comes to the United States.

THE EMERGENCY APPROPRIATION AND THE UNITED NATIONS

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

Mr. GILMAN. Mr. Speaker, the House is preparing to take up an emergency appropriations bill to fund the costs of the earthquake that devastated Los Angeles last month. Tucked away in the emergency bill is \$1,200,000,000 to reimburse the Defense Department for unforeseen costs it has incurred while participating in U.N. peacekeeping operations, primarily in Somalia.

Congress must provide this reimbursement. But, this latest installment for the failed Somalia operation is another reason why some discipline must be brought to U.N. peace operations, which have been proliferating relentlessly.

Because American taxpayers foot nearly one-third of the cost of these operations, I have joined with my good friend and colleague on the Foreign Affairs Committee, the gentleman from Illinois [Mr. HYDE], in introducing the Peace Powers Act of 1994.

The legislation will give Congress a role in the approval of future U.N. peace missions. Accordingly, I invite our colleagues to cosponsor and support this bill.

IN SUPPORT OF THE RULE ON THE EPA BILL

(Mr. CONYERS asked and was given permission to address the house for 1 minute, and to revise and extend his remarks.)

Mr. CONYERS. Mr. Speaker, I chair the committee that brings the EPA bill, H.R. 3425, to the floor, and I am very proud of it. I would like to make a couple of points here that may have been unobserved until now.

First of all, there is a rule with nine amendments that provide for all kinds of changes in the bill. It is a very democratic and open rule, and so I am hoping that there will not be any criticism against a bill with that many provisions.

The second thing that should be known is that this bill contains within it a provision for the Office of Risk Assessment. I repeat, the bill contains a provision for the Office of Risk Assessment.

□ 1510

Mr. Speaker, in addition, it contains provisions on unfunded mandates; that is, unfunded mandates are in the bill, in addition to new controls on waste and abuse.

Finally, one should know that the administration strongly supports the rule and the bill. The Vice President was up on the Hill within the last 2 hours.

Mr. Speaker, we are hoping that we will do what every other industrialized nation has done, which is elevate the Environmental Administrator to Cabinet status.

VOTE "NO" ON RULE ON EPA CABINET STATUS BILL

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

Mr. GRAMS. Mr. Speaker, it is no wonder they call the U.S. Senate the world's greatest deliberative body, because all too often here in the House the leadership will not even allow pressing issues to be discussed, let alone voted on.

Choking off debate this time is the Rules Committee, which won't allow risk assessment and cost analysis amendments to H.R. 3425, the EPA cabinet-level bill, claiming they are not germane.

Not germane, they say. Not relevant, they say. Not pertinent, they say.

Well, since when has accountability to the American taxpayer not been relevant? Since when has conducting a risk assessment study before imposing more oppressive regulations on the public not been pertinent? Since when does this body ignore 94 percent of the American people who think the Government should conduct benefit-cost analyses on proposed environmental regulations? Not germane, you say? The truth is otherwise.

Last year, with broad bipartisan support, we added an economic impact assessment amendment to the research and development portion of the EPA fi-

nancing bill. A benefit-cost component was wise then, and it is certainly wise today.

If you support open debate, accountability to the taxpayer, and sound science and risk analysis, vote "no" on the rule on H.R. 3425.

EPA PROTECTS AMERICANS

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

Mr. WASHINGTON. Mr. Speaker, I am happy to follow the gentleman from Minnesota [Mr. GRAMS], whose office is next to mine over in the Longworth Building, because he talked about something I want to talk about, and that is the rule and the bill that we are going to vote on today, and what is cost-benefit analysis as it relates to the environment.

Mr. Speaker, is there a cost-benefit when you have dirty water and dirty air, and our children cannot live and breathe? I think not.

Mr. Speaker, this bill has enough in it already. I think Members who are going to vote for the bill on final passage, but hide behind these gutting amendments, ought to come out from behind them and have the courage, that if they are opposed to EPA, then they ought to, by God, just vote against EPA. Do not try to hide behind this so-called risk assessment and cost-benefit analysis.

Mr. Speaker, one final thing: when people talk about risk assessment and they talk about cost-benefit analysis, I want them to remember one incident. The beginning of cost-benefit analysis is when the Ford Pinto automobile and the Ford manufacturer knew that the gas tank, upon a rear-end collision, would explode. But they decided, based on cost-benefit analysis, that it was cheaper to go ahead and pay for the people who would die in a fiery death in an automobile accident than it was to recall all the vehicles and replace the part.

Mr. Speaker, we do not want that to happen to our environment.

EPA UNFUNDED MANDATES

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

Mr. CASTLE. Mr. Speaker, all over America today there are Governors and county officials and mayors who are making their decisions as to how to fund their budgets. Generally they are going to start by looking at what the Federal Government tells them they have to do, be it Medicaid, or whatever it may be.

Clearly in the area of the environment they run into many unfunded mandates, which we have heard a lot of discussion of here today.

Mr. Speaker, there is an amendment which is introduced by the gentleman from Pennsylvania [Mr. CLINGER] that is made part of the rule which will come before us which will address this problem. The amendment would require the EPA to develop and implement a strategy to relieve the burdens of unfunded environmental mandates on State and local governments, and it would encourage the EPA to be flexible, so that environmental goals can be achieved while lessening economic impact. It does not oppose strong, effective environmental laws or standards. It is supported by the National Conference of State Legislatures, the National Association of Towns and Townships, the National Association of Counties, and probably any local official out there who understands what a burden this is.

Mr. Speaker, as an example, in Midland, MI, they spent over \$250,000 over the past 3 years to remove petroleum-contaminated soil so that an asphalt parking lot could be put on top of the dirt. Asphalt, of course, is a petroleum product.

Mr. Speaker, in Garden City, MI, in the Safe Drinking Water Act, they spent over \$24,000 to test for 43 pesticides which are not there.

Mr. Speaker, the time has come for us to do something about this. I hope we will all support the amendment to the EPA elevation bill today.

TIME TO DEMONSTRATE COMMITMENT TO ENVIRONMENTAL PROTECTION

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

Mr. HAMBURG. Mr. Speaker, I rise in strong support of the rule of H.R. 3425. It is a fair rule which allows germane amendments.

This rule disallows nongermane amendments which would have required risk assessment analysis of all EPA regulations or addressed compensations for so-called takings of private property resulting from EPA actions. These are issues worthy of debate, however this bill is not the proper forum for that debate.

H.R. 3425 focuses only on the elevation, reorganization, and management of EPA. Modifications to the bill triggering major revisions in environmental policy could also affect vital statutes which fall within the jurisdiction of other committees. Potential changes of this magnitude warrant careful consideration in those committees.

It is time to demonstrate our commitment to environmental protection both locally and globally. Passage of H.R. 3425 will finally give environmental protection the stature it deserves. I urge my colleagues to vote yes

on the rule so we can pass H.R. 3425 and end 5 years of debate on this issue.

SHOW AMERICAN PEOPLE CLINTON HEALTH CARE PLAN

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

Mr. BACHUS of Alabama. Mr. Speaker, President Clinton has called for a new openness in Government, but that does not square with the fact that the American people are being required to pay \$45 to get a copy of the Clinton health plan.

On the other hand, anyone can call the House document room at 202-225-3456 and get a copy of the Republican plan for free, or, the Cooper-Grandy plan, for free, or, the Thomas plan, for free. Absolutely free. But \$45 if you want the Clinton plan.

Mr. Speaker, last week I wrote to the majority leader and I asked him, in fairness to the American people, instruct the House document room to also provide a copy of H.R. 3600 to the American people, for free.

Today, I renew my call.

Mr. Speaker, we will consider many important issues this year, but none are more important than health care reform.

Mr. Speaker, the American people deserve to know what we are voting on. Let them see the plan.

A NATIONAL COMMITMENT TO ENVIRONMENTAL CONCERNS

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

Ms. ESHOO. Mr. Speaker, I rise today in strong support of H.R. 3425, which elevates the Environmental Protection Agency to Cabinet-level status, and in support of the recommended rule.

It is time to demonstrate in a tangible way our commitment to our Nation's environment by giving it the same institutional support and priority as our country's commerce and energy needs, and other issues receiving Cabinet-level support.

Today, we not only have the opportunity to elevate the EPA's importance, we have the chance to correct serious management problems at EPA that have hindered the Agency in fulfilling its mission.

Mr. Speaker, the only way the necessary changes will be made is to stick to the issue at hand—EPA's efficiency and reorganization.

Let us not confuse the debate with specific issues of environmental policy, which have their place and time but not with respect to the issue of elevating the EPA to the President's Cabinet.

The recommended rule keeps this bill clean and is our best hope for passage.

I ask my colleagues to support this rule, support this bill, and end 5 years of gridlock on this critical issue.

TRIBUTE TO STEVEN BUGNER: WINNER OF HORATIO ALGER NA- TIONAL SCHOLARSHIP

(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, I rise today to pay special tribute to a very remarkable young man in my district, Steven Bugner.

Steven ranked twentieth in his class of 211 at North Providence High School. Classmates of his are in the gallery today. He is a member of the National Honor Society, he plays the trumpet in the band, and he is planning on attending Providence College in the fall. This is a typical profile of someone of achievement, until you consider that Steven is blind.

In the eighth grade, Steven lost his vision. A brain tumor was discovered. And, while, thankfully, it was removed, as a result, he no longer could see.

Rather than to succumb to this tragedy, Steven demonstrated uncharacteristic strength of character and a will to triumph in the face of adversity.

Rather than retreat from an active life, Steven has continued to thrive and to excel.

Mr. Speaker, it is a fitting tribute to his accomplishments that he has recently been awarded a \$5,000 scholarship from the Horatio Alger Association of Distinguished Americans.

Now, at 18, Steven is a leader of his peers, and an inspiration to us all.

Mr. Speaker, Seneca said, "Great people rejoice in adversity, just as brave soldiers triumph in war." We all join in congratulating Steven on his life of inspiration, and wish him the very finest in life.

□ 1520

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. DURBIN). The Chair would remind Members that the rules preclude references to people in the gallery.

IN SUPPORT OF EPA CABINET LEVEL STATUS

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

Mr. HINCHEY. Mr. Speaker, I am pleased to support EPA for elevation to Cabinet status.

The bipartisan support for this bill is a strong indicator of the Congress' belief that EPA needs to be part of the

Cabinet. EPA will become a formal part of the President's inner circle—his Cabinet—the place where this country's public policy decisions are made.

The Congress has recognized the importance of the environment to our citizens by enacting 12 major pieces of environmental legislation in the past 20 years, and given EPA responsibility for many other smaller statutes. Our enactment of these laws is a reflection of the value our citizens place on the environment, and on the health of their children and their national heritage.

But we now know that environmental issues don't always receive the attention that our public demands because EPA has not always been present when national issues are decided at the White House. This bill will assure that EPA is always in that room and part of those policy discussions because they will be a formal member of the Cabinet, an equal to other Cabinet departments who have jurisdiction over the very areas that EPA regulates.

We should not shirk from our responsibility to place EPA at a level of Government where its statutory responsibilities show that it belongs, and where it can operate in the best interests of the Government, and that national interest. The environment is not a passing fad—it is an integral part of who we are as Americans—and it should be an integral part of the way this Government operates.

A CALL FOR REAL REFORM

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

Mr. HORN. Mr. Speaker, last year was supposed to be the "Year of Reform." Again and again, we heard promises that "Reform Week is coming." November was even called "Reform Month." But campaign reform did not pass. The leadership forced an empty shell of reform through the House. After the President had promised in the 1992 campaign to fight the undue influence of Political Action Committees [PAC's], he gave up the fight and the result is that not one dime less is to be spent by the political action committees to elect Members.

Now is the time to see what the leadership really meant by reform. Where is the conference committee? Where is the campaign reform bill? Those of us who are serious about reform want to see what the Democratic leadership of the House and Senate honestly support. Where is the ban on the corrupt influence of PAC money? Where is the ban on soft money? Where is the limit on donations by the big spenders from outside the district?

Mr. Speaker, schedule the conference committee now. Then we can move beyond the charade of reform of H.R. 3

onto a bipartisan agreement with real limits on the out-of-control campaign finance system. Million-dollar House campaigns should end now. The American people demand it. Most of the freshmen demand it. Hold conference committee meetings now.

RULE FOR H.R. 3425, ENVIRONMENTAL PROTECTION AGENCY CABINET STATUS

(Ms. VELÁZQUEZ asked and was given permission to address the House for 1 minute.)

Ms. VELÁZQUEZ. Mr. Speaker, I rise in support of H.R. 3425, which elevates the Environmental Protection Agency to Cabinet level status. This idea has been with us for years and it is about time we gave environmental protection its due status and attention.

The rule before us today allows for nine amendments. I commend the Rules Committee for its fairness in allowing Members to bring these proposals to the floor. However, I urge my colleagues to review them carefully and oppose any amendments that severely weaken this historic legislation.

Mr. Speaker, this bill will give the EPA the muscle to improve our environment for future generations. Also, the bill begins to focus Federal attention on the distressing problem of a disproportionate environmental burden on communities of color. Again, I urge my colleagues to support the rule and final passage of H.R. 3425.

TV VIOLENCE

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

Mr. DICKEY. Mr. Speaker, television allows violence to enter our home and permeate our lives and the lives of our children.

There are 1,845 individual acts of televised violence in a single day.

In 1980, children's television programs included 18.6 acts of violence per hour. In 1990, children's television programs included 26.4 violent acts per hour.

It is estimated that average children will witness 8,000 murders and 100,000 acts of violent before they reach the age of 12.

I support Mr. MARKEY's bill, H.R. 2888, which gives parents the tools to stop violent programs from being viewed by children.

H.R. 2888 is a balanced measure which does not infringe on first amendment rights, but instead gives parents the necessary tool to turn off the violence and control their children's TV habits by programming the remote controls.

H.R. 2888 places the responsibility of raising children in the hands of the parents and not in the hands of the Federal Government and people who are choosing what to broadcast.

While reducing the amount of violence on television is not the only symptom of the Nation's violent crime epidemic that needs to be cured, it is certainly a good place to start.

I urge my colleagues to join us in co-sponsoring H.R. 2888.

WELFARE KINGS

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

Mr. OWENS. Mr. Speaker, there have been some loud cries for special prosecutors and special investigations and hearings by Congress, and I am all in favor of that, whenever large amounts of money are involved. But let us not just have these diversionary investigations. Let us really investigate where the big money is.

I call to the attention of my colleagues, and to the attention of all the taxpayers in America, the front page of the January 28 issue of the Washington Post. The Washington Post exposes the welfare kings in the farm industry. It talks about the Farmers Home Administration, which, in the past 5 years, the FmHA has written off as uncollectible \$11.5 billion in loans. I did not say "million," I said \$11.5 billion in loans. But the agency is not finished giving away money yet.

It has another \$5 billion in loans and bad debts that it intends to give away. That is our taxpayers' money, given away to people who call themselves farmers. Many of them are not farmers at all. They are millionaires. One has a net worth of \$121 million.

George W. Nickel, Jr., has \$17.6 million in delinquent loans. There are others. Warren G. Carter, overdue on \$13 million in loans; Bill Restefano, overdue \$1.2 million in back payments; \$16.5 billion already given away of taxpayer money to the welfare kings of America.

ARE TARIFFS REALLY LOWERED?

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

Mrs. BENTLEY. Mr. Speaker, now the real truth about the just completed Uruguay round of the General Agreement on Tariffs and Trade, known as GATT, is coming out. Citing the GATT, Canadian authorities plan to impose tariffs up to 351 percent on certain basic farm products from the United States across the border.

According to the Journal of Commerce, Canada claims that the authority for such astronomical tariffs is provided by the recently negotiated GATT and not the Canadian Free Trade Agreement, CFTA.

These sky high tariffs would only be reduced by 15 to 36 percent over a 6-year period. This means that tariffs of

299 percent on imported butter, 245 percent on imported cheese, and 238 percent on imported chicken would be in effect at the end of the 6-year period, by the year 2001. Government officials in this country repeatedly have assured each congressional office that CFTA, NAFTA, and GATT would lower tariffs.

Now we learn the truth. In many instances tariffs are being raised.

Our friendly neighbors are using the agreement to gouge U.S. business. Who else will gouge American business by resorting to GATT's cover?

EPA TO CABINET

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

Mr. LEWIS of Georgia. Mr. Speaker, I rise today to express my support for H.R. 3425, giving cabinet-level status to the EPA. This legislation is long overdue. It recognizes the importance of protecting our environment and places environmental protection on equal footing with energy, education, housing, and transportation.

This bill will do more than just change the status of EPA. It will create an Office of Environmental Justice. This will ensure that all of us know what is in the air we breathe, what is in the water we drink, and what is in the food we eat.

Mr. Speaker, the time has come, the time is now. We are long overdue in our responsibility to the environment. We have an opportunity here today to do what is right, to give cabinet-level status to the EPA.

Support the rule on H.R. 3425, support this bill on final passage.

Let us do this and leave this world a little greener and a little cleaner for unborn generations.

□ 1530

LEGISLATION REGARDING CHANGING THE COMPUTATION OF CPI

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

Mr. SMITH of Michigan. Mr. Speaker, today I am dropping in a bill to change the way the CPI is computed for Government payouts. The Consumer Price Index, CPI, is probably the most widely used measure of inflation. A number of Federal Government programs are tied to these increases in CPI, such as Social Security benefits, the personal income tax rate, Government retiree payments, many wages, and State and local government payouts as well.

The problem is that a 1-percent increase in the CPI results in a \$5 billion additional cost to the Federal Government the first year. The CBO estimates

that with compounding and the increased number of recipients the additional cost would be over \$100 billion in the 5 years of our budget proposal.

The bill that I am introducing takes alcohol and tobacco products out of the so-called market basket of goods that is used to calculate the Consumer Price Index.

From my discussion with the U.S. Department of Labor, Congressional Budget Office, and Congressional Research Service, it is estimated that a 75 cent increase in the cigarette tax would increase the Consumer Price Index [CPI] by 0.7 percent, and thus, increase Federal Government COLA payments by \$3 to \$4 billion the first year. The cost to State and local governments would be equally significant.

The Government should not increase Government payments to individuals as a result of rising prices for a product that may be harmful, and is not used by most of those individuals having their benefits increased. It is estimated that 12 percent of retirees use tobacco. But the fact is that cigarettes and alcohol continue to be a substantial factor in the market basket of goods that makes up the CPI used to calculate cost-of-living-adjustments [COLA's].

Currently tobacco and alcohol products make up over 4 percent of the CPI-W used to increase Government payment programs. This creates a separate inflation index that does not include tobacco or alcohol products [CPI-G], to be used by the Government for increasing COLA's.

This legislation keeps spending down, saving billions annually, and prevents a windfall increase for recipients of Federal benefits.

IN SUPPORT OF LEGISLATION TO ELEVATE THE EPA TO CABINET LEVEL STATUS

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

Mr. BARCA of Wisconsin. Mr. Speaker, I rise today to strongly support elevating the EPA to a Cabinet level status. The time has come to prioritize clean air and clean water for future generations. We must remember that we have an obligation to be good stewards of this Earth, but also, Mr. Speaker, in this day and age we must be good fiscal stewards.

As a member of Unfunded Mandates Caucus, it is my hope we will strongly support the measure to require the EPA to develop a strategy to ease the unfunded mandates places upon our State and local governments.

Mr. Speaker, hopefully we will soon pass a very strong bill, a bill that is fiscally responsible and is environmentally responsible.

HEALTH CARE PROBLEMS CAUSED BY TOO MUCH GOVERNMENT, NOT TOO LITTLE

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

Mr. DUNCAN. Mr. Speaker, the problems we have in health care today are caused primarily because of too much government, not too little.

Anyone who thinks differently should read today's Washington Post story about Medicaid.

The sub-headline reads: "Inconsistent, Seemingly Illogical Rules Leave Many Confused, Few Satisfied."

Talk about an omen of things to come.

The story says about Medicaid: " * * * with its maddening bureaucracy, high costs and variations from State to State, it now satisfies almost no one."

It quotes one of our most liberal Democratic Senators as saying Medicaid is "a vile program, a horrible program" that "should be abolished."

The story goes on to quote a scholar from the Brookings Institution who jokingly says: "Medicaid is a success story of the American political process. We make something so bad that we have to go to total reform."

I am sure that the well-intentioned people who wrote the original Medicaid law thought they had written a wonderful piece of legislation.

Now it is little more than a horror story.

These same types of horror stories will be said about the President's plan in a few years if we go along with it.

The Federal Government is not capable of micro-managing our health care system. We will only make things worse if we get even more government into it than we now have.

Mr. Speaker, I include for the RECORD an article on Medicaid which appeared in the Washington Post:

[From the Washington Post, Feb. 2, 1994]
A MIXED BLESSING OF BUREAUCRACY: INCONSISTENT, SEEMINGLY ILLOGICAL RULES LEAVE MANY CONFUSED, FEW SATISFIED

(By Dan Morgan)

Medicaid has been a blessing to millions. Yet with its maddening bureaucracy, high costs and variations from state to state, it now satisfies almost no one.

Sen. John D. "Jay" Rockefeller IV (D-W.Va.), a leading advocate of health reform, has called Medicaid "a vile program, a horrible program," and added: "Medicaid should be abolished."

"[Medicaid] is a success story of the American political process," cracked Allen Schick, a visiting scholar at the Brookings Institution. "We make something so bad that we have to go to total reform."

Medicaid's eligibility rules often seem to defy logic.

Able-bodied, non-elderly single adults and childless couples cannot qualify for Medicaid benefits no matter how poor they are. Medicaid covers millions of mothers—but relatively few fathers.

In Tennessee, the program covers the catastrophic medical bills of a 43-year-old Nashville woman with a history of heart attacks, comas and seizures. But in Texas and 12 other states that have not adopted Medicaid's optional coverage of such "medically needy," the same woman might not be eligible for any medical assistance.

If a North Carolina single mother of three children, ages 10, 6 and 11 months, earns \$1,600 a month, only the 11-month-old can get a Medicaid card, and the infant loses the coverage after turning 1. If the woman's income drops just \$10 a month, however, Medicaid covers the 6-year-old and will continue to cover the infant after it turns 1. But Medicaid would not fully cover the mother unless her income dropped to \$594 a month, making her eligible through the state welfare program.

An acute care hospital could be reimbursed for housing a 35-year-old schizophrenic—but a psychiatric hospital could not be.

"You'd have to be a Talmudic scholar to understand this stuff," said a congressional aide with long experience with Medicaid eligibility rules.

COVERING AIDS PATIENTS

Among the more confusing rules are those that cover AIDS. Persons who have developed AIDS, theoretically are eligible for Medicaid—once they become permanently disabled and meet income restrictions.

But AIDS sufferers say there are a number of Catch-22s in their situation.

Early intervention with antiviral and prophylactic medicines is generally believed to prolong life without disability. Yet by the time AIDS patients qualify for Medicaid due to permanent disability, it can be too late for drugs or medical intervention to do much good.

Permanently disabled adults who have exhausted their resources are eligible for federal cash payments of \$434 a month under a program called Supplemental Security Income. And once eligible for SSI, they automatically qualify for Medicaid in most states.

But if they have held jobs at which Social Security contributions were deducted from their pay, they must first apply for Social Security Disability Income (SSDI), whose monthly cash benefits can exceed the income limits for SSI. Without SSI, no Medicaid. SSDI makes them eligible for Medicare, the government-run health insurance program that covers the elderly and some disabled. But Medicare benefits don't kick in until up to 24 months. In the meantime, they are without Medicaid or Medicare.

But for many AIDS patients, the battle starts long before permanent disability—whose very definition is disputed within the federal government. The Centers for Disease Control and Prevention considers anyone with a T-cell count of 200 or below—signifying significant damage to the immune system—to be an AIDS sufferer for purposes of public health statistics. But the Social Security Administration, which rules on eligibility for SSI, uses a more restrictive definition.

FEAR AND PHARMACEUTICALS

Those who are not sick enough for any kind of federal assistance look for help in other ways.

AIDS activist Bryan Bradley of Houston, who is HIV positive, knows firsthand about the fear the disease breeds—not just because of its physical terrors, but because of the health care system's erratic response to it.

When friends die, he said, he hurries to their homes and removes all the medicines

he can find. Last June, he recalled, he got to a flat right after the body had been taken out and found a "load" of pharmaceuticals.

Bradley has private disability insurance and can get all the medicines he needs. He said he collects the drugs for others who are HIV positive and want to stay well for as long as they can. Many fear losing their jobs, their health insurance or both if they seek therapeutic drugs from the Houston AIDS clinic or through their company policies.

What Bradley does is against the law, but he said he doesn't care who knows. "They can do what they want to me," he said.

Houston does offer fallback services for those who don't qualify for Medicaid. The Thomas Street AIDS clinic operates with local tax dollars and grants from the federal Ryan White program. And at any given time the two Harris County hospitals are usually caring for 40 to 50 AIDS sufferers, many of whom are charity patients with no insurance.

But Lois Moore, president and chief executive officer of the Harris County hospital district, acknowledged that without a "funded source" of health coverage, such as private insurance or Medicaid, an individual in Texas may have trouble seeing a physician. is likely to get less preventive care, and probably will end up going to an overcrowded county hospital emergency room if in need of a specialist.

URGING OPPOSITION TO THE RULE ON H.R. 3425, DEPARTMENT OF ENVIRONMENTAL PROTECTION ACT

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

Mr. PORTMAN. Mr. Speaker, I rise today to urge my colleagues to oppose the rule on the EPA bill when it comes up this afternoon. It bars consideration of a number of crucially important amendments including the Mica-Thurman amendment on risk assessment.

Environmental concerns are increasingly important to our Nation and the Federal Government, through the EPA, must be fully prepared to meet these challenges. That is why I support the George Bush initiative to elevate the EPA to Cabinet-level status. However, I strongly oppose the rule.

In particular, the House should not be precluded from voting on the Mica-Thurman amendment. It is a simple idea: The amendment requires the EPA to analyze the relative costs and benefits of its proposals. Billions are spent annually to comply with EPA regulations. State and local governments alone are forced to spend \$30 to \$40 billion per year. These are the detrimental unfunded mandates Governor George Voinovich of Ohio and other Governors on a bipartisan basis have rightly highlighted this week. It seems only appropriate to require the Agency promulgating these mandates to consider their economic impact. It is proposal, I might add, which the other body adopted by a vote of 95-3.

Yet, we cannot even get a vote on it. That is just wrong. I urge my col-

leagues to do the right thing and defeat the rule.

HOW MANY INVESTIGATIONS OF WHITEWATERGATE?

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

Mr. WALKER. Mr. Speaker, yesterday on the House floor the chairman of the Committee on Banking, Finance, and Urban Affairs promised two sets of Whitewatergate hearings, hearings on the issue itself and hearings on RTC oversight. I know, because I clarified it with him seven times. Today the staff is saying that the chairman said no such thing. A promise made yesterday, a denial made today.

The staff said what he said was not what he said and what we heard him say. Instead, what he said was said in a manner that was a misstatement on his part. Mr. Speaker, who speaks for the Committee on Banking, Finance, and Urban Affairs, its chairman or its staff? Who can Members of this House rely on for promises made to them, the chairman of the Committee on Banking, Finance, and Urban Affairs, or his staff? Who sets the agenda for the Committee on Banking, Finance, and Urban Affairs, the chairman, or the House Democratic leadership?

The chairman of the Committee on Banking, Finance, and Urban Affairs promised hearings on Whitewatergate as well as RTC oversight. We would, in good conscience, expect those hearings will be held, statements of the staff and the Speaker, notwithstanding.

URGING MEMBERS' SUPPORT OF EPA CABINET LEVEL STATUS

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

Mrs. MORELLA. Mr. Speaker, today the House considers raising the U.S. Environmental Protection Agency to Cabinet status. I support this elevation of the EPA, and I urge my colleagues to vote for Cabinet-level status. This move recognizes the importance of environmental protection in our country and in our negotiations with the other nations of the world. On November 3, I joined Vice President GORE, Administrator Browner, Chairman CONYERS, Congressmen BOEHLERT and PORTER and other in a bipartisan introduction of H.R. 3425. Indeed, this legislation was first introduced in 1988, and it was supported by President Bush, who would have signed it into law if Congress had passed it. The bill addresses Cabinet status and needed management reforms at EPA. It is a good bill that deserves support.

It does not deal with policy issues, which will be debated at another more appropriate time. Since 1791, the fifth

amendment has protected private property rights and has required just compensation when property is taken for public use. When Congress considers Superfund or the Clean Water Act, there will be opportunities to debate policy issues.

Mr. Speaker, today I ask my colleagues not to be side-tracked by discussions on environmental regulations in this bill. Let us give the EPA its place at the Cabinet table and vote for passage.

CONCERN FOR OUR ENVIRONMENT CALLS FOR SUPPORT OF THE RULE ON H.R. 3425, DEPARTMENT OF ENVIRONMENTAL PROTECTION ACT

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

Mr. BOEHLERT. Mr. Speaker, we did not inherit the Earth from our ancestors, we are borrowing it from our children. Quite frankly, our stewardship leaves something to be desired. Forty percent of our Nation's waterways are not swimmable or fishable. A much higher percentage of our waterways are not drinkable. In some communities in this richest, most technologically advanced Nation in the world, people have to get up and turn on their radio for a weather report to find out if it is safe to go out and breathe the air.

Mr. Speaker, that is totally unacceptable. It is totally unacceptable on a bipartisan basis. Republicans as well as Democrats are concerned about our environment.

Today we have an opportunity to do something to express our concern. It ends a 6-year campaign that I have waged to elevate EPA to Cabinet-level status. We have to give it a top priority.

There are going to be some key votes this afternoon. The first vote is the rule. Mr. Speaker, I would suggest that that is the key vote. Everybody, every thinking person, wants to elevate EPA to Cabinet-level status.

WHAT ARE WE SAYING "YES" TO?

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

Mr. GOSS. Mr. Speaker, President Clinton said he wanted to "Give people, especially our young people, something to say yes to." But what does the Clinton social agenda encourage our children to say yes to? The Secretary of Health and Human Services launched an ad campaign for condoms, suggesting kids could say "yes" to sex. The Surgeon General suggested saying "yes" to legalizing drugs. And now there is going to be a needle exchange program that says "yes" to heroin and

crack cocaine. At the same time, in its "treatment first, last and only" program, the Clinton administration has gutted the Office of National Drug Control and scaled back Coast Guard interdiction. Like most Americans, I am not ready to abandon our "Say No to Drugs" campaign just because the President wants our kids to have something to "say yes" to.

□ 1540

CLINTON ADMINISTRATION INVESTIGATING ITSELF

(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, Secretary of Commerce Ron Brown was accused of taking a \$700,000 bribe to normalize relations with Vietnam. His chief accuser, Mr. Binh Ly, passed a 6-hour FBI lie detector test.

Mr. Brown lied to the media about meeting with a Mr. Hao who was the conduit with Vietnam. He met with Mr. Hao not once but three times. I believe Mr. Brown also lied to Congress about his involvement about normalizing relations with Vietnam.

We, the Congress, were stonewalled by Justice, Commerce, and the White House when we tried to investigate this, and now an associate of Janet Reno, the head of the Justice Department, went down to Miami and ran the grand jury investigation, and they are letting him off.

The American people ought to wonder if this administration can be allowed to investigate itself. One wonders about the Whitewater investigation as well.

ANNOUNCEMENT REGARDING SUBMISSION OF AMENDMENTS TO H.R. 811, THE INDEPENDENT COUNSEL REAUTHORIZATION ACT OF 1993

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

Mr. MOAKLEY. Mr. Speaker, the Rules Committee is planning to meet during the week of February 7, 1994, in order to grant a rule for H.R. 811, the Independent Counsel Reauthorization Act of 1993.

In order to provide for an orderly process in the consideration of this matter, the Rules Committee is requesting that Members submit 55 copies of their amendments to the bill, together with a brief explanation of the amendment, to the Rules Committee office at H-312 of the Capitol, by 12 noon Monday, February 7, 1994.

Members should be aware that copies of the bill and the report are available in the House document room. Again, I would urge Members to submit their

amendments to the Rules Committee at the earliest possible time, but in no case later than 12 noon on Monday, February 7.

I thank the Members for their consideration in this matter.

PROVIDING FOR CONSIDERATION OF H.R. 3425, DEPARTMENT OF ENVIRONMENTAL PROTECTION ACT

Mr. MOAKLEY. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 312 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 312

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. 3425) to redesignate the Environment Protection Agency as the Department of Environmental Protection, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill 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 Government Operations. 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 Government Operations now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute 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 in the report, may be offered only by a Member designated in the report, 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, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against the amendment numbered 9 in the report 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 amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore (Mr. DURBIN). The gentleman from Massachusetts [Mr. MOAKLEY] is recognized for 1 hour.

Mr. MOAKLEY. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from the Catskills, NY [Mr. SOLOMON], and pending that, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 312 is the rule providing for the consideration of H.R. 3425, the Department of Environmental Protection Act. The rule provides for 1 hour of general debate to be equally divided and controlled by the chairman and ranking minority member of the Committee on Government Operations. All points of order against consideration of the bill are waived. The rule makes in order the Government Operations Committee amendment in the nature of a substitute now printed in the bill as an original bill for the purpose of amendment. The substitute will be considered as read. All points of order against the substitute are waived.

The rule makes in order only those amendments printed in the report to accompany the rule. The amendments are to be considered in the order and manner specified, with debate time also specified in the report. The amendments shall be considered as read. The amendments are not subject to amendment, and are not subject to a demand for a division of the question.

All points of order are waived against amendment No. 9 in the report, which is the amendment in the nature of substitute to be offered by Representative CLINGER. No other points of order are waived against any other amendment.

At the conclusion of the 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 is then allowed to demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or the committee amendment in the nature of a substitute.

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

Mr. Speaker, I would like to talk briefly about the amendments that were submitted to the Rules Committee on this bill and why some were not made in order. The Rules Committee, after requesting amendments prior to consideration of the rule, received 27 amendments; 7 were subsequently withdrawn by the sponsors and 2 were identical to 2 other germane amendments which were made in order. Of the remaining 18 amendments, 10 of them were subject to points of order and would have required waivers in order to be considered on the floor. In fact, several of the most controversial and emotional issues raised during the hearing were on amendments that were clearly nongermane to the bill.

H.R. 3425 elevates the EPA to a Cabinet Department and makes a number of structural and management changes.

It very specifically does not change any in any way existing statutes administered by the EPA. Therefore, in an effort to be fair and craft a responsible rule to address the issues in the bill, the committee decided to make in order only those amendments which did not violate any House rules. The one exception was the substitute bill offered by Mr. CLINGER, the ranking minority member of the committee of original jurisdiction. The Rules Committee, in deference to Mr. CLINGER, did waive points of order on this otherwise germane amendment for minor budget act and clause 5(a), rule XXI violations.

H.R. 3425 would elevate the Environmental Protection Agency [EPA] from its current status as an independent agency to the 15th Cabinet Department, the Department of Environmental Protection. Nearly identical legislation was passed by the House in the 101st Congress and by the Senate in the 102d Congress. The bill does not amend any existing EPA administered statutes and does not change environmental policy. The bill redesignates the EPA to an executive department in the executive branch of Government and makes a number of much-needed improvements in the management and structure at the new Department.

H.R. 3425 calls for the appointment of a Secretary and a Deputy Secretary to head the Department; and transfers the functions, powers, and duties of each officer and employee of the EPA to the new Department. The Administrator, Deputy Administrator, and Assistant Administrators would be redesignated as Secretary, Deputy Secretary, and Assistant Secretaries respectively. All these positions would be appointed by the President with confirmation by the Senate.

The purpose of the elevation of the EPA to a Department is to enhance U.S. environmental protection activities by providing this increased standing on the President's Cabinet thereby placing environmental issues on an equal footing with other Federal agencies. Furthermore, this move will place the United States' chief environmental entity on the same tier as its international counterpart environmental ministries. Clearly those policies and issues relating to the environment are absolutely critical to our Nation's future and certainly deserve the recognition and attention that cabinet level status provides. I believe it is important to pass this rule and move on to the debate of this responsible and timely legislation.

The bill makes a number of improvements in the overall management of the new Department including the development of a strategic business plan to clearly outline the goals, products, and services of the Department. The plan also is to maintain a system of program performance measurement to

ensure that the Department's resources are utilized effectively and efficiently. The bill establishes a Chief Information Officer, with the rank of Assistant Secretary, to oversee the design, development, implementation, and procurement of an effective information system for the Department. Public access to the Department's programs, services, and products is to be improved through development and maintenance of an inventory listing of such products available through an easily accessible data base. An independent, nonpartisan Bureau of Environmental Statistics is to be created to help improve analysis of environmental conditions and trends to better determine the effectiveness of environmental policies and activities. An Office of Environmental Justice is established to develop and implement a strategy to promote environmental justice for all individuals regardless of income, race, ethnicity, or national origin. The bill requires the promulgation of strict peer review and quality assurance guidelines for use in preparing science-based and science-dependent technical information and products of the Department. Contracting procedures are reformed in a number of areas including limitations on so-called umbrella contracts and allowable contractor reimbursements. The bill establishes an Office of Environmental Risk to implement a strategy to attain reductions in risk to human health and the environment that are practicable with the resources available.

□ 1550

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

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

Mr. Speaker, I rise in strong opposition to this modified closed rule on H.R. 3425, the Department of Environmental Protection Act.

Mr. Speaker, let me make clear at the outset that this modified closed rule does make in order some nine amendments, including eight submitted by Republican Members. And for that we are grateful.

Notwithstanding the constructive amendments made in order, I must still oppose the rule because of what it does not do. It does not make in order the bipartisan amendment submitted by two outstanding freshman Members from Florida, Mrs. THURMAN and Mr. MICA.

Their amendment is identical to the Johnston risk-assessment amendment in the other body which was passed as part of the Senate Environmental Protection Department bill by a vote of 95 to 3. I repeat, 95 to 3.

So this is a matter we will have to go to conference on, and this House deserves an opportunity now to vote on it before we go to conference.

The amendment would simply require the Secretary to include with any

new regulations on health or the environment an estimate of the risk to be addressed, the costs associated with implementation and compliance, and a comparative analysis of the risks addressed relative to other risks.

What could be more reasonable, more commonsensical, and more necessary in creating such a powerful regulatory bureaucracy as this?

I am sure the American people are completely baffled at the fact that this House will not even be allowed to consider such an amendment. Why wasn't it made in order?

Well, we are told that the amendment isn't germane and therefore should have no place in our debate about creating a new regulatory Cabinet department on the environment.

Mr. Speaker, I have followed this bill through the legislative process with great interest. Residents in my upstate New York district are keenly interested in environmental issues. And I am sure they are just as puzzled as I am about our strange notions of what is and is not germane sometimes.

How can you create this new regulatory bureaucracy and not allow the House to even require that it consider the costs and benefits of the regulations it imposes on the country?

Moreover, we will not have an opportunity under this rule to vote on two important amendments offered by the gentleman from Louisiana [Mr. TAUZIN] and the gentleman from California [Mr. HERGER] relating to protecting the legal and constitutional rights of private property owners from improper property takings resulting from decisions of the new department.

Mr. Speaker, it is difficult to envision the Congress moving ahead with elevation of the EPA without addressing such a basic concern raised by business leaders and private property owners all across the country.

This rule is another example of the majority arbitrarily using the rules for their political advantage—enforcing them to block things they don't like while waiving them when they want to spend more money. Yes, this rule waives all points of order against the bill. Hold onto your wallets.

Now here we are on the floor. This House is prepared to make an irreversible decision—to create the 15th Cabinet department.

As sure as life will bring death and taxes, Government agencies will bring taxes, but enjoy life eternal.

There are plenty of Republicans and Democrats alike who would like to support EPA Cabinet elevation. But they have been put in a procedural box by the majority leadership and the Rules Committee. And that box is so wrapped up in regulatory red tape that no one can put the scissors of common sense to it.

Believe me, Mr. Speaker, this rule is no gift. It is a box containing a bureau-

cratic time bomb that will someday blow up in our faces. Let's send this explosive package back to the Rules Committee bomb squad to defuse.

If we vote down this rule today and send it back to the Rules Committee, we can have back on this floor as early as tomorrow a truly fair rule, reflecting the will of this House and the American people. That is the right thing to do. Let us do right by the American people and do it.

ROLLCALL VOTES IN THE RULES COMMITTEE ON AMENDMENTS TO THE PROPOSED RULE ON H.R. 3425, DEPARTMENT OF ENVIRONMENTAL PROTECTION ACT, WEDNESDAY, NOVEMBER 17, 1993

1. Open rule—This amendment to the proposed rule provides for one-hour, open rule and makes the Government Operations Committee amendment in the nature of a substitute in order as an original bill for the purpose of amendment under the five-minute rule.

Vote (Defeated 2-5): Yeas—Quillen, Goss; Nays—Moakley, Bellenson, Frost, Gordon, Slaughter. Not voting: Derrick, Bonior, Hall, Wheat, Solomon, Dreier.

2. Thurman-Mica #11—Requires the Secretary to include with any new regulations relating to human health or the environment: 1) an estimate of the risk to be addressed; 2) the costs associated with implementation and compliance with the regulation; and 3) a comparative analysis of the risk addressed relative to other risks.

Vote (Defeated 2-5): Yeas—Quillen, Goss; Nays—Moakley, Bellenson, Frost, Gordon, Slaughter. Not voting: Derrick, Bonior, Hall, Wheat, Solomon, Dreier.

3. Walker (PA) #12—Substitute amendment creating a Department of Science, Space, Energy, and Technology which would include the current EPA.

Vote (Defeated 2-5): Yeas—Quillen, Goss; Nays—Moakley, Bellenson, Frost, Gordon, Slaughter. Not voting: Derrick, Bonior, Hall, Wheat, Solomon, Dreier.

4. Baker (LA) #9—Establishes a regulatory procedure to address the impact of federal legislative and regulatory activity on small business and the private economic sector.

Vote (Defeated 2-5): Yeas—Quillen, Goss; Nays—Moakley, Bellenson, Frost, Gordon, Slaughter. Not voting: Derrick, Bonior, Hall, Wheat, Solomon, Dreier.

5. (en bloc):

Hefley (CO) #8—Requires the Secretary to conduct cost-benefit analyses for all proposed environmental regulations and limits to issuance of those regulations whose costs exceed the benefits to public health and the environment.

Herger (CA) #10—Requires the Secretary to assess any Department of Environmental Protection regulatory action for any potential taking of private property.

Mica (FL) #16—Creates an Office of Environmental Risk and Cost Analysis.

Mica (FL) #17—Delays the elevation of the EPA to cabinet-level status for one year pending the implementation of agency management reforms.

Vote (Defeated 2-5): Yeas—Quillen, Goss; Nays—Moakley, Bellenson, Frost, Gordon, Slaughter. Not voting: Derrick, Bonior, Hall, Wheat, Solomon, Dreier.

6. Adoption of rule—

Vote (Adopted 5-2): Yeas—Moakley, Bellenson, Frost, Gordon, Slaughter; Nays—Quillen, Goss. Not voting: Derrick, Bonior, Hall, Wheat, Solomon, Dreier.

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)	50	12	24	38	76

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 Nov. 17, 1993.

OPEN VERSUS 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. 206: 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 (4-4, 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 (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: Nate 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	A: Voice Vote. (May 20, 1993).
H. Res. 172, May 18, 1993	O	H.R. 1159: Passenger Vessel Safety Act	NA	NA	A: 308-0 (May 24, 1993).
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)	A: Voice Vote. (May 20, 1993).
H. Res. 183, May 25, 1993	O	H.R. 2244: 2d supplemental appropriations	NA	NA	A: 251-174. (May 26, 1993).
H. Res. 186, May 27, 1993	MC	H.R. 2264: Omnibus budget reconciliation	51 (D-19, R-32)	8 (D-7, R-1)	PQ: 252-178. A: 236-194 (May 27, 1993).
H. Res. 192, June 9, 1993	MC	H.R. 2348: Legislative branch appropriations	50 (D-6, R-44)	6 (D-3, R-3)	PQ: 240-177. A: 226-185. (June 10, 1993).
H. Res. 193, June 10, 1993	O	H.R. 2200: NASA authorization	NA	NA	A: Voice Vote. (June 14, 1993).
H. Res. 195, June 14, 1993	MC	H.R. 5: Striker replacement	7 (D-4, R-3)	2 (D-1, R-1)	A: 244-176. (June 15, 1993).
H. Res. 197, June 15, 1993	MO	H.R. 2333: State Department, H.R. 2404: Foreign aid	53 (D-20, R-33)	27 (D-12, R-15)	A: 244-128. (June 16, 1993).
H. Res. 199, June 16, 1993	C	H.R. 1876: Ext. of "Fast Track"	NA	NA	A: Voice Vote. (June 22, 1993).
H. Res. 200, June 16, 1993	MC	H.R. 2293: Foreign operations appropriations	33 (D-11, R-22)	5 (D-1, R-4)	A: 263-160. (June 17, 1993).
H. Res. 201, June 17, 1993	O	H.R. 2403: Treasury-postal appropriations	NA	NA	A: Voice Vote. (June 17, 1993).
H. Res. 203, June 22, 1993	MO	H.R. 2445: Energy and Water appropriations	NA	NA	A: Voice Vote. (June 23, 1993).
H. Res. 206, June 23, 1993	O	H.R. 2150: Coast Guard authorization	NA	NA	A: 401-0. (July 30, 1993).
H. Res. 217, July 14, 1993	MC	H.R. 2019: National Service Trust Act	NA	NA	A: 261-164. (July 21, 1993).
H. Res. 220, July 21, 1993	MC	H.R. 2667: Disaster assistance supplemental	14 (D-8, R-6)	2 (D-2, R-0)	PQ: 245-178. F: 205-216. (July 22, 1993).
H. Res. 226, July 23, 1993	MC	H.R. 2667: Disaster assistance supplemental	15 (D-8, R-7)	2 (D-2, R-0)	A: 224-205. (July 27, 1993).
H. Res. 229, July 28, 1993	MO	H.R. 2330: Intelligence Authority Act, fiscal year 1994	NA	NA	A: Voice Vote. (Aug. 3, 1993).
H. Res. 230, July 28, 1993	O	H.R. 1964: Maritime Administration authority	NA	NA	A: Voice Vote. (July 29, 1993).
H. Res. 246, Aug. 6, 1993	MC	H.R. 2401: National Defense authority	149 (D-109, R-40)	NA	A: 246-172. (Sept. 8, 1993).
H. Res. 248, Sept. 9, 1993	MC	H.R. 2401: National defense authorization	12 (D-3, R-9)	1 (D-1, R-0)	PQ: 237-169. A: 234-169. (Sept. 13, 1993).
H. Res. 250, Sept. 13, 1993	MC	H.R. 1340: RTC Completion Act	NA	NA	A: 213-191-1. (Sept. 14, 1993).
H. Res. 254, Sept. 22, 1993	MO	H.R. 2401: National Defense authorization	91 (D-67, R-24)	NA	A: 241-182. (Sept. 28, 1993).
H. Res. 262, Sept. 28, 1993	O	H.R. 1845: National Biological Survey Act	NA	NA	A: 238-188 (10/06/93).
H. Res. 264, Sept. 28, 1993	MC	H.R. 2351: Arts, humanities, museums	7 (D-0, R-7)	3 (D-0, R-3)	PQ: 240-185. A: 225-195. (Oct. 14, 1993).
H. Res. 265, Sept. 29, 1993	MC	H.R. 3167: Unemployment compensation amendments	3 (D-1, R-2)	2 (D-1, R-1)	A: 239-150. (Oct. 15, 1993).
H. Res. 269, Oct. 6, 1993	MC	H.R. 2739: Aviation infrastructure investment	N/A	N/A	A: Voice Vote. (Oct. 7, 1993).
H. Res. 270, Oct. 6, 1993	MC	H.R. 3167: Unemployment compensation amendments	3 (D-1, R-2)	2 (D-1, R-1)	PQ: 235-187. F: 149-254. (Oct. 14, 1993).
H. Res. 274, Oct. 12, 1993	MC	H.R. 1804: Goals 2000 Educate America Act	15 (D-7, R-7; I-1)	10 (D-7, R-3)	A: Voice Vote. (Oct. 13, 1993).
H. Res. 282, Oct. 20, 1993	C	H.J. Res. 281: Continuing appropriations through Oct. 28, 1993	NA	NA	A: Voice Vote. (Oct. 21, 1993).
H. Res. 286, Oct. 27, 1993	O	H.R. 334: Lumbee Recognition Act	N/A	N/A	A: Voice Vote. (Oct. 28, 1993).
H. Res. 287, Oct. 27, 1993	C	H.J. Res. 283: Continuing appropriations resolution	1 (D-0, R-0)	0	A: 252-170. (Oct. 28, 1993).
H. Res. 289, Oct. 28, 1993	O	H.R. 2151: Maritime Security Act of 1993	NA	NA	A: Voice Vote. (Nov. 3, 1993).
H. Res. 293, Nov. 4, 1993	MC	H. Con. Res. 170: Troop withdrawal Somalia	NA	NA	A: 390-8. (Nov. 8, 1993).
H. Res. 299, Nov. 8, 1993	MO	H.R. 1036: Employee Retirement Act-1993	2 (D-1, R-1)	N/A	A: Voice Vote. (Nov. 9, 1993).
H. Res. 302, Nov. 9, 1993	MC	H.R. 1025: Brady handgun bill	17 (D-6, R-11)	4 (D-1, R-3)	A: 238-182. (Nov. 10, 1993).
H. Res. 303, Nov. 9, 1993	O	H.R. 322: Mineral exploration	NA	NA	A: Voice Vote. (Nov. 16, 1993).
H. Res. 304, Nov. 9, 1993	C	H.J. Res. 288: Further CR, FY 1994	NA	NA	
H. Res. 312, Nov. 17, 1993	MC	H.R. 3425: EPA Cabinet Status	27 (D-8, R-19)	9 (D-1, R-8)	
H. Res. 313, Nov. 17, 1993	MC	H.R. 796: Freedom Access to Clinics	15 (D-9, R-6)	4 (D-1, R-3)	
H. Res. 314, Nov. 17, 1993	MC	H.R. 3351: All Methods Young Offenders	21 (D-7, R-14)	6 (D-3, R-3)	

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

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

Mr. MOAKLEY. Mr. Speaker, I yield 4 minutes to the gentleman from Michigan [Mr. CONYERS], the distinguished chairman of the Committee on Government Operations.

Mr. CONYERS. Mr. Speaker, I thank the gentleman for yielding me this time, and I congratulate the chairman of the Committee on Rules and the members of the committee for crafting a rule that is consistent with the regulations of this House and is also fair to the purposes of this Department of Environmental Protection.

This is a bill not to deal with the substantive matters of EPA or the environment, but it is an elevation bill. It is a reorganization bill.

I would point out to my good friend, the ranking member on the Committee on Rules, who has been following this matter for 10 years along with me since my committee brought the bill forward, that this rule does not make part of the rule amendments that he objected to in the 101st Congress when this bill brought to the floor under a set of, again, very fair rules that the gentleman had helped craft.

What I want to do is spend just a few minutes pointing out that the rule is fair and open. How can we be quarreling about a rule that has nine germane amendments allowed: one amendment that would require EPA to develop a strategy to ease unfunded mandates on State and local governments; two amendments which would establish ombudsmen for local governments and small businesses to help comply with EPA regulations; a third Republican amendment in the nature of a substitute in which points of order were waived?

We have, I contend, an eminently fair rule. The rule prohibits the Mica-Thurman amendment on risk assessment as nongermane. That is not an unreasonable conclusion that the Committee on Rules arrived at.

The amendment requires EPA to conduct a comparative analysis of risks addressed by any EPA regulation relative to other non-EPA-regulated risks to certify that the regulation will substantially advance protecting human health and safety or the environment, and that the benefits justify the implementation and compliance costs to the Government and the public.

□ 1600

The purpose of this bill is not to change environmental policy as the Mica amendment would do. It is to make the EPA a Cabinet department, to correct major management problems in contracting, procurement of information systems, creation of a Bureau of Environmental Statistics, and establish performance goals for EPA.

Mr. Speaker, this bill has waited too long. For 5 years the legislation mak-

ing EPA the 15th Cabinet department has been through fits and starts in the Congress. We already passed this elevation bill. It was veto-proof in the 101st Congress. Unfortunately, the other body chose not to act. Last year, when the other body did act, we were not able to get to it because of the extremely crowded schedule that we had at the end of our year.

So the gridlock is over. The bipartisan effort is now kicking in. H.R. 3425 is a clean bill, free of extraneous matter, with a rule of such extreme generosity I find it extremely hard for Members to still be complaining at this late date, with all of the amendments that have been granted, that this rule is anything more than an eminently fair and acceptable one.

I urge support for both the rule and the bill.

Mr. SOLOMON. I will just say to my good friend, the gentleman from Michigan [Mr. CONYERS], that all we want is a level playing field for Members on both sides of the aisle.

Mr. Speaker, I yield 4 minutes to the gentleman from Florida [Mr. MICA], the very distinguished Member who is being denied on this floor today.

Mr. MICA. Mr. Speaker, and my colleagues in the House, I said in a special order to the House last night that I came here a little over a year ago with some hopes and dreams, aspirations that I brought from a campaign for Congress and from the people that I represent, to have a small opportunity in the House of Representatives to make our Government a little bit more responsive. Here we are today debating this question on the rule, and really, when we get down to the very basics of this rule in consideration, there is a very basic question. That is, does this Congress want to address the question of regulatory reform?

Now, my colleagues, we are all intelligent human beings and we can all read the legislation that is before us. If you read this legislation, H.R. 3425, you will see indeed it does create new offices and agencies, that it is not just a simple elevation bill.

Section 109 creates information resources management office; section 12 creates an office of environmental justice. Even section 113 creates an office of environmental risk. But why, why is it that we cannot address the question of regulatory reform? Why can we get not address the question of risk assessment? What is the cost? What is the risk? What is the benefit to the public?

We rarely get an opportunity to elevate a department to Cabinet-level status in this body, and the stars in the constellation do not come together so that we have this rare opportunity to say that this agency has a responsibility to the public, to business, to industry, to the inner cities, to agriculture, to jobs in this country. We rarely get an opportunity to elevate a department

to Cabinet-level status in this body, and the stars in the constellation do not come together so that we have this rare opportunity to say that this agency has a responsibility to the public, to business, to industry, to the inner cities, to agriculture, to jobs in this country. We rarely get that opportunity. We have that opportunity at this one moment.

Now, this is not going to change all regulations, but it is going to take one agency that we are elevating—I sit on its oversight committee, and I tell you I cannot describe the horror, the tales that I've heard of mismanagement, waste, fraud, and abuse, misdirection.

I consider myself an environmentalist. But you would be shocked if you saw the way the limited resources of our Nation and this Congress are wasted by that agency. The inspector general came before our subcommittee and he came to my office and he told me, he said they will not listen, they need focus, they need direction.

Only the Congress can provide that direction because the Congress passed these dozens and dozens of laws. It is not going to be an Executive order, it is not going to be a tiny little effort by this Congress; it is going to take a law. That is why this Committee on Rules needs to pay attention to this matter. Again, we are not going to change the world. I am just saying—maybe I am wrong, maybe all of these organizations, dozens of organizations, even inner-city organizations where the poor, the poorest of our citizens live, are saying their resources are squandered. Billions of dollars are wasted by this Agency. They do not have the legislative direction only this Congress can provide.

If we do not stand up here now and be heard, when will we be heard? If not today, when?

I think we have a rare opportunity to address this issue today. We know what the issue is here. The issue is fairness. It is not a partisan issue. Do not make it a partisan issue. This was introduced in the other body by Senator BENNETT JOHNSTON, a Democrat. I stood with my colleagues in committee when we had the votes to pass this, and both times the effort was led by people from the other side. So here we have the question: Are we going to make a change in the way this Congress does business? Or is this business as usual?

I urge you to defeat the rule.

Mr. MOAKLEY. Mr. Speaker, I yield 3 minutes to the gentleman from Louisiana [Mr. TAUZIN].

Mr. TAUZIN. I thank the chairman of the Committee on Rules for yielding this time to me, especially as I am rising in support of the bill, but I have trouble with the rule, as do many in this House.

The trouble I have with the rule is that it does not allow us, again, the type of rule that would not allow pol-

icy amendments within the EPA; to debate key issues which have already been debated in the other body. This House is eager to debate those on the House floor.

One of those is the risk assessment amendment Mr. MICA is proposing. My own Senator, Senator JOHNSTON, has already warned on the Senate side and attached to this bill an amendment that requires EPA to do a simple thing before it begins regulating us one more time, and that is to assess the risk involved against the cost involved—that is, to take the least-cost, best approach toward improving our environment—a simple theory that I think most of us, most of the Americans would approve of if we ever had a chance to debate it and vote on it in the House as the Senate has already done.

Second, the amendment we propose and are prepared to offer at any time we eventually have the right to do so, would create in law a right of citizens in America to demand compensation under the fifth amendment to our Constitution, when that property is taken from them by virtue of environmental Federal regulation issued by the Environmental Protection Agency or the Corps of Engineers, as the case may be.

The notion that our Government of the United States can take our property from us for public purposes is enshrined in law and in the Constitution for a long time now, but the notion that the Government can take a property has always been, if you will, accepted with the notion that Government must compensate the individual.

In fact, the fifth amendment says no private property shall be taken for public purposes without just compensation. It does not say if EPA decides to take it by regulation, it does not say except if it is a wetland, it does not say if in fact these regulations are for the public good. There are no exceptions.

What we would like this House one day to be able to debate—if we ever get the chance under a rule that permits this—is an amendment that says very clearly in law that property owners are entitled under the fifth amendment to compensation when takings occur like that.

If you do not believe the damage as these agencies do that work in America, think for just a little while back to the news from California when homeowners lost their homes because they were told by the EPA, "You cannot do what we have ordered you to do for many years, and that is to disc the brush around your homes to stop the brush fires from starting."

Think about the homes that were lost in California because EPA said the kangaroo rate had to be protected and folks could not protect their homes. Think about the folks in California who lost all of their homes or their property because nobody did a risk assessment and looked at the value of

these regulations against the value of their property.

Sometime or other we are going to be debating those issues on the floor of the House, you are not going to escape them. It is unfortunate this rule does not give us a chance today to do it; we ought to have that chance. That is why I am voting against the rule.

Mr. SOLOMON. Mr. Speaker, the previous speaker, the gentleman from Louisiana, is one of the outstanding Members of this House, and he is so right.

Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. MCCANDLESS] another very distinguished member of the committee.

□ 1610

Mr. MCCANDLESS. Mr. Speaker, if EPA is to be elevated to Cabinet status, in spite of all its much discussed and highly publicized internal problems, then the Mica-Thurman amendment must be part of it. We could spend the rest of this week trading horror stories about well-intentioned environmental regulations gone haywire in each and every one of our own districts. In my part of the California desert, a much needed project to improve and widen the State's deadliest two-lane highway, a project which was two-thirds complete, was abruptly halted over a year ago. The EPA decided that wetlands may possibly exist near the project site. These alleged wetlands, if they do exist, are the result of agricultural runoff. In the 13 months since construction was stopped, another 10 lives have been lost on Highway 86. Will the road be finished one day? Probably. Will it have been worth the trade-off in human lives? Not even close. But this risk equation is not considered by EPA in current practice. In fact, the Agency's priorities are so backwards, it is hard to believe that we are even arguing over whether it should adopt risk assessment and risk management.

Risk assessment is not anti-environment. Witness the shameful squandering of lives and resources which is too often brought about by a lack of coherence and pragmatism in environmental regulation. Given this, I resent the wailing about the alleged "difficulties" the risk assessment amendment would cause. Mr. Speaker, I spend a great deal of time dealing with the negative effects of environmental regulation on my constituency. I do not see how factoring in risk assessment could be anything but a change for the better.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentlewoman from Florida [Mrs. THURMAN].

Mrs. THURMAN. Mr. Speaker, I thank the gentleman from Massachusetts [Mr. MOAKLEY] for the time which he has yielded to me today.

Mr. Speaker, I rise today, and I rise reluctantly, to oppose the rule on H.R.

3425, which is the Department of Environmental Protection elevation bill.

There has been a lot of work put into this bill, and I have been part of that being part of the Committee on Government Operations. I think we have done and taken great strides to improve.

However, on the other hand of this, I feel like I am kind of being painted as this person who does not care about human life, or health, or the environment, and I do not believe that is true of any person in this Chamber, and I can especially tell my colleagues that it is not true of myself.

But what I do not understand, Mr. Speaker, is why we are blocking this amendment that I believe actually tries to improve the effectiveness and the efficiency of EPA. Tell me what is wrong with allowing this House to debate an amendment to require EPA to do what has been endorsed in an executive order, applying the tools of risk assessment and cost-benefit analysis to the rulemaking process. What is wrong with the Federal Government setting priorities to stretch limited tax-paid dollars the way State and local governments must? What is wrong in giving the House a chance to debate and vote on this amendment which, I might add, passed the Senate 95 to 3?

The Harvard Center for Risk Analysis survey in November found that 62 percent of the respondents favored risk analysis and setting environmental priorities. The budget we passed last year, which freezes spending for 5 years, demands that we make our tax dollars go further. Our local governments and small business owners are demanding that we set priorities. But this rule prevents us from doing these things.

Mr. Speaker, I, for one, will have a tough time explaining why to my constituents, so I urge my colleagues to vote against the rule.

Mr. SOLOMON. Mr. Speaker, the gentlewoman from Florida [Mrs. THURMAN] is certainly right on target.

Mr. Speaker, I yield 2 minutes to the gentleman from Albuquerque, NM [Mr. SCHIFF], another distinguished member of the committee.

Mr. SCHIFF. Mr. Speaker, I thank the gentleman from New York [Mr. SOLOMON] for yielding this time to me.

Mr. Speaker, I agree that it is time that we raised the Environmental Protection Agency to Cabinet level rank. Environmental protection policy does not exist in and of itself separately and apart from everything else we are doing. Quite the contrary. It ought to be an integral part of all of our other decisions, which is why the present Administrator should be of Cabinet level and should be seated with the other Cabinet level officials.

It is with regret, however, that I ask this House to defeat the rule that is proposed before us. The main reason is, although certain amendments have

been included to be voted on today, others have not. Most particularly, as has already been discussed, is the proposed bipartisan Thurman-Mica amendment, which would deal with risk assessment by this new department, if it comes to pass.

Now it is interesting, Mr. Speaker, that our distinguished chairman of the Committee on Rules stated that the reason this amendment was not allowed was because it was not germane and would, therefore, be subject to a point of order challenge on the House floor. I have to say I do not agree with that. I do not agree that determining how regulations will be promulgated by this new department is not germane, but I have to, with respect, point out that this is the same Committee on Rules which, for example, last year insisted that we vote on an urban aid project for the city of Los Angeles inside a bill that was for emergency relief for flood victims along the Mississippi River, and I would further point out that most of the rules I have seen in this House waived points of order to challenge. So, it seems to me that the idea of germaneness and the idea of points of order being a problem are only a problem when the Committee on Rules does not agree with the content of an amendment rather than anything procedural.

The fact of the matter is that it has also been stated the other body adopted their version of the Thurman-Mica amendment by a 95-to-3 margin, so it is obvious, if this bill is going to proceed into a conference with the other body, that we will be considering that particular policy, and we cannot avoid it. So, I think we should proceed to give the Members here in the House a vote today.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. WAXMAN].

Mr. WAXMAN. Mr. Speaker, I want to thank the chairman of the Committee on Rules for yielding this time to me. I want to explain to my colleagues, especially some of the freshmen who think that they are, perhaps, being deprived of an opportunity to debate an issue, that the proposal that is not going to be permitted for an amendment is a nongermane proposal. We give rules to allow germane amendments. Now, should they have been elected to the Senate, they could offer any amendment to any subject because there are no restrictions on germaneness.

I think this amendment is a bad idea in and of itself, but let us understand what is at stake. If we defeat the rule, we are defeating the idea of elevating the EPA Administrator to Cabinet level. That is a worthwhile objective, and we should not defeat the rule that would allow us to accomplish that result.

But let me say from an environmental point of view that we have

some laws, like the Clean Air Act, where we have standards tied to health and the Clean Water Act. We have standards tied to technology in the FIFRA where we balance the risks and benefits; in other words, the substantive law that the EPA is handled differently. I do not think we ought to have one-size-fits-all restrictions on risk assessment to be handled in the same exact way on every environmental issue.

Now, the fact of the matter is EPA does do risk assessment. Risk assessment is a very useful tool. But the Mica amendment, as was the Bennett Johnston amendment in the Senate, is one size fits all. It would be a barrier to EPA acting to adopt regulations in the various areas over which they have jurisdiction.

I say to my colleagues: If you want to change the Clean Air Act, then change the Clean Air Act. If you don't like the way the pesticide regulations are handled, and I don't, then we are going to try to change those regulations. But let's deal with it in the substantive law involved to make a thoughtful decision, and let's deal with this issue strictly on what is at stake, and that's to elevate procedurally the Administrator to Cabinet level so that she can be at the table with all the other Cabinet people when decisions that affect the environment are being made.

Mr. Speaker, I urge an "aye" vote.

□ 1620

Mr. SOLOMON. Mr. Speaker, as we all know, our distinguished Republican leader, the gentleman from Illinois, Mr. BOB MICHEL, is retiring at the end of this year. We certainly will miss him. He is one of the most respected Members of this House.

Mr. Speaker, I yield the Republican leader 2 minutes.

Mr. MICHEL. Mr. Speaker, I thank the distinguished gentleman from New York [Mr. SOLOMON] who serves so ably as our ranking member on the Rules Committee.

Mr. Speaker, I obviously rise in opposition to the rule. Our Democratic leadership in this House loves to hide behind closed rules to avoid tough votes, and here again is a perfect example. The issue to be avoided here, of course, is risk assessment. This is the same amendment that passed the Senate overwhelmingly, 95 to 3.

Why would our Democratic leadership block a vote here in the House? Quite frankly, because it would pass. That is why. To avoid an argument on the merits, especially when they are likely to lose, it is best to keep it off the House floor. That is their game.

I might say, with tongue in cheek, that this is probably an issue that we will consider during an Oxford style debate. It is important enough to debate but not safe enough to vote.

As I have listened to our Nation's mayors and Governors, one thing is heard time and time again: They want less regulation and fewer unfunded mandates. That was their message to us and it came from both parties.

What better provision to have in this bill than one that would require the EPA to perform risk assessments and cost analyses associated with implementation and compliance of all new regulations?

Our mayors, Governors, businesses, and the American people are crying for relief from an unreasonable Government, and this key amendment is the answer, but our Democratic leadership will not allow us to vote on it.

I am going to make a little prediction here: If this rule is not defeated and risk assessment is not considered, AL GORE will need two forklifts for just EPA regulations the next time he claims he is opposed to undue regulation.

Mr. Speaker, let us oppose undue regulation and defeat this rule.

Mr. MOAKLEY. Mr. Speaker, for purposes of debate only, I yield 3 minutes to the gentleman from New York [Mr. BOEHLERT].

Mr. BOEHLERT. Mr. Speaker, I rise in support of the rule and in support of the measure.

This culminates 6 years of very hard work dating back to 1988 when on a bipartisan basis then Congressman Jim Florio of New Jersey and this Member introduced legislation to elevate EPA to Cabinet-level status.

What does this bill do? Here are some of the major features: the development of a strategic business plan and performance measurement system to improve and make more efficient Department programs and the use of resources; the appointment of a chief information officer to collect needed information and establish cost effectiveness; it improves public access to environmental information to assist businesses and enhance the public awareness; it creates the Bureau of Environmental Statistics to improve the analysis of environmental conditions and trends in order to better determine the effectiveness of environmental policies and programs; it establishes an Office of Environmental Justice to improve coordination of existing programs in order to provide environmental justice for all people; and it strengthens scientific integrity of the Department to ensure that the scientific information prepared by the Department is credible and unbiased.

Mr. Speaker, the Republican Heritage for the Environment dates back to President Teddy Roosevelt, and I would remind my colleagues that it was a Republican President, Richard Nixon, under whose leadership the Environmental Protection Agency was created. And it was George Bush, our last Republican President, who was a much

better environmentalist than he was given credit for, who essentially signed off on this bill with every major environmental group in America to move this forward.

Why are we constructing a rule in this manner? Because we want to limit the change to structural and managerial elevation of the Agency. This is a clean bill, in order to stave off crippling amendments from the left and the right.

Quite frankly, in 1992 we were ready to move forward with this bill. President Bush signed off on it, the environmentalists signed off on it, and to my disappointment my Democratic colleagues would not move it forward because we were in the midst of a Presidential election and they did not want to give President Bush an environmental victory.

But that was the old way of doing business. In 1992 the message I got from the American electorate is that they want change. They do not want us doing things the same old way.

This bill is cosponsored by 23 Democrats, 21 Republicans, and 1 Independent. That is true bipartisanship. The key vote will be on the rule that is before us. That is what the people are watching for. All across America people who are afraid to drink the water, people who know they cannot swim in the water or fish in the water, people who are afraid to walk out of their houses in the morning to breathe the air because it is besmirched and befouled, want us to do something. They want us to give the environment the very highest of priority.

Mr. Speaker, with this legislation we will do just that, and I urge my colleagues to support it.

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

Mr. Speaker, let me correct my good friend, the gentleman from New York, who borders my district. George Bush and JERRY SOLOMON were in favor of creating a Cabinet-level seat in the Oval Office, not in creating a bureaucratic new department. George Bush would have vetoed this bill.

Mr. Speaker, I yield 2 minutes to an outstanding Member, 1 of the 118 new Members of this House, the gentleman from Ohio [Ms. PRYCE].

Ms. PRYCE of Ohio. Mr. Speaker, I thank the gentleman for yielding this time to me.

I rise in opposition to this rule because it denies the House an opportunity to debate concepts that are critical to reforming the Nation's regulatory process—risk assessment and cost analysis.

State and local governments, as well as many businesses, are pleading for objective and informed decisionmaking when it comes to issuing new environmental mandates. Last year, I received a letter from my constituent the mayor of Columbus, OH, Greg

Lashutka, urging the House to adopt language to ensure that scientific worth and estimated costs are evaluated before new environmental regulations are imposed.

Columbus has been a national leader in pointing out the consequences that cities face as a result of unfunded mandates from the Federal Government. A recent study by the city found that the cost to comply with 14 major environmental mandates would total more than \$1 billion in 1991 dollars.

"Unless environmental regulations are based on common sense and measured risk," the mayor wrote, "I fear that the waste of billions on misguided, one-size-fits-all mandates from Washington will cause a public backlash against legitimate environmental protection."

And I could not agree more.

The amendment offered in the Rules Committee by my colleagues from Florida [Mrs. THURMAN and Mr. MICA], would require each new environmental regulation to undergo a cost/benefit estimate based on a comparative analysis of risk, and would require the Secretary of the Environment to certify that the benefits of such regulation outweigh the cost.

A similar amendment passed by an overwhelming margin in the other body, by a vote of 95 to 3, and the Thurman/Mica amendment should have been made in order under this rule.

When will the majority leadership learn that sound public policies cannot be developed when the legislative process is so sadly lacking in free and open debate?

Mr. Speaker, I urge defeat of this rule.

Mr. MOAKLEY. Mr. Speaker, if the gentlewoman from Ohio will yield, I might point out that the gentlewoman who just sat down had her amendment made in order, so I am very happy that we were able to do something for her.

Ms. PRYCE of Ohio. Mr. Speaker, the gentleman is correct, and I thank him.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from New Mexico [Mr. RICHARDSON].

Mr. RICHARDSON. Mr. Speaker, I want to express my strong support for this rule. And I must add that I am pleased that we in the House now have the opportunity to fulfill the promise made by President Clinton to elevate the EPA to Cabinet-level. By passing this rule today, we will send a strong message to the administration and to the American people that we recognize and accept our responsibility to give reality to the term "environmental protection." How could we be dealing this year with the Clean Water Act, the Superfund program, the Safe Drinking Water Act, the Endangered Species Act, and the Resource Recovery and Conservation Act without dealing with a Cabinet-level department?

H.R. 3425 is truly landmark legislation, not only because it elevates the

EPA to full Cabinet level, but for the statement it makes about our values as a nation. Passage of this rule means that we value our environment. It means that we believe that environmental protection is as important as protecting public health, providing good schools for kids, building safe roads and bridges and providing markets for American made goods and services.

Americans have made great strides in cleaning up and improving national environmental quality since the 1970's. Yet 40 percent of the country's rivers and lakes are still not fishable or swimmable, many Americans live near toxic waste sites that need to be cleaned up and several areas of the country are not yet meeting air quality standards. The success of our future improvement efforts depends on integrating national policies at the Cabinet level. The Secretary of Agriculture and the new Secretary of Environmental Protection will need to work closely to give farmers the incentives they need to abate nonpoint source runoff. The Secretary of Housing and Urban Development and the new Secretary of Environmental Protection must work together in reducing public exposures to lead. In formulating administration environmental policy, such as the recent debate on Superfund proposals, in which the Department of Treasury, Interior, Energy, Council of Economic Advisors were involved, EPA must have a Cabinet officer of equal status if environmental policy is to be successfully integrated with other national policies.

For that matter, there are very few national policy debates that do not have an impact on environmental quality. When the Department of Energy calls for energy conservation, whether for national security or economic reasons, such as lowering customers utility rates, the environment benefits from the reduced use of natural resources and reductions in pollution and waste generated in making electricity. We need a Department of the Environment not only in charge of enforcing national laws and regulations but a Department of the Environment that can articulate the environmental implications of all national policies such as energy policy, transportation policy, and housing policy.

Because of his commitment to the environment, President Clinton has been gracious in having EPA Administrator Browner sit as a member of his Cabinet. We need to make the President's invitation to the Cabinet permanent to ensure that national environmental policies will be effectively represented at the Cabinet table regardless of a president's level of commitment to environmental protection.

Mr. Speaker, I yield to the gentleman from Florida [Ms. BROWN].

Ms. BROWN of Florida. Mr. Speaker, I rise today in strong support of H.R.

3425, the Department of Environmental Protection Act, and in support of the rule, but first we must clear the air about the rule.

The rule approved by the Rules Committee is fair and open. It allows nine amendments to be considered. These germane amendments include measures to ease unfunded mandates on our local and State governments and to provide ombudsmen for small businesses and local governments within the new Department.

This is a good rule for a good bill that will elevate EPA to full Department status. The purpose of the bill is not to change substantive environmental policy; this is an organizational bill. The rule keeps us on point by not allowing nongermane amendments that would change environmental policy or legislation. The question of risk assessment is an important one that President Clinton has already begun to tackle with a recent executive order. This bill, elevating EPA, is not the vehicle to address risk assessment, which will impact many other agencies and departments across our government.

I urge my colleagues to support the rule and the EPA elevation bill.

Mr. GOSS. Mr. Speaker, I yield 1 minute to the gentleman from Alaska [Mr. YOUNG].

Mr. YOUNG of Alaska. Mr. Speaker, I thank the gentleman for yielding. I am against the bill and I am against the rule. I think many of the previous speakers have spoken very clearly: The people are fed up with big government, more regulations, and taking away the opportunity of American people for jobs.

How many of you face the EPA and what it does to the small communities, when it mandates sewer treatment systems, and there isn't the money to build those systems without robbing from the small community, without any justification, without any appeal.

So I say to you, not only should this not be a Cabinet level position, which I opposed when Mr. Bush was President and I oppose today, but to not allow the debate on the risk factor is wrong. Oh, yes, we can say this is not germane. I listened to that argument. Oh, it is not germane. You are afraid to have the debate on the floor. You are afraid to have the people of America understand where Congress is coming from and how we are again imposing restrictions through regulatory actions by an agency without any justification.

Mr. Speaker, I am urging my colleagues on this side of the aisle, on that side of the aisle, if you are listening to the people at home, to vote against this rule. Give us an opportunity to debate this issue before this body, so the American people can understand who is really for jobs in the small communities. It is time for really doing something. Less talk, let us walk, let us do something right.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. TORRES].

Mr. TORRES. Mr. Speaker, all of the Members of this body received a letter this week from the National Association of State Departments of Agriculture [NASDA] which states that EPA's farmworker protection standards for pesticides were prepared without a cost-benefit analysis. For this reason, they state, we should vote to defeat the rule. This is absolutely incorrect.

I am here not only as a Member of Congress, but also as the son and grandson of farmworkers, and I have never known the National Association of State Departments of Agriculture to fight for additional farmworker protection standards. You and I know that workers need protection from chemical exposure. EPA worked for 10 long hard years in developing the farmworker protection standards. Their work included a well-documented regulatory impact analysis; it thoroughly examined the costs and benefits; it complied with all regulatory Executive orders and it is part of the public record.

What more does industry want? I am convinced that they want to defeat this rule so that they can attach a provision to the Department of Environmental Protection Act that would prevent the new Department from ever coming to any conclusions and issuing any regulations. We can't allow this to happen.

EPA does intensive risk analysis now. There is no need to cement in statute further requirements which will ultimately hamper EPA from protecting our health and the environment. I urge my colleagues to support the rule.

Mr. GOSS. Mr. Speaker, I yield 1 minute to the very distinguished gentleman from Ohio [Mr. BOEHNER].

Mr. BOEHNER. Mr. Speaker, this manikin standing next to me is not a NASA project. It is a suit that farmers must wear in the hot growing season when applying pesticides. The EPA doesn't know the cost of this, because they didn't have to do a cost-benefit analysis. The USDA estimates it will cost \$500 million for farmers to meet the regulations here.

The standard is impossible for the States to regulate. It is another unfunded mandate on the States. It shows no benefits in the health of workers.

It is time for Congress to stop heaping additional mandates on the States without consideration of the cost of these regulations. It is time for Congress to stop issuing regulations on businesses and on farmers without risk-benefit analysis.

If we had done a risk-benefit analysis by the EPA on this project, the EPA would have found out that the farmers who use these suits would have been dead long before they would have ever

had any risk of pesticide abuse to their health, because they would suffocate to death, having to wear these in the hot growing season.

It is time to defeat the rule and require EPA to do risk-benefit and cost-benefit analysis before they issue regulations.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the chairman of the Committee on Energy and Commerce, the honorable gentleman from Michigan [Mr. DINGELL].

Mr. DINGELL. Mr. Speaker, I don't have any dummies or props before you. But I want it known, I yield to no man in my criticism of EPA. I am the one fellow around here that has investigated and shown some extraordinary evidence of incompetence, of inability to manage contracts, of inability to handle the business of the agency, of loss of control of the agency to the contractors, and of bad science and bad information management.

Interestingly enough, requirements that EPA be structured to abate the only criticisms that have been found by legitimate congressional investigations are in the bill.

Now, I have heard a lot of complaints from my colleagues about the fact that this doesn't lay down substantive requirements. The comment is that it needs a risk assessment provision or that it needs a cost-benefit requirement provision.

Well, perhaps EPA needs something of that kind. And when something of that kind comes on the floor of a substantive character, I may very well be actively in support of it because I have to deal with EPA on almost a daily basis on their issuance of regulations.

But this is not a substantive bill, and I don't believe this House wants to get a rule out of the Committee on Rules which would require this House to then consider all manner of substantive amendments to things like the Clean Air Act, the Safe Drinking Water Act, the Clean Water Act, the legislation that relates to leaking underground storage tanks and Superfund. Those are terrible fights, and they are fights where responsibility is very difficult to see manifest in this body.

□ 1640

And the reason is that those are lobbyists' paradises, and they are big business for the environmentalists.

We are going to have those kinds of fights at different times in this body. I would urge my colleagues to withhold substantive amendments from consideration by this body. I would tell my colleagues that what we should do is to structure the agency properly and then let us address the kind of questions that my colleagues over here want, but to do it as a matter of substantive approach to substantive statute.

That is where that kind of matter should be addressed. That situation is not before us.

I would urge my colleagues that writing legislation regarding Superfund or safe drinking water or clean air or clean water is not something which should be done on the floor. It is something which should be done in a committee so that wise guidance and careful judgment and wise balance can be before this body when the legislation comes before us.

The rule is fair. The rule allows the House to consider all the questions that it should of a procedural and structural and an organizational structure with regard to EPA.

I would urge my colleagues to follow the leadership of the Committee on Rules. Vote through the rule, and then, if they have complaints on substantive law, let us address them. But let us address them in a proper forum, a proper time, a proper place and in a proper piece of legislation, carefully crafted under procedures that enable us to behave in a responsible fashion.

Mr. GOSS. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Dodge City, KS [Mr. ROBERTS].

Mr. ROBERTS. Mr. Speaker, with all due respect to the chairman of the Committee on Energy and Commerce, a man I respect, proper forum? Proper forum?

What we are faced with in 66 counties in my district is we have no forum. We have mandates, regulations and costs primarily coming from the EPA that are involved in rural dismantlement.

I went on a tour of my 66 counties out on the prairie, and we have community after community trying to put up with the regulations and costs that make no sense. Landfill regulations by date certain, where 66 of my counties have to close down landfills to send the trash and trucks that do not exist to regional landfills that do not exist by date certain.

Charging senior citizens 50 bucks a month to haul trash to Denver, 250 miles away, this is the kind of nonsense we are trying to stop.

If Members adopt this rule, we will not have a vote on Thurman-Mica.

What is wrong with a vote? Make your same argument, if you will, on the substantive forum that we must have to take place in this body, but at least give us a vote.

If Members are worried about unfunded mandates, this is a crucial, crucial vote on the rule.

I rise to urge my colleagues to defeat this rule, that would restrict debate on H.R. 3425, legislation to elevate the EPA to department level. I share the concern of many of my colleagues that consideration of this legislation should include discussion of risk assessment requirements on various environmental legislation and mandates.

Contained within a similar EPA bill already adopted by the Senate is language, known as the Johnston amendment, to provide risk assessment. A similar provision has been put forward in the House, the Thurman-Mica

amendment, but was not included in the rule for consideration during debate on H.R. 3425. This rule will prohibit the House from voting up or down on one of the critical issues facing farmers, ranchers, small businesses, State and local governments and others—the proliferation and cost of some environmental mandates.

Risk assessment is a complicated and sometimes confusing term to describe a simple system—prior to any environmental mandate being implemented—that would require a review of the cost and benefit of the proposed environmental regulation. This review would simply look at the overall costs involved and the benefits being achieved. It would ensure that millions of dollars would not be spent to achieve either marginal or minimal gains in environmental protection. Instead, it would help to focus environmental protection, reduce costs and eliminate overly-burdensome requirements.

The Thurman-Mica proposal has broad support and appeal among our communities suffering the financial burdens of unfunded mandates. It is critical that we, in the very least, consider this serious proposal.

I urge my colleagues to oppose this rule and support our efforts in support of the risk assessment for environmental regulations.

The SPEAKER pro tempore (Mr. DURBIN). At this point in the debate, the gentleman from Massachusetts [Mr. MOAKLEY] has 4 minutes remaining and the right to close, and the gentleman from Florida [Mr. GOSS] has 9½ minutes remaining.

Mr. GOSS. Mr. Speaker, I yield 1 minute to the very distinguished gentleman from California [Mr. HERGER].

Mr. HERGER. Mr. Speaker, I rise in opposition to this rule because of its complete disregard for private property rights.

Last year, this House expressed its overwhelming support for private property by passing the Taylor amendment to the National Biological Survey Act.

Like the NBS, the Department of Environmental Protection is another new, more powerful environmental entity. One would think we would be allowed to offer amendments requiring the Department to ensure one basic constitutional right to property.

Unfortunately, my amendment, which would merely require the Department to assess whether takings would occur when issuing a new regulation, was ruled out of order.

Why are we not being at least allowed to offer this amendment when just last fall this body was given the opportunity to express its overwhelming support for private property rights when it passed the Taylor amendment?

Vote "no" on this rule and allow private property protection amendments to be offered.

Mr. GOSS. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Illinois [Mr. EWING].

Mr. EWING. Mr. Speaker, I rise in opposition to this rule on H.R. 3425, because it does not allow the Mica-

Thurman amendment to be offered and voted on in this House. Really, that sounds so reasonable. How in the world this House could turn down a vote on that amendment is beyond me.

It appears to me that there are two important enemies from within in this great Nation of ours. One is our miserable record in financial management in this country, and the second is run-away, excessive bureaucratic regulation.

If Members do not believe me, ask their constituents. They will tell Members up front.

Let us do something about it. Let us have a vote on it. Let us change the way we operate this system, and let us make it reasonable.

This amendment is reasonable. We ought to have a vote on it. I suggest a "no" vote on this rule.

Mr. GOSS. Mr. Speaker, I yield 1 minute to the gentleman from Ohio [Mr. OXLEY].

Mr. OXLEY. Mr. Speaker, a series of articles published last winter by the New York Times summed up a substantial problem:

In the last 15 years, environmental policy has too often evolved largely in reaction to popular panics, not in response to sound scientific analysis of which environmental hazards present the greatest risks. As a result * * * billions of dollars are wasted each year in battling problems that are no longer considered especially dangerous, leaving little money for others that cause far more harm.

Unfortunately the Rules Committee is prohibiting the Members of this body from voting on amendments which could help solve this problem. There is an amendment offered by Mr. MICA, for example, which would simply provide important information to decisionmakers and the Congress that would be the basis for reforming EPA programs. A system to provide sound information is clearly a management reform and fully consistent with the efforts of the President and Vice President. Republicans are eager to work vigorously on the initiatives to reinvent the Government but the Rules Committee has, once again, precluded real progress. I am advised that the Parliamentarian's office considers the Mica amendment germane. There are other amendments as well that warrant serious consideration.

I should also note that the rule precludes the Thurman-Mica amendment which is the analogue to the Johnston amendment on the other body's EPA Cabinet bill. The other body voted for the amendment 95-3. Some Members in the House, however, do not want a vote on the floor so that they can quietly work behind closed doors against that provision. If this amendment was brought to a vote on the floor it would probably pass and be the will of the House. This rule precludes Members from even voting on this reform. Thus, this rule is preventing the House from having a true say on what it wants in conference.

This rule is about the same closed-door politics. I ask my colleagues to vote against the rule and consider meaningful reform on the House floor.

Mr. GOSS. Mr. Speaker, I yield 1 minute to the gentleman from Massachusetts [Mr. TORKILDSEN].

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

Mr. Speaker, last week, President Clinton in his State of the Union Address called upon Congress to get on with the job we were sent here to do.

Our first major test this year is to vote down this rule. Unfortunately, the House leadership continues to rule this body with contempt for differences of opinion, and refuses to allow entirely germane ideas to be debated and voted on the House floor. Even though the U.S. Senate has debated a similar amendment for cost-benefit analysis, and approved it nearly unanimously, the House leadership refuses to allow this idea to be voted on. Why? Why, Mr. Speaker?

This is not the first time. The balanced budget amendment, term limits, a genuine line item veto—all these issues have overwhelming public support, and haven't seen the light of day in this Chamber. The American people wonder why they haven't been acted upon. The reason is the leadership refuses to allow them to the floor for a vote. And when it comes time for allowing amendments, the leadership only allowed open rules on 12 percent of the bills debated last year. Twelve percent!

Whether or not you agree with the amendment that the Senate passed, or whether or not you even agree with the bill itself, you should be willing to allow an issue to reach the floor and be debated. That's what all of us were sent here to do.

Please vote "no" on this rule.

Mr. GOSS. Mr. Speaker, I yield 1 minute to the distinguished gentleman from California [Mr. HORN].

Mr. HORN. Mr. Speaker, I think it is time that America woke up and all of us, as colleagues, woke up as to what is going on in this Chamber.

Not since 1910—and the end of the days of czar Joseph Cannon, the Republican Speaker—has this Chamber been under such rigid control.

□ 1650

The people sent us here to vote issues up or down. Some days we lose, some days we win. We abide by a majority vote. We ought to be voting, by majority, on those issues that the people who sent us here expect us to be voting on. We ought to have the chance in this Chamber to vote on substance when substance is in the bill before us.

This is not a mere redesignation of EPA in to a Cabinet department. This legislation has authorized at least 16 Presidential appointees and several

new functions, much of which I agree with.

I am an original cosponsor of this legislation. I believed it should be elevated long before President Bush suggested it, and President Clinton reaffirmed it. However, I think it is wrong for the Committee on Rules operation, the political guillotine of the House, where nine Democrats overrule four Republicans almost every day of the week in order to deny us the right to vote substance up or down. Please vote against the rule. The Thurman-Mica bipartisan amendment to establish cost-benefit analysis and risk assessment procedures in this legislation deserves to be considered.

Mr. MOAKLEY. Mr. Speaker, I yield one minute to the gentleman from Illinois [Mr. PORTER].

Mr. PORTER. Mr. Speaker, this is probably the first time in my 12 years as a Congressman in the House of Representatives that I have risen to support a rule that is not an "open" rule. But, I believe that the rule before us is a fair and essentially open rule. All Members were given the opportunity to submit amendments to H.R. 3425 to the Rules Committee, and the Rules Committee made in order all those amendments that were found by the Parliamentarian to be germane to the legislation or not subject to a point of order.

I realize, Mr. Speaker, that many of my colleagues have legitimate concerns over current environmental policy—and I agree with my colleagues that there are serious problems with the way environmental regulations are currently carried out in this country—but this bill is clearly not the place to address such concerns.

This bill deals solely with the structural elevation and management reforms of the EPA, and avoids environmental policy issues that should be addressed during consideration of new environmental statutes and reauthorizations of existing laws. Because of this, amendments that address policy issues, such as cost-benefit analysis and the taking of private property, have rightly been ruled out of order by the Rules Committee because they are clearly nongermane to this bill.

Mr. Speaker, elevation of the EPA to Cabinet level is long overdue. President Bush proposed creating a Department of Environmental Protection 5 years ago, and yet we have not been able to elevate the EPA because of repeated squabbles over environmental policy. Let us leave those debates to a more appropriate time and deal with the issue at hand. Let us pass this rule and let us create the long-awaited Department of Environmental Protection.

Mr. GOSS. Mr. Speaker, I yield 1 minute to the distinguished gentleman from California [Mr. DOOLEY].

Mr. DOOLEY. Mr. Speaker, I rise in opposition to the rule.

I support the amendment on risk assessment that my colleagues Mrs. THURMAN and Mr. MICA would like to offer should this rule be defeated. In fact, I feel the House has an obligation to address this issue, and this is the appropriate time to do it.

But despite strong support from a wide range of organizations, including the Nation's Governors, despite the 95-3 approval of a similar amendment on this same bill in the Senate, despite claims that we have an open rule on this bill, the rule before us keeps us from discussing the subject of risk assessment, and it should be defeated.

The so-called Thurman/Mica amendment does not create new environmental policy or rewrite the existing environmental laws. It simply provides a new management tool to help the Secretary prepare the most cost-effective environmental policy for our country.

As a legislative body, we cannot hear story after story of regulations that are out of touch with reality, and then refuse to consider a possible solution. Senator JOHNSTON noted the example of Yucca Mountain when he debated his version of this amendment on the Senate floor. Let me repeat his story of regulatory overkill:

In 1985, regulations were initially proposed that set certain limits on carbon 14 emissions at the Yucca Mountain nuclear waste facility. It would have cost the taxpayers of this country \$3.2 billion to comply with that regulation. Yet it would have resulted in stopping only a tiny amount of background radiation—only one six-thousandth of what occurs in the human body ordinarily.

It is stories like these that prompt reasonable people to scratch their heads and ask how in the world can such regulations even be contemplated by our Government. The answer is that our bureaucrats either refuse or are ordered not to consider the cost/benefit tradeoffs of environmental regulation. This situation has to stop. We must acknowledge that we cannot do everything and we cannot do it all at once.

The cost/benefit analysis called for by Thurman/Mica in no way relieves any individual or any government from complying with environmental laws. It would not put our environment at risk. In fact, the argument has been made, by the GAO and many others, that by not prioritizing, we are now doing less to protect our environment than we could be.

Mr. GOSS. Mr. Speaker, I yield 1 minute and 30 seconds to the distinguished gentleman from Texas [Mr. DELAY].

Mr. DELAY. Mr. Speaker, the Democrat leadership is not starting out the year on the right foot. Rather than demonstrating to the American people that the House of Representatives is a body of open debate and free thinking,

they are bringing a modified closed rule on H.R. 3425 to the floor, limiting debate on one of the first pieces of legislation of the session.

Why are they doing this? Well, it seems they are afraid that a certain amendment that has widespread support throughout the country—but does not quite coincide with their particular philosophical views—would likely pass if brought up in the House. It is the Mica amendment, which would require a cost-benefit analysis to accompany regulations proposed by the EPA. Despite the fact that it was passed in the other body by a vote of 95-3, the House is not even being permitted to consider it.

The Mica amendment is very timely in light of the fact that just yesterday the EPA announced its plan to develop a national strategy for the use of chlorine and chlorine compounds. Chlorine and chlorinated compounds are used to meet the most essential and vital needs of modern society, and are found in 85 percent of all medicines, 96 percent of all crop-protection chemicals, all vinyl plastics, and thousands of other products. They save U.S. consumers more than \$90 billion annually—\$1,440 for every family of four—versus alternative products or processes, with no guarantee that the alternatives would enhance human health or the environment. Furthermore, according to the Chemical Manufacturers Association, 1.3 million U.S. jobs depend on the chlorine industry and almost 40 percent of all U.S. jobs and income depend in some way on chlorine and the products of the chlorine industry.

Considering environmental regulations cost approximately \$1,500 per U.S. household, there is obviously a need to weigh the costs and the benefits of actions taken by environmental regulators. The question is, will the EPA conduct a cost-benefit analysis as it develops its national strategy for chlorine regulation? The effects of not conducting one could be devastating. It is for this reason that I believe the exclusion of Mr. MICA's risk assessment amendment from the rule for consideration of H.R. 3425 is sufficient reason to oppose the rule altogether, and I urge my colleagues to do so as well.

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

The SPEAKER pro tempore (Mr. DURBIN). The gentleman from Florida [Mr. GOSS] has 2 minutes remaining.

Mr. GOSS. Mr. Speaker, I have long favored elevating EPA to Cabinet level status. I think it is justified. I think part of the purpose of doing that, of course, is to give us the opportunity to resolve some of the very costly confusion, some of the debilitating confrontation, and some of the intense conflict we have seen and has been alluded to in the debate here today.

I would have, of course, preferred a clean bill. Many of us would. However,

we do not have a clean bill. We have a bill that has been amended. In fact, several amendments have been made in order, and not all amendments of those that were asked have been afforded that privilege, so we only have selected amendments, in fact.

Unfortunately, one of the ones that was not selected has been absolutely a critical amendment to the debate that is before us. Leaving out the amendment that the gentleman from Florida, JOHN MICA, and the gentlewoman from Florida, KAREN THURMAN, have proposed is a little bit like inviting a guest to dinner and then not serving the main course. You go away with the feeling of emptiness, that somehow you have not quite gotten what you came for.

We need to talk about private property rights, takings, risk assessments. These are issues that are not going to go away, and this Congress needs to speak on them and debate them.

I must say, I was very impressed, we all are, with the statements of the chairman, the very distinguished gentleman from California [Mr. WAXMAN]. The media recently described him as the master of mysterious Medicaid add-ons, and he spoke to us brilliantly about germaneness.

I agree, germaneness is important. The Committee on Rules has the ability to weigh on germaneness, but what is really important is in the real world, risk-taking is a germane part of this subject. It is the real world we should be legislating for.

It has been said today that many of the colleagues on the Committee on Rules are urging a "yes" vote on this. It is equally true that many colleagues on the Committee on Rules are urging a "no" vote on this. I am one of those.

The Committee on Rules is ready to go back upstairs and craft a new rule that gets to the debate, or a clean rule. We are here. We are ready to work. We get paid to do the job. I urge a "no" vote on this rule, and let us come back with a better product.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The gentleman from Massachusetts [Mr. MOAKLEY] has 3 minutes remaining, and has the right to close debate.

Mr. MOAKLEY. Mr. Speaker, for purposes of debate only, I yield 3 minutes to the gentleman from Oklahoma [Mr. SYNAR], to close debate.

Mr. SYNAR. Mr. Speaker, we have had a fascinating 1 hour debate. What I would like to do is to take this time that I have to talk about what this bill is not about. This bill is not about regulatory reform of landfills, sewers, or water. This bill is not about the illegal taking of private property. This bill is not about reining in an EPA that is out of control. This bill is not about setting environmental priorities. It is not about unfunded Federal mandates. It is

not about big government and excessive regulations. Most of all, it is not about redesigning farmers' spring wardrobes.

What this bill, that we consider today, is about is whether we as a nation believe that the Environmental Protection Agency should be raised to a Cabinet level position so that it can hold other Federal departments and agencies accountable to lead on the environmental front, as we do with small businessmen and individuals, and whether we believe the Environmental Protection Agency should be of the stature that the rest of the world places their environmental protection agencies, so that as we try to clean up not only our own country but this planet, we do it with the dignity and stature it deserves.

This bill is also about making needed management and structure changes within EPA so it can accomplish its very simple mission: To protect the health and safety of all Americans.

The debate we have had over the last hour has not been about that. In fact, it has been terribly misleading.

□ 1700

The facts are very simple.

Fact No. 1 is that the EPA is doing risk assessment today, as it does thousands of times every year.

Fact No. 2, even if the amendment on risk assessment were allowed, not one city, not one State, not one local water system, not one corporation, not one small business, not one citizen would get any relief from any rule until we in Congress had the guts to tackle the underlying statutes that set the priorities, that fund the priorities, that direct the priorities that EPA implements. That is what this is all about.

As the oversight chairman for EPA for over a decade, only the gentleman from Michigan, JOHN DINGELL, has spent more time in his career trying to make EPA more responsive, trying to clean up its mismanagement and trying to make sure that taxpayer dollars are spent efficiently. If I believed the risk assessment amendment would accomplish any of those goals, I would have joined and helped lead this fight, but it will do none of those.

I implore my colleagues, let us be responsible, and let us support this rule and raise EPA up to a Cabinet-level position. Then let us do one more thing. Let us roll up our sleeves together and help make EPA more responsive and less intrusive by making our environmental laws work for all America.

Please support the rule.

Mr. Speaker, I rise in support of the rule on H.R. 3425, legislation to elevate the Environmental Protection Agency to a Cabinet-level Department of Environmental Protection.

With strong bipartisan support, the House has previously voted overwhelmingly to elevate EPA to Cabinet status; I hope we can approve this rule and take similar action here in the House today.

Obviously, some Members are voicing opposition to the rule on grounds that it does not permit them to offer their pet amendments.

But the Rules Committee quite properly understood that this legislation is designed solely to address the structure of the Agency and to deal with management problems—it has never been intended as a vehicle for addressing Members' concerns over environmental policy, as some now want to do.

In particular, I want to urge Members not to be swept away by the misleading rhetoric of those who would defeat the rule in an effort to have the House consider amendments dealing with issues like risk assessment and cost-benefit analysis.

Now, I recognize that there is legitimate concern over these issues and that certain amendments—like the Mica-Thurman proposal—have struck a chord with some Members.

These amendments, like the Johnston amendment in the Senate, are based on the very simple, but misleading, notion that, since risk assessments and cost-benefit analyses are good things, we can magically solve all our problems overnight by simply requiring the Agency to do more of them.

In fact, they're so convinced this will solve all our problems, they want EPA to do these assessments on virtually everything—every rule and regulation, no matter how lowly and inconsequential those rules may be.

Well, I admit that that has some superficial appeal. But I would also submit that if these proposals were subjected to FTC scrutiny, they would be outlawed for false advertising.

It's important to get beyond the superficial appeal and look at what these risk and cost-benefit proposals would actually do, and not do.

First, it's true that risk assessment and cost-benefit issues at EPA are sometimes controversial.

But when there is controversy, it isn't about how many they do, it's about how they do them.

Do the amendments being advocated by some in any way address the issue of how EPA does risk and cost-benefit assessments?

No, they do not; they just intend to make EPA do more of them.

Second, most risk and cost-benefit issues are addressed primarily in our underlying environmental statutes. To the extent there is a problem, that is where the problem is.

Would the Mica-Thurman or Johnston amendments address those problems?

The sponsors say they are not intended to change underlying law—so what have they accomplished?

Third, it is clear that the issues needing as much, or more, attention are in risk management and risk communication.

Are those areas addressed by the proposed Mica-Thurman or Johnston amendments?

No, they are not.

Fourth, it's clear that all the issues and controversies surrounding the subject of risk assessment and cost-benefit analysis are common problems throughout the Government.

But do the proposed amendments try to deal with these problems in a sensible way across the Government?

No, they do not.

Now, I'm the first to admit that risk assessment and cost-benefit analysis are extremely complicated issues.

And I won't pretend to understand all the possible ramifications of these proposals.

But some things are clear.

So now that we've talked about what the proposals won't do, let's focus on what the proposals would do.

First, instead of trying for better and smarter risk assessments and cost-benefit analyses, the proposals only require more of them.

Instead of reducing and streamlining the bureaucracy, the proposals would simply ensure that we have more of it.

Instead of targeting these costly and critical studies on the most important or controversial rules, the proposals want to make every rule and regulation subjected to risk and cost-benefit analysis—apparently in the curious belief that, even though they don't like the way EPA does it, they should do more of it.

Well, I'm sorry to say that when it comes to risk assessments and cost-benefit analysis, just doing more is not doing better.

Friends, these proposals are not the magic solution to the problems at EPA. If there are problems, we have a responsibility as legislators to look for the right solution—not just any solution.

That means we are going to have to get into the underlying environmental statutes and get our hands dirty and make the tough decisions there.

The bill before you already has very important provisions which establish an Office of Risk Assessment within the new Department.

Last September, President Clinton issued a carefully crafted, and very comprehensive, Executive order on regulatory reform which is already addressing the very problems and issues being raised here today.

EPA is working closely with them in that government-wide effort.

Don't go for the quick-hit, for the superficial appeal.

We're better than that.

Our constituents sent us here not just to govern, but to govern wisely.

Let's show them we're willing to take on tough problems the way they deserve to be addressed: with hard work and careful consideration of the facts—not through some expedient, mislabeled approach to reform which ultimately will exacerbate the existing problems and cost industry and the taxpayers millions in wasted dollars in the process.

Let us support the rule, get this elevation bill enacted, and then get down to the hard work on the underlying statutes, where our actions and votes can make a real difference.

Mr. BROWN of California. Mr. Speaker, I rise today in strong support of the rule on H.R. 3425, The Department of Environmental Protection Act. I want to commend the Rules Committee for providing a rule that recognizes the proper role of the committee process and gives the House an opportunity to conduct its business in a judicious and efficient manner.

The rule on H.R. 3425 is a good rule, it is a fair and equitable rule that makes in order all germane amendments that were presented to the Rules Committee. These include an amendment calling for annual performance assessments of each regional office of the De-

partment of Environmental Protection, one that calls on the Inspector General and the Department of Justice to join forces in identifying waste, fraud, and criminal misconduct within the Department, another that seeks to provide assistance to small businesses and local governments to comply with environmental laws, another aimed at developing a strategy to ease unfunded Federal environmental mandates imposed on State and local governments, and a substitute that would elevate EPA to cabinet status without any structural or policy changes.

The rule provides an opportunity to vote on these amendments and others that relate directly to the organization, structure, and management of the new Department. What the rule properly does, in my opinion, is to prohibit discussion on nongermane amendments on the floor of the House. That is, the rule prohibits voting on amendments which could change environmental policy or alter the duties and responsibilities given to EPA under existing statutes.

As Chairman of the Committee on Science, Space, and Technology, one of the five committees with substantive jurisdiction over EPA, I believe it is appropriate for this rule to prohibit such policy changes to be effected by this legislation. I urge my colleagues, who are opposed to the rule, not to lose sight of the need to ensure that such environmental policy questions are properly examined and debated through the normal committee process of holding hearings, drafting, introducing, and marking up legislation, and then reporting it to the floor of the House for further discussion and revision by the full membership of this body prior to a vote.

My colleagues, the House of Representatives operates through a committee structure and process that it has entrusted with conducting a deliberate and rigorous review and debate of such public policy issues. To make all amendments in order, irrelevant of their germaneness to the bill in question, would be to usurp the thorough review of public policy issues which our citizens deserve and which the committee structure has been set up to provide.

A number of policy concerns have been voiced by those opposed to the rule. One of these is the issue of the appropriate role and use of risk assessment in developing, implementing, and managing this Nation's environmental protection activities. In November 1993, the Science Committee held its second hearing in the first session of the 103d Congress on the topic of risk assessment. At this hearing, the committee released an OTA report, which had been requested in June 1991, on risk assessment research in the Federal Government. We will continue to hold hearings on this topic in the coming year. In fact, tomorrow we are holding a hearing on the State's experience in using comparative risk analysis as a planning tool to establish environmental priorities. The science of risk assessment and its use by risk managers to promote environmental quality is a complex and subtle issue which has been a concern of this committee dating back to 1979. It is an issue which deserves serious attention and should not be dealt with cavalierly on the floor of the House. In another area, the Science Committee has

held hearings on the science needed to improve and support both the Clean Water Act, and the Superfund program, as a basis for developing a research and development title for both these reauthorizations. I could cite other examples of the Science Committee's activities in environmental policy, dealing with the role of EPA's Science Advisory Board, peer review, etc.

The purpose for citing these examples is simply to reiterate my earlier point that the House of Representatives has a committee structure designed to provide a forum for rigorous examination and substantive debate on important policy questions. The effort to elevate EPA to cabinet-level status is not that forum. To call for changes in environmental policy in this bill would usurp the responsibilities of the members of these committees and abrogate our responsibilities to our constituents and to the Members of Congress, to act in a responsible manner.

Therefore, I strongly urge my colleagues to vote for this rule and to support final passage of this bill at the appropriate time.

I wish to commend my colleagues Mr. CONYERS, Mr. DINGELL, Mr. MILLER, Mr. MINETA, and Mr. STUDDS for their efforts on H.R. 3425 and look forward to working with them in the future on issues concerning environmental science and research.

I believe that elevating EPA from an independent agency to a cabinet-level department will strengthen our Government's focus on some of the most crucial issues confronting the long-term sustainability of our biosphere and with it the sustainability of life on this planet. I express my strong support for the establishment of the Department of Environmental Protection to ensure that issues of environmental quality receive the attention they deserve and urge all my colleagues in joining me, at the appropriate time, in voting for passage of this bill.

Mr. LEHMAN. Mr. Speaker, if I had been here I would like the record to show I would have opposed the rule to H.R. 3425, the Department of Environmental Protection Act. Unfortunately, due to illness I was unable to travel to Washington, DC from my district for this important issue. The recommended rule precluded this body from addressing the issue of requiring future environmental regulations to be based on risk assessment, therefore, I would have opposed the rule.

The SPEAKER pro tempore (Mr. DURBIN). All time for debate has expired.

Mr. MOAKLEY. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

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

Mr. GOSS. 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 191, nays 227, not voting 15, as follows:

[Roll No. 4]

YEAS—191

Abercrombie	Gilman	Natcher
Ackerman	Gonzalez	Neal (MA)
Andrews (ME)	Gordon	Neal (NC)
Andrews (NJ)	Green	Oberstar
Bacchus (FL)	Gutierrez	Obey
Barcia	Hall (OH)	Oliver
Barlow	Hamburg	Owens
Barrett (WI)	Hefner	Pallone
Becerra	Hilliard	Pastor
Bellenson	Hinchee	Payne (NJ)
Berman	Hoagland	Pelosi
Bevill	Hochbrueckner	Pickle
Blackwell	Holden	Porter
Boehlert	Hoyer	Price (NC)
Bonior	Hughes	Rahall
Boucher	Insee	Rangel
Brooks	Jacobs	Reed
Brown (CA)	Jefferson	Richardson
Brown (FL)	Johnson, E. B.	Rose
Brown (OH)	Johnston	Rostenkowski
Bryant	Kanjorski	Roybal-Allard
Byrne	Kaptur	Rush
Cantwell	Kennedy	Sabo
Cardin	Kennelly	Sanders
Carr	Kildee	Sangmeister
Clay	Kleczka	Sawyer
Clayton	Klein	Schenck
Clement	Kopetski	Schroeder
Clyburn	Kreidler	Schumer
Coleman	LaFalce	Scott
Collins (IL)	Lambert	Serrano
Collins (MI)	Lantos	Shays
Conyers	Laughlin	Skaggs
Cooper	Levin	Slaughter
Coppersmith	Lewis (GA)	Spratt
Costello	Lipinski	Stark
Coyne	Long	Stokes
DeFazio	Lowey	Studds
DeLauro	Maloney	Sweet
Dellums	Mann	Swift
Derrick	Manton	Synar
Deutsch	Margolies-	Thompson
Dicks	Mezvisinsky	Thornton
Dingell	Markey	Torres
Dixon	Martinez	Torricelli
Durbin	Matsui	Towns
Edwards (CA)	Mazzoli	Trafigant
Engel	McCloskey	Tucker
English	McDermott	Unsoeld
Eshoo	McHale	Valentine
Evans	McKinney	Velazquez
Farr	McNulty	Vento
Fazio	Meehan	Visclosky
Fields (LA)	Menendez	Volkmer
Flner	Mfume	Washington
Flake	Miller (CA)	Waters
Foglietta	Mineta	Watt
Ford (MI)	Mink	Waxman
Frank (MA)	Moakley	Wheat
Frost	Mollohan	Wise
Furse	Montgomery	Woolsey
Gejdenson	Morella	Wyden
Gephardt	Murtha	Wynn
Gibbons	Nadler	Yates

NAYS—227

Allard	Bonilla	Darden
Applegate	Brewster	Deal
Archer	Browder	DeLay
Armey	Bunning	Diaz-Balart
Bachus (AL)	Burton	Dickey
Baesler	Buyer	Dooley
Baker (CA)	Callahan	Doolittle
Baker (LA)	Calvert	Dreier
Ballenger	Camp	Duncan
Barca	Canady	Dunn
Barrett (NE)	Castle	Edwards (TX)
Bartlett	Clinger	Ehlers
Barton	Coble	Emerson
Bateman	Collins (GA)	Everett
Bentley	Combest	Ewing
Bereuter	Condit	Fawell
Bilbray	Cox	Fields (TX)
Bilirakis	Cramer	Fingerhut
Bishop	Crane	Fish
Billey	Crapo	Fowler
Blute	Cunningham	Franks (CT)
Boehner	Danner	Franks (NJ)

Galleghy	Levy	Ros-Lehtinen
Gallo	Lewis (CA)	Roth
Gekas	Lightfoot	Roukema
Geren	Linder	Rowland
Gilchrest	Livingston	Royce
Gillmor	Lloyd	Santorum
Gingrich	Machtley	Sarpallus
Glickman	Manzullo	Saxton
Goodlatte	McCandless	Schaefer
Goodling	McCollum	Schiff
Goss	McCrery	Sensenbrenner
Grams	McCurdy	Sharp
Grandy	McDade	Shaw
Greenwood	McHugh	Shuster
Gunderson	McInnis	Sisisky
Hall (TX)	McKeon	Skeen
Hamilton	McMillan	Skelton
Hancock	Meyers	Slattery
Hansen	Mica	Smith (IA)
Harman	Michel	Smith (MI)
Hastert	Miller (FL)	Smith (NJ)
Hayes	Minge	Smith (TX)
Hefley	Molinari	Snowe
Herger	Moorhead	Solomon
Hobson	Moran	Spence
Hoekstra	Murphy	Stearns
Hoke	Myers	Stenholm
Horn	Nussle	Strickland
Houghton	Ortiz	Stump
Huffington	Orton	Stupak
Hunter	Oxley	Sundquist
Hutchinson	Packard	Talent
Hutto	Parker	Tanner
Hyde	Paxon	Tauzin
Inglis	Payne (VA)	Taylor (MS)
Inhofe	Penny	Taylor (NC)
Istook	Peterson (FL)	Tejeda
Johnson (CT)	Peterson (MN)	Thomas (CA)
Johnson (GA)	Petri	Thomas (WY)
Johnson (SD)	Pickett	Thurman
Johnson, Sam	Pombo	Torkildsen
Kasich	Pomeroy	Upton
Kim	Portman	Vucanovich
King	Poshard	Walker
Kingston	Pryce (OH)	Walsh
Klink	Quillen	Weldon
Klug	Quinn	Whitten
Knollenberg	Ramstad	Williams
Kolbe	Ravenel	Wolf
Kyl	Regula	Young (AK)
Lancaster	Roberts	Young (FL)
LaRocco	Roemer	Zeliff
Lazio	Rogers	Zimmer
Leach	Rohrabacher	

NOT VOTING—15

Andrews (TX)	Ford (TN)	Reynolds
Borski	Hastings	Ridge
Chapman	Lehman	Shepherd
de la Garza	Lewis (FL)	Smith (OR)
Dornan	Meek	Wilson

□ 1725

The Clerk announced the following pairs:

On this note:

Mr. ANDREWS of Texas for, with Mr. LEHMAN against.

Mr. BORSKI for, with Mr. DORNAN against.

Mr. SHEPHERD for, with Mr. LEWIS of Florida against.

Mr. GLICKMAN and Mr. CONDIT changed their vote from "yea" to "nay."

So the resolution was not agreed to. The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. MOAKLEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks during debate on House Resolution 312.

PARLIAMENTARY INQUIRY

Mr. WALKER. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore (Mr. DURBIN). The gentleman will state it.

Mr. WALKER. Mr. Speaker, was a motion to reconsider laid on the table?

The SPEAKER pro tempore. Yes, it was.

Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

LEGISLATIVE PROGRAM

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

Mr. GINGRICH. Mr. Speaker, I take this time to discuss the schedule.

Let me say on behalf of the Republican leadership—and I have cleared this with the gentleman from Illinois [Mr. MICHEL]—we are very prepared to have the Committee on Rules go back in and craft a new rule on EPA which would make in order the Michel-Thurmond amendment. And we would be prepared on our side to support a rule that was crafted in a bipartisan manner and to try to pass it out either tonight or tomorrow morning, whichever would be the will of the Democratic leadership. I see no reason why we cannot move forward on EPA in a bipartisan manner.

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

Mr. GINGRICH. I yield to the distinguished majority leader, my friend, the gentleman from Missouri [Mr. GEPHARDT].

Mr. GEPHARDT. I thank the gentleman for yielding.

Mr. Speaker, I appreciate the offer of the gentleman from Georgia. We will undoubtedly be in consultation with the gentleman and other Members of the minority and the majority in order to figure out the next step on EPA. However, we believe that tomorrow's activity on the earthquake relief bill is going to take so long that it will be impossible to do both. So we would like to be able to start at 10 in the morning and finish that at a reasonable hour. We will continue consultations in the meantime on the EPA bill.

Mr. GINGRICH. Let me just say, if I might, that we would be prepared tomorrow to be very supportive on earthquake relief, and I would hope that whether it was done tonight or tomorrow or next week, we could find a bipartisan way to move this bill forward. We look forward to working with the leadership on that.

HOUR OF MEETING ON TOMORROW

Mr. GEPHARDT. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 10 a.m. tomorrow.

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

There was no objection.

ELECTION OF MEMBER TO COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY, AND COMMITTEE ON PUBLIC WORKS AND TRANSPORTATION

Mr. MICHEL. Mr. Speaker, I offer a privileged resolution (H. Res. 335) and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 335

Resolved, That Representative Vernon J. Ehlers of Michigan be and is hereby elected to the following standing committees of the House of Representatives: The Committee on Science, Space, and Technology, and the Committee on Public Works and Transportation.

The resolution was agreed to.

A motion to reconsider was laid on the table.

COMMUNICATION FROM THE ACTING DIRECTOR, NON-LEGISLATIVE AND FINANCIAL SERVICES

The SPEAKER pro tempore laid before the House the following communication from the Acting Director of the Office of Non-Legislative and Financial Services:

HOUSE OF REPRESENTATIVES,
Washington, DC, February 1, 1994.

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

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

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

Sincerely,

RANDALL B. MEDLOCK,
Acting Director.

□ 1730

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1200

Mr. FIELDS of Louisiana. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of the bill, H.R. 1200.

The SPEAKER pro tempore (Mr. DURBIN). Is there objection to the request of the gentleman from Louisiana?

There was no objection.

ANNUAL REPORT ON ADMINISTRATION OF THE FEDERAL RAILROAD SAFETY ACT OF 1970—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore (Mr. STRICKLAND) laid before the House the

following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Energy and Commerce:

To the Congress of the United States:

I transmit herewith the 1992 annual report on the Administration of the Federal Railroad Safety Act of 1970, pursuant to section 211 of the Act (45 U.S.C. 440(a)).

WILLIAM J. CLINTON.

THE WHITE HOUSE, February 2, 1994.

OPEN UP THE HEALTH CARE DEBATE: PASS THE HEALTHCARE SUNSHINE RESOLUTION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts [Mr. TORKILDSEN] is recognized for 5 minutes.

Mr. TORKILDSEN. Mr. Speaker, when President Clinton began the process of creating a national health care reform plan, no effort was made to include the general public in the formulation process. In fact, the public was effectively locked out of the process. Virtually every meeting and discussion held by the Health Care Task Force was, despite public outrage, held in private behind locked doors, totally inaccessible to the American public.

President Clinton is to be commended for bringing the vital issue of health care reform to the forefront of national debate. But bringing up the issue isn't enough. The American people deserve to see what decisions are made which will affect their health care.

Next week I will be introducing the healthcare sunshine resolution which will require that all House committee and subcommittee hearings and markup sessions be open to the public and the media. This resolution will also encourage that the Senate and the administration to open all of their proceedings as well.

This will be something of a first in the U.S. Congress. While major legislation in the past has had public hearings, decisions on what remained in the legislation were another subject. During markup, when it was decided what would actually remain in legislation, what would be added to the bill, what would be left on the cutting room floor, rarely did any average citizen ever have access to every step of the process. For instance, after public hearings on the tax increase last year, the House Ways and Means Committee decided to complete markup of the bill while the public was excluded. For 3 of the 5 days during Ways and Means markup, the public was told they had no right to see or hear what decisions were being made.

The quality of health care in America is extremely high for those Ameri-

cans who have access to it. Most Americans would agree that we must reform our health care system to make it more accessible and more affordable. Currently, those who will be most affected by health care reform are excluded from the process of its actual creation. There are a few legitimate reasons for Congress and the administration to act behind closed doors, but none of them apply to the health care debate.

No matter which plan eventually comes before the House—whether the Clinton plan, the Cooper or Chafee managed competition plans, the single payer, the medisave account, or some combination of two or more of them, the American people deserve to understand what trade offs are being made, and by whom. Only by opening up all parts of the process will this understanding begin to be possible.

To allow an open process, support the healthcare sunshine resolution.

COMMUNICATION FROM THE CHAIRMAN OF THE COMMITTEE ON THE BUDGET REGARDING CURRENT LEVELS OF SPENDING AND REVENUES FOR FISCAL YEARS 1994-98

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Minnesota [Mr. SABO] is recognized for 5 minutes.

Mr. SABO. Mr. Speaker, on behalf of the Committee on the Budget and pursuant to sections 302 and 311 of the Congressional Budget Act, I am submitting for printing in the CONGRESSIONAL RECORD an updated report on the current levels of on-budget spending and revenues for fiscal year 1994 and for the 5-year period fiscal year 1994 through fiscal year 1998.

COMMITTEE ON THE BUDGET,
HOUSE OF REPRESENTATIVES,
Washington, DC, February 2, 1994.

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

DEAR MR. SPEAKER: To facilitate application of sections 302 and 311 of the Congress-

sional Budget Act, I am transmitting an updated status report on the current levels of on-budget spending and revenues for fiscal year 1994 and for the 5-year period fiscal year 1994 through fiscal year 1998.

The term "current level" refers to the amounts of spending and revenues estimated for each fiscal year based on laws enacted as of January 28, 1994.

The first table in the report compares the current levels of total budget authority, outlays, and revenues with the overall limits set in H. Con. Res. 64, the concurrent resolution on the budget for fiscal year 1994. This comparison is needed to implement section 311(a) of the Budget Act, which creates a point of order against measures that would breach the budget resolution's overall limits. The table does not show budget authority and outlays for years after fiscal year 1994 because appropriations for those years have not yet been considered.

The second table compares the current levels of budget authority, outlays, and new entitlement authority for each direct spending committee with the "section 602(a)" allocations made under H. Con. Res. 64 for fiscal year 1994 and for fiscal years 1994 through 1998. This comparison is needed to implement section 302(f) of the Budget Act, which creates a point of order against measures that would breach the section 602(a) allocation of new discretionary budget authority or new entitlement authority for the committee that reported the measure. It is also needed to implement section 311(b), which exempts committees that comply with their allocations from the point of order under section 311(a). The section 602(a) allocations were printed in the Congressional Record for March 31, 1993 on pages H. 1784-87.

The third table compares the current levels of discretionary appropriations for fiscal year 1994 with the revised "section 602(b)" suballocations of discretionary budget authority and outlays among Appropriations subcommittees. This comparison is also needed to implement section 302(f) of the Budget Act, since the point of order under that section also applies to measures that would breach the applicable section 602(b) suballocation. The revised section 602(b) suballocations were filed by the Appropriations Committee on September 30, 1993 (H. Rept. 103-271).

Sincerely,

MARTIN OLAV SABO,
Chairman.

DIRECT SPENDING LEGISLATION—COMPARISON OF CURRENT LEVEL WITH COMMITTEE ALLOCATIONS PURSUANT TO BUDGET ACT SECTION 602(a)

[Fiscal years, in millions of dollars]

House Committee	1994			1994-1998		
	BA	Outlays	NEA	BA	Outlays	NEA
Agriculture:						
Allocation	-65	-66	-60	-2725	-2727	888
Current Level	-99	-106	-402	-2216	-2411	-3559
Difference	-34	-40	-342	509	316	-4447
Armed Services:						
Allocation	-128	-128	-128	-2365	-2357	-2357
Current Level	-153	-163	-167	-2271	-2275	-2328
Difference	-25	-35	-39	94	82	29
Banking, Finance and Urban Affairs:						
Allocation	0	-338	0	0	-2792	0
Current Level	-7	-505	0	46	-2785	0
Difference	-7	-167	0	46	7	0
District of Columbia:						
Allocation	0	0	0	0	0	0
Current Level	0	0	0	0	0	0
Difference	0	0	0	0	0	0
Education and Labor:						
Allocation	0	0	118	0	0	-4048
Current Level	-147	-158	-792	-142	-142	-5172
Difference	-147	-158	-910	-142	-142	-1124
Energy and Commerce:						
Allocation	0	-1700	-180	-1169	-8369	-7798
Current Level	2	-2398	42	-1159	-1139	-7059
Difference	2	-698	222	10	-2990	739

STATUS OF THE FISCAL YEAR 1994 CONGRESSIONAL BUDGET ADOPTED IN H. CON. RES. 64, REFLECTING ACTION COMPLETED AS OF JANUARY 28, 1994

[On-budget amounts, in millions of dollars]

	Fiscal year 1994	Fiscal years 1994-98
Appropriate Level (as set by H. Con. Res. 64):		
Budget Authority	1,223,400	6,744,900
Outlays	1,218,300	6,629,300
Revenues	905,500	5,153,400
Current Level:		
Budget Authority	1,221,944	NA
Outlays	1,218,022	NA
Revenues	905,429	5,105,866
Current Level over(+)/under(-) Appropriate Level:		
Budget Authority	-1,456	NA
Outlays	-278	NA
Revenues	-71	-47,534

Note.—NA=Not applicable because annual appropriations acts for fiscal years 1996 through 1998 will not be considered until future sessions of Congress.

BUDGET AUTHORITY

Enactment of measures providing more than \$1.456 billion in new budget authority of FY 1994 (if not already included in the current level estimate) would cause FY 1994 budget authority to exceed the appropriate level set by H. Con. Res. 64.

OUTLAYS

Enactment of measures providing new budget or entitlement authority with FY 1994 outlay effects of more than \$278 billion (if not already included in the current level estimate) would cause FY 1994 outlays to exceed the appropriate level set by H. Con. Res. 64.

REVENUES

Enactment of any measure producing any revenue loss in FY 1994 (if not already included in the current level estimate) would cause FY 1994 revenues to fall further below the appropriate level set by H. Con. Res. 64.

Enactment of any measure producing any net revenue loss for the period FY 1994 through FY 1998 (if not already included in the current level estimate) would cause revenues for that period to fall further below the appropriate level set by H. Con. Res. 64.

Enactment of any measure producing any net revenue loss for the period FY 1994 through FY 1998 (if not already included in the current level estimate) would cause revenues for that period to fall further below the appropriate level set by H. Con. Res. 64.

DIRECT SPENDING LEGISLATION—COMPARISON OF CURRENT LEVEL WITH COMMITTEE ALLOCATIONS PURSUANT TO BUDGET ACT SECTION 602(a)—Continued

[Fiscal years, in millions of dollars]

House Committee	1994			1994-1998		
	BA	Outlays	NEA	BA	Outlays	NEA
Foreign Affairs:						
Allocation	0	0	0	-5	-5	-5
Current Level	-33	-33	-3	-149	-149	-60
Difference	-33	-33	-3	-144	-144	-55
Government Operations:						
Allocation	0	0	0	0	0	0
Current Level	0	0	0	0	0	0
Difference	0	0	0	0	0	0
House Administration:						
Allocation	0	0	0	0	0	0
Current Level	1	1	0	8	8	0
Difference	1	1	0	8	8	0
Judiciary:						
Allocation	0	0	0	0	-472	0
Current Level	0	0	0	0	-345	0
Difference	0	0	0	0	127	0
Merchant Marine and Fisheries:						
Allocation	0	0	0	-205	-205	-4
Current Level	-1	-1	0	-210	-210	0
Difference	-1	-1	0	-5	-5	4
Natural Resources:						
Allocation	-117	-112	-0	-709	-693	0
Current Level	-74	-78	0	-478	-481	0
Difference	43	34	0	231	212	0
Post Office and Civil Service:						
Allocation	-66	-66	-77	-10199	-10547	-9597
Current Level	-266	-266	-266	-10258	-10606	-9451
Difference	-200	-200	-189	-59	-59	146
Public Works and Transportation:						
Allocation	2092	-13	0	37458	-85	0
Current Level	-13	-13	0	-85	-85	0
Difference	-2105	0	0	-37543	0	0
Science, Space, and Technology:						
Allocation	0	0	0	0	0	0
Current Level	0	0	0	0	0	0
Difference	0	0	0	0	0	0
Small Business:						
Allocation	0	0	0	0	0	0
Current Level	0	0	0	0	0	0
Difference	0	0	0	0	0	0
Veterans' Affairs:						
Allocation	-11	-11	70	-1356	-1352	3447
Current Level	-11	-11	28	-1356	-1352	-366
Difference	0	0	-42	0	0	-3813
Ways and Means:						
Allocation	-2876	-2054	-2036	-29669	-24422	-12596
Current Level	-1216	-824	261	-42102	-39768	-35957
Difference	1660	1230	2297	-12433	-15346	-23361
Perm. Select Committee on Intelligence:						
Allocation	0	0	0	0	0	0
Current Level	7	7	7	33	33	33
Difference	7	7	7	33	33	33

Note.—NEA Entitlement Authority.

DISCRETIONARY APPROPRIATIONS FOR FISCAL YEAR 1994—COMPARISON OF CURRENT LEVEL WITH SUBALLOCATIONS PURSUANT TO BUDGET ACT SECTION 602(b)

[In millions of dollars]

	Revised filed 602(b) suballocations (Sept. 30, 1993)		Current level				
	Budget authority	Outlays	Budget authority	Outlays	Difference	Outlays	
						Budget authority	Outlays
Agriculture, Rural Development	14,819	14,317	14,799	14,297	-20	-20	-20
Commerce, State, Judiciary	23,119	23,231	22,838	23,221	-281	-281	-10
Defense	240,446	255,465	240,388	255,422	-58	-43	-43
District of Columbia	700	698	700	698	0	0	0
Energy & Water Development	22,017	21,702	21,991	21,702	-26	0	0
Foreign Operations	13,444	13,918	12,939	13,916	-505	-2	-2
Interior	13,736	13,731	13,721	13,721	-15	-10	-10
Labor, Health & Human Services, & Education	67,283	68,140	67,230	68,089	-53	-51	-51
Legislative	2,270	2,267	2,270	2,267	0	0	0
Military Construction	10,066	8,784	10,065	8,783	-1	-1	-1
Transportation	13,284	34,889	13,283	34,889	-1	0	0
Treasury-Postal Service	11,469	11,642	11,439	11,642	-30	0	0
VA-HUD-Independent Agencies	68,311	69,973	68,303	69,973	-8	0	0
Total	500,964	538,757	499,966	538,620	-998	-137	-137

CONGRESSIONAL BUDGET OFFICE,
Washington, DC, January 31, 1994.

HON. MARTIN O. SABO,
Chairman, Committee on the Budget, U.S.
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended, this letter and supporting detail provide an up-to-date tabulation of the on-budget current levels of new budget authority, estimated outlays, and estimated revenues for fiscal year 1994 in comparison with the appropriate levels for those items contained in the 1994 Concurrent Resolution on the Budget (H. Con.

Res. 64), and is current through January 28, 1994. A summary of this tabulation follows:

[In millions of dollars]

	House current level	Budget resolution (H. Con. Res. 64)	Current level +/- resolution
Budget Authority	1,221,944	1,223,400	-1,456
Outlays	1,218,022	1,218,300	-278
Revenues:			
1994	905,429	905,500	-71
1994-1998	5,105,866	5,153,400	-47,534

Since my last report, dated October 27, 1993, the President has signed bills authorizing extending most favored nation status to

Romania (P.L. 103-133), Veterans Compensation Rate Amendment (P.L. 103-140), Unemployment Compensation Amendments (P.L. 103-152), Brady Handgun Violence Prevention Act (P.L. 103-159), National Defense Authorization Act (P.L. 103-160), Lease of Certain Naval Vessels (P.L. 103-174), NAFTA Implementation Act (P.L. 103-182), Jefferson Commemorative Coin Act (P.L. 103-186), Government Securities Reform Act (P.L. 103-202), Coast Guard Authorization Act (P.L. 103-206), and Higher Education Technical Amendments (P.L. 103-208), and the following appropriation bills: Commerce, Justice, State (P.L. 103-121), Defense (P.L. 103-139), District of Columbia (P.L. 103-127), Energy

and Water (P.L. 103-126), Interior (P.L. 103-138), Transportation (P.L. 103-122), Treasury, Postal Service (P.L. 103-123), and Veterans, Housing and Urban Development (P.L. 103-124). These actions changed the current level of budget authority, outlays and revenues.

Sincerely,

ROBERT D. REISCHAUER,
Director.

PARLIAMENTARIAN STATUS REPORT, 103D CONGRESS, 2D SESSION, HOUSE ON-BUDGET SUPPORTING DETAIL FOR FISCAL YEAR 1994, AS OF CLOSE OF BUSINESS JAN. 28, 1994

[In millions of dollars]

	Budget authority	Outlays	Revenues
ENACTED IN PREVIOUS SESSIONS			
Revenues			878,100
Permanents and other spending legislation	740,893	699,501	
Appropriation legislation		241,770	
Offsetting receipts	(183,477)	(183,477)	
Total previously enacted	557,415	757,794	878,100
ACTION FIRST SESSION SIGNED INTO LAW			
Appropriation legislation:			
1993 Spring Supplemental (P.L. 103-50)	10	(292)	
Agriculture (P.L. 103-111)	70,561	42,579	
Commerce, Justice, State (P.L. 103-121)	23,273	17,255	
Offsetting receipts	(146)	(146)	
Defense (P.L. 103-139)	240,560	161,188	
District of Columbia (P.L. 103-127)	700	698	
Energy and Water (P.L. 103-126)	22,166	13,101	
Offsetting receipts	(175)	(175)	
Foreign Operations (P.L. 103-87)	12,983	5,869	
Offsetting receipts	(44)	(44)	
Interior (P.L. 103-138)	13,378	8,813	
Labor, HHS, Education (P.L. 103-112)	223,497	183,014	
Offsetting receipts	(46,061)	(46,061)	
Legislative Branch (P.L. 103-69)	2,270	2,063	
Military Construction (P.L. 103-110)	10,065	2,403	
Transportation (P.L. 103-122)	13,884	12,636	
Treasury (P.L. 103-123)	22,352	19,811	
Offsetting receipts	(7,063)	(7,063)	
Veterans, HUD (P.L. 103-124)	87,047	47,972	
Offsetting receipts	(12)	(12)	
Authorizing legislation:			
Authorize Construction of World War II Memorial (P.L. 103-32)	1	1	
CIA Voluntary Separation Incentive Act (P.L. 103-36)	7	7	
Unclaimed Deposit Amendments Act (P.L. 103-44)		17	
Transfer Naval Vessels to Foreign Countries (P.L. 103-54)	(3)	(3)	
Omnibus Budget Reconciliation Act of 1993 (P.L. 103-66) ¹	(2,944)	(5,478)	27,489
Extending Chapter 12 of Bankruptcy Code (P.L. 103-65)			(1)
National Service Trust Act (P.L. 103-82)	20	12	
Extending MFN Status to Romania (P.L. 103-133)			(9)
Unemployment Compensation Amendments (P.L. 103-152)	1,070	1,070	
Brady Handgun Violence Prevention Act (P.L. 103-159)	23	13	2
National Defense Authorization Act, 1994 (P.L. 103-160)	(27)	(27)	
Lease of Naval Vessels to Certain Foreign Countries (P.L. 103-174)	(152)	(152)	(151)
NAFTA Implementation Act (P.L. 103-182)	(7)	(7)	
Jefferson Commemorative Coin Act (P.L. 103-186)			(1)
Government Securities Reform Act (P.L. 103-202)	(1)	(1)	
Coast Guard Authorization (P.L. 103-206)	3		
Higher Education Technical Amendments (P.L. 103-208)			
Total signed into law	687,233	459,062	27,329
ENTITLEMENTS AND MANDATORIES			
Budget resolution baseline estimates of appropriated entitlements and other mandatory programs not yet enacted ²	(22,705)	1,167	
Total Current Level ^{3,4}	1,221,944	1,218,022	905,429
Total Budget Resolution	1,223,400	1,218,300	905,500
Amount remaining:			
Under Budget Resolution	1,456	278	71
Over Budget Resolution			

¹ Includes budget committee estimate of \$2.4 billion in outlay savings for FCC spectrum license fees.

² Includes changes to baseline estimates of appropriated mandates due to enactment of P.L. 103-66, and P.L. 103-140.

³ In accordance with the Budget Enforcement Act, the total does not include \$3,498 million in budget authority and \$5,797 million in outlays in emergency funding.

⁴ At the request of Committee staff, current level does not include scoring of section 601 of P.L. 102-391.

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

THE NEED FOR DEMOCRACY IN THE HOUSE IN PRACTICE, NOT JUST IN THEORY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. HORN] is recognized for 5 minutes.

Mr. HORN. Mr. Speaker, for the first time in many months of considering closed rules democracy has won in the House of Representatives. The vote of 191 for and 227 against the rule to consider the elevation of the Environmental Protection Agency to Cabinet status is a sign that sometimes the majority is willing to liberate this Chamber. As I said earlier today, America and we need to wake up.

The people's house is not the people's house. By a 9 Democrats to a 4 Republicans party vote, a rule can be drafted which, if adopted, can prevent this House of Representatives, which has always been elected by the people, from freely working its will on behalf of the people. The average citizen thinks it is simply a matter of procedure. It is not. It is a procedure which denies us the right to do what you, the American people, want us to do. You want us to use our judgment in your behalf to decide, yea or nay, what is good public policy on issues which affect your lives.

I am an original cosponsor of H.R. 3425, the legislation to redesignate the Environmental Protection Agency as a

Department of Environmental Protection. That function would now have Cabinet status. The Secretary of the Department could at last see the President eye-to-eye.

I favored this proposal for years. In fact, I favored it years before President Bush recommended it, and before President Clinton agreed and recommended it.

But, Mr. Speaker, this is not simply a name change. What we will have before us, and the 84-page committee report confirms it, deals with much more than a simple name change.

Besides authorizing 14 or more Presidential appointees, this legislation will create a Bureau of Environmental Statistics. I support that. It will also cre-

ate a Bureau of Environmental Justice. I support that. The Director will be nominated by the President and confirmed by the Senate, as other Presidential appointees are. That would be the 15th Presidential appointee.

The Secretary of the department is directed to establish an Office of Environmental Risk. That Director would be appointed by the President and confirmed by the Senate. That would be the 16th Presidential appointee.

But then comes the Committee on Rules, where its majority sought to deny this Chamber the right to statutorily create a risk assessment and cost-benefit analysis unit. As we heard throughout the debate earlier today, if anything is needed in this new Department, as it has been needed in this old agency, it is risk assessment and cost-benefit analysis. Prior to promulgating rules which affect every single American and every business in this Nation, the Secretary of the Department should know the full impact of an environmental policy on our country, our economy, and our citizens.

The Senate adopted the approach we are talking about, the Thurman-Mica approach, by a vote of 95-3. Yet the Committee on Rules sought to deny 435 elected representatives of the people an opportunity to vote up or down what the Senate overwhelmingly, almost unanimously, adopted.

Except for today, this House, the people's House, has been prevented hundreds of times in recent years the right to vote up or down clear issues of public policy.

Mr. Speaker, I include for the RECORD a table which shows the increasing hold of the Committee on Rules on this Chamber. Let us vote on the relevant policy issues when there are policy issues in the bill. That is what the people expect. That is what we have been denied, until this afternoon. Not since 1910 and Czar Joseph Cannon, as he was affectionately and not so affectionately called, have we had so many restrictive and often closed rules. Cannon, who ruled this Chamber with an iron fist, was overthrown that year and not since 1910 has this Chamber been so limited in its op-

tions as it has been this past year. We have a collective autocracy, and we have a chance, with this precedent, if those in the majority are willing to scrutinize these rules and realize that when the minority has its rights denied ultimately it will affect those in the majority. We have a chance to clean up this antidemocratic situation. But until we change that lopsided majority of the Committee on Rules back to what it was between 1910 and roughly 1970, when the party ratios on that committee more clearly reflected the ratio in the Chamber as a whole, this Chamber will never be free. We will never be free until we have a Committee on Rules that can make these judgments independent of what the majority party leadership wants, and act on behalf of this House, which they clearly misgauged today. The Committee on Rules must act on behalf of the American people. That is what is important.

Wake up, America. Keep track of the procedure. Too often a rule is adopted which hides the issues and prevents their consideration. When that happens our democracy is in danger.

OPEN VERSUS RESTRICTIVE RULES, 95TH-103D CONGRESSES

Congress (years)	Total rules granted ¹	Open rules ²		Restrictive rules ³	
		Number	Percent	Number	Percent
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)	50	12	24	38	76

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 Congresses; "Notices of Action Taken," Committee on Rules, 103d Congress, through Nov. 17, 1993.

A TRIBUTE TO BRANDON WILLIAMS

The SPEAKER pro tempore. (Mr. STRICKLAND). Under previous order of the House, the gentleman from Georgia, Mr. LEWIS, is recognized for 5 minutes.

Mr. LEWIS of Georgia. Mr. Speaker, I want to take a few minutes of this Special Order to speak about a tragic incident that took place in my district a week ago Tuesday. A young man named Brandon Williams was fatally wounded in a shooting that followed a high school basketball game. He was 17 years old.

He was the son of Dr. Joseph and Mrs. Sharon Williams. His paternal grandfather is a retired professor, who taught at Morehouse College for nearly 40 years. He had a brother and sister, Keven Williams and Jaron Williams-Gilstrap. Brandon's family is one of the most respected families in Atlanta. His father is a physician and his mother is a nurse.

Brandon loved sports. He began playing baseball at the age of 4. He spent every summer on the baseball field. As a student, he earned three varsity letters in baseball and football at Riverwood High School. He also enjoyed tennis and golf. He began swimming and diving at the age of 2. He was a certified lifeguard for the Atlanta Department of Parks and Recreation.

Brandon Williams was a very kind and loving individual. He always had a very beautiful smile. He was to graduate from Riverwood High School this spring and attend Morehouse College on a full scholarship.

Mr. Speaker, I want to tell you that I was deeply saddened and emotionally shaken by the death of young Brandon Williams. He was one of the nicest young people you would ever want to meet. I have known his family and grandparents for more than 30 years. He was a close friend of my 17-year-old son. They attended the seventh, eighth, and ninth grades together. On many occasions, my wife would drop Bran-

don, my son and his first cousin off at movies, or to get a pizza. On one occasion he traveled to Florida with my son and wife and several young people. I knew him well.

This young man will be deeply missed by his family, by all of his friends and all of his schoolmates. The people of Atlanta and the Fifth Congressional District of Georgia have lost a distinguished young citizen. Finally, Mr. Speaker, we can only do so much as elected officials. There are some things that have to be done as citizens and elected officials. We have to start looking out for all young people.

As I have said in the past, the violence and the killing must stop. There must be a revolution of values, a revolution in the spirit and hearts of our people.

A VOTE FOR FAIRNESS

The SPEAKER pro tempore. Under a previous order of the House, the gen-

tleman from Florida [Mr. MICA] is recognized for 5 minutes.

Mr. MICA. Mr. Speaker, I come back to the floor this evening to address the House and my colleagues, first of all to say thank you to so many that supported our action here today, because today, hopefully, we cast a turning point in the conduct of the House of Representatives. But it wasn't one minority freshman Member who came to this floor to do this by himself. I would be remiss if I didn't take time to thank first of all some of my colleagues, beginning with Mr. CONDIR from California. Mr. CONDIR waded in in the committee and worked with us. We had the votes in the committee to win this issue. And he didn't turn back. So I want to take this opportunity to thank him.

And Mrs. THURMAN from Florida, the gentlewoman from Florida. She went to the Committee on Rules and lent her name to this effort, and together we were defeated. And she didn't give up, and she continued. I know she had tremendous pressure from the White House and others, but I would also be remiss if I didn't take the opportunity to thank her.

I am so especially grateful to Mr. TAUZIN from Louisiana, who last night in the lonely hour of a special order before the House, when he came down in support, after we knew we had lost some support during the day, but he bolstered our forces and he stood forth for the principles that he felt were so important. So I want to thank him.

And Mr. DOOLEY, from California, who brightened our day with a Dear Colleague letter, also expressing his concern about the direction that this House was taking on the question of regulatory reform, and in particular on elevation of EPA to a cabinet level position.

I would also be remiss if I did not take a minute to say that I want to thank the organizations throughout the country that came together to make possible the defeat of this suppressive rule that did not address the important question of cost benefit and risk assessment in the EPA elevation. The Governors Association, even with pressure on that group from the White House and other corners, still supported this action. The National Conference of State Legislators, the National Association of Counties, the county officials in the more than 3,200 counties around the country that took the time to contact their local officials and try to impress on the Congress the importance of taking an action.

The National League of Cities, the city mayors, we had the individual mayors from 49 States support this action. The U.S. Chamber of Commerce and their representatives and small chambers throughout the country who also supported this. The National Association of Manufacturers, the Associ-

ated General Contractors, the National Association of Homebuilders, National Federation of Independent Businesses, the American Farm Bureau Federation, the Agricultural Retailers Association, the Fertilizers Institute, the National Association of State Departments of Agriculture.

And then the local groups, the National Association of State Fire Marshals and National Association of Neighborhoods, the inner city groups, and others too numerous to mention.

Let me say that your voice was heard here today in these Halls, and I appreciate so much the support that made this possible. What took place here is really a small event for the House of Representatives but a larger event, because the country, all of these groups and individuals have said, is choking on government regulation. And somewhere, like I said before the House, we have to say, why not now? If not now, when?

And today was when. So we have an opportunity to work together in a bipartisan fashion, not to destroy any gains we have made in environmental protection. And I am very sensitive that we do go forward and we try to do the best with limited resources that we have and that we craft together, in a bipartisan fashion, an amendment that will develop a way to look at the cost, the risk and the benefit, because, again, we only have limited sources. And we can do a better job in cleaning up our environment and then taking the limited resources that we have as a Nation and a Congress and applying them to the inner cities and to the people who really need the attention and assistance, not to be sent on some wild chase that does not make sense at high cost to the taxpayer who is paying the bill.

In conclusion, I do want to again take this opportunity to thank my colleagues. We have important work before us. We must bring a solid cost-risk benefit provision here before this House. We must pass it, and we must give some regulatory relief.

The American people and this Congress accept no less.

NORTH KOREA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Colorado [Mr. MCINNIS] is recognized for 60 minutes.

Mr. MCINNIS. Mr. Speaker, I appreciate the opportunity to address my colleagues.

Tonight I would like to talk about a subject that we have seen a lot of media publicity about. The subject, frankly, is North Korea. I would like to lay out a little history, give a little geographical background on North Korea, a little history about North Korea, talk about the military of North Korea as compared to the mili-

tary of South Korea and the United States forces and the commitments that we have over on the Korean Peninsula.

Let me begin by talking a little of North Korea. First of all, let us look at North Korea from a geographic point of view.

North Korea is a country that is about probably less than half the size of the State of Nevada. It has a population of approximately 22 million people. North Korea is a very closed society. In North Korea, for example, if you buy a radio or are supplied a radio in North Korea, in the United States we are all able to tune across the spectrum to bring in a radio station of our choice. In North Korea, you only have one station, and it is the government station.

The North Korean society and the country of North Korea is under a dictatorship. That dictatorship is under Mr. Kim Il-song. Mr. Kim Il-song has been the dictator the longest. He is the longest ruling dictator in the world. In fact, I believe, if my information is correct, he is the longest ruler in the world now that is still alive.

So under this dictatorship, the senior, and I am going to refer to him as the father, has a son who we will call junior, the son, who is about 55 years old.

The son has been trained to succeed or has been brought up to succeed his father. But let us go back to the continent. I hope in the future, when we have an opportunity to once again address you here on the floor, that I can have a map. And we will have a little better well-prepared map, I think, that will give you a little more perspective of where North Korea is in regard to South Korea and what those dangers are.

As you can recall, the Korean war in 1950, the North Koreans, under the pretext of military exercises, launched an attack against South Korea.

Now, the same dictator that was the dictator back then is still the dictator today. North Korea is a very, very aggressive nation. It is not only a very closed society, but it is also a very aggressive nation.

One of the difficulties we have in assessing what is going on in North Korea is the limitation on our intelligence gathering capabilities because of the closedness of a society.

Back to the geographics. On the geographics of North Korea, the DMZ, which is the so-called neutral zone designated by the United States to bring the Korean war to a conclusion, the DMZ is actually less than 35 miles from the capital of South Korea. Seoul, South Korea is the name of that capital.

Now, in Seoul, South Korea, to give you an idea, that has a population of about 10 million people. And it is one-half of the gross national product of

South Korea is located in that large city of Seoul, South Korea.

What concerns us, of course, about North Korea is not only its aggressive nature but also its renegade status, as we speak today, in regards to its compliance with the nonproliferation agreement.

Many of you have read in the media lately that North Korea has refused compliance with inspections. In fact, the last inspection that North Korea allowed was several months ago. And when the inspectors went to North Korea to inspect one of the nuclear facilities, they were only allowed to inspect it late at night. They were given flashlights and led through several dark buildings with very dim flashlights and allowed a very limited access to the so-called inspections.

This has led to a very high tension between North and South Korea. We have an idea of what the geographics are. Let us talk about the military capabilities of North Korea.

First of all, understand that North Korea has about 1,200,000 troops.

□ 1800

These troops, we believe, are well trained. They have the protection of a very aggressive and very intense tunnel system on the North Korean side, and these 1,200,000 troops represent twice the number of troops that South Korea has. South Korea has approximately 650,000, and the United States has about 35,000 young men and women that are over in South Korea under the agreement in 1954 that we signed in protection of South Korea.

The North Korean also has probably twice the amount of artillery that the South Korean has. The North Koreans have missile capability, ballistic missile capability, and are known to have Scud missiles. That is going to come back in later when I talk about the deployment of the Patriot missiles of the United States onto the South Korean peninsula.

However, back to the military. In 1984 North Korea began to use the DMZ, instead of a defensive zone, they began to reconstitute their military forces in such a way that they could launch a very quick military attack on South Korea.

In fact, the Defense Department and other experts, as I have read, are led to believe that North Korea could actually launch an attack and we would have less than 24 hours, less than hours' notice that an attack was imminent on South Korea.

Their military forces, as I have said earlier, are twice the number of the American forces. They have twice the number of the American forces and the South Korean forces combined. They have twice the number of artillery. We believe they have chemical capabilities. We do believe they use those chemical capabilities.

North Korea is not only a fierce and horrible fighting force, horrible in the way of terror, but they have also been guilty of several terrorist activities, including bombing, including, as many remember, the Korean jet airliner, where the North Korean secret agents went and blew up the South Korean passenger airliner, so their entire history shows a history of aggression.

All of this is going to add up to my conclusion about the importance of why we have to have the Patriot missile. Where is the North Korean army short of military capability? Certainly with the air force. North Korea has a very, very limited amount of air force or air capability.

We are far superior in the South, in the United States, and with our carrier that sits off the coast, our capabilities to deliver air power are far superior, but remember that the North Koreans have a great deal of artillery, and I believe they have a nuclear weapon.

They have these in the tunnel systems. We believe they hid them in the tunnel systems. Our satellite intelligence cannot pick up tunnel systems. I guess we can pick up trucks going and coming from the tunnels if we are there at the right time, and if there are excellent weather conditions and things like that, but at the current time it is very difficult to get the kind of intelligence that we need to have over there. We do have superior air power.

What would be a logical attack or a logical strategy for North Korea to follow if it were to launch an attack on South Korea? The most logical thing for them to do is to launch a missile attack on Seoul, South Korea.

Remember, I mentioned that Seoul, which is the capital of South Korea, has at least half the population of the country, about 10 million people. It is responsible for at least one-half the gross national product of the country. What would be a more logical target to hit than Seoul, South Korea?

Seoul, South Korea, is located how far from the DMZ, how far from the North Korean troops? Less than 35 miles, less than 35 miles. Remember, earlier I mentioned North Korea's ability, their ballistic missile capability? It is fairly incredible.

Let us go back to the North Korean military troops that are amassed on the DMZ. As I mentioned earlier, since 1984 they have reconstituted their force to be a quick strike force. Seventy percent, a full 70 percent of the North Korean military forces are on the DMZ. They are not in a defensive posture, they are in an offensive posture. They are, as Newsweek reported, Newsweek of a couple months ago, they are war-ready.

That brings me up to the point that I want to discuss here. What are some of the responsibilities that we have in South Korea? First and foremost, as

long as we have young American men and women who are deployed over in South Korea, we have an obligation, a very basic and fundamental obligation that was overlooked in Somalia, but a basic and fundamental obligation that shall not be overlooked in South Korea. That is to properly arm those personnel with defensive weapons; not offensive weapons, but defensive weapons.

In the last few months, to lay out just a little more background, in the last few months, as Members have read in their papers and in any of the periodicals, or we have listened to the President discuss in the speeches, there has been a big issue as to what North Korea is doing, whether or not they have nuclear capability, or how far along they are to obtaining nuclear capability.

There is some disagreement in the intelligence community, but I can tell the members personally, I believe North Korea possesses at least one nuclear weapon. Do they have the capabilities to deliver that particular weapon? The answer, I think, is yes. It is a sophisticated weapon? I think the answer is no.

However, there is a reason that North Korea is refusing to allow the international inspectors to come in and look at those nuclear facilities. Is it because they have something to hide? Of course it is. Of course it is.

We have to add all of these things up. First, they will not let us inspect their nuclear facilities. Second, they have 70 percent of their military troops on the DMZ in an offensive state. Third, they have twice the size, twice the number of troops that the United States and South Korea have, combined.

Fourth, they have the artillery and the missile capability, the Scud missile capability, to deliver I think a very devastating attack within hours. In fact, recently Newsweek and then later Reuters News Service revealed that Defense Department documents showed that if North Korea launched an attack against South Korea, that within two weeks they could be well beyond Seoul, South Korea; in other words, in control of South Korea.

What would the United States do? First of all, we know that if North Korea launches an attack against South Korea, the American young men and women over there, along with the South Korean soldiers, will suffer very immediate, very tragic, and horrible casualties. This will happen immediately. We need to properly defend those kinds of troops.

Now, is there sufficient incentive for the current regime to launch an attack on South Korea? I think there is. First of all, remember recent history. Remember Kuwait. Remember Iraq. In the Iraqi war, it showed the Third World that a regime could go to war with the United States of America and

the current ruling regime could survive the war. They can survive the war. That sends a message that you can take on the United States and survive it.

Second, there is a reason they have that number of troops on the DMZ.

Third, we are about to go through a transition period. Remember, I talked earlier about the father and the son. The son, Kim Jong-il, is about 55 years old. He does not carry the same kind of respect or credibility that his father does.

I think recently they have seen a lot more activity from the son. The son may feel that he has to prove something of a macho capability.

The next thing is, we know North Korea has a horrible, horrible economy. The dictatorship, the father, Kim Il-sung, and the son, Kim Jong-il, are going to have to divert the people of North Korea from their economy with some other diversion, I think, if their regime is to survive.

With this transition taking place, where power transfers from the father down to the son, there has to be a diversion. The father has constantly committed, throughout his years as a dictator, that it is his goal to see that the Korean peninsula is reunited. Everything spells incentive for the North Koreans to take some kind of action against the South Koreans.

Back to what it is that the United States should do. Should we, for example, launch a preemptive attack, like Israel did years ago, on a nuclear facility? I do not think that the logistics allow that. I do not think we would have support from the American people to do something like that. I do not think that that is a very logical approach to take.

There are other things that we can do. The first thing that the United States needs to do, and that the administration needs to do, is that the administration needs to stand tough, stick with its previous comments made about 2 months ago, or excuse me, about 2 weeks ago, that they intend to deploy Patriot missiles on South Korean soil.

What is the importance of Patriot missiles? What are Patriot missiles? Remember the Iraq war and the great success we had in stopping the Scud missiles? Remember earlier I mentioned that North Korea had Scud missiles. The missile that was able to stop those fierce attacks against Israel was the Patriot missile. It has since been advanced from a technological point of view and is even more effective. We need to immediately have the administration, which I think right now, unfortunately, is beginning to waiver on their commitment, I think that the administration needs to immediately deploy defensive intercept Patriot missiles to protect our troops in South Korea.

□ 1810

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

Mr. MCINNIS. I yield to my good friend, the gentleman from the State of California [Mr. HUNTER].

Mr. HUNTER. Mr. Speaker, I thank the gentleman for yielding. I have been listening with fascination as he has laid out the situation in North Korea, which perhaps is of all of the situations in the world necessarily that of greatest concern to Americans because of the circumstances the gentleman has talked about, the instability of the regime, the immense military capability, the incentive and motivation to perhaps take aggressive action against their neighbors to the south and our American forces that are there with South Korea just below the line.

The question I want to ask the gentleman is, he has talked about the Scud capability of the North Koreans. They do have an industrial base. They are making Scud missiles. They have obviously been recipients in the past of Scud technology from the Soviet Union. They are building or have built a nuclear system, a nuclear device. The question is, if Scud missiles were launched today, would there be any defense at all against those Scud missiles basically exploding either in the midst of the American forces there or in the middle of Seoul or other places?

Mr. MCINNIS. I would say to the gentleman from California only minimal capability of defending those troops. And it would be my guess that the majority of the attack would be launched against Seoul. If they could hit Seoul with a devastating missile attack it would throw the entire country in disarray. And then I think they would put a percentage of their troops against some of the South Korean or American bases.

But at this point our young men and women over there in South Korea are not only outnumbered 2 to 1, but outnumbered 2 to 1 in artillery, and do not have the defensive weapons necessary to protect themselves.

Mr. HUNTER. So they could not shoot down a single one of those Scud missiles without Patriot?

Mr. MCINNIS. That is right. They need the Patriot missiles.

I wanted to bring to the attention of my colleagues tonight some history, but I also want to try and convince my colleagues here on the floor and the citizens of this country how important it is that the President not back down from the comments he made. First of all, he made comments, I think, back in November that we must never let North Korea possess a nuclear weapon. Well, Mr. President, I think they have a nuclear weapon. What are you going to do about it?

No. 2, less than 2 weeks ago the President suggested that we needed to move these Patriot missiles over to

South Korea. He is absolutely correct, and I am 100 percent in support of the President. But I would say to my colleague that I am very concerned that in the last few days, because North Korea has stood up and protested this and said that it is an act of aggression against them, which of course it is not, it is defensive missile capability, I am concerned that the President is beginning to waver and will not deploy those. And as the gentleman from California and all of my colleagues here on the floor know, we just went through a horrible disaster where we lost many soldiers, 18 soldiers in Somalia as a result of that.

Mr. HUNTER. I thank the gentleman for his comments. I came over for another special order which I am going to do hopefully at some point after the gentleman from Colorado finishes his. And if the gentleman from Colorado has a few extra minutes I would ask him at the end of this special order perhaps to yield to me so that I may perhaps give a few minutes to an entirely different subject.

But I just want to say to the gentleman that he has provided us with quite a resource and an important point of discussion today, because what he is talking about is what every single Member of this Congress should be most concerned about with respect to national security in the next year. The gentleman has done a great service by really analyzing the problem and I stand foursquare with him, as I think a lot of Members of the House do, with respect to following through with putting the defensive measures in place. And the only defensive system we have against incoming ballistic missiles, which is what the Scud is, it is a Model T, it is a very slow ballistic missile, but the only defense we have against that is Patriot. And this is a little bit like Ronald Reagan when he was challenged by the Soviets in placing SS-20s in Europe, and the President at that point proceeded to move to put ground-launched cruise missiles in Europe, and received a great deal of criticism from the press. He did not back off, and ultimately the Soviets respected American strength and accommodated it, and ultimately removed their SS-20s. This could be such a moment of truth with the President, with President Clinton if he will stick to his guns and defend those troops. And his obligation is to defend our troops, and the only thing that will keep those Scuds from exploding in their midst is a system that will shoot them down before they hit the ground, and that is Patriot.

Mr. MCINNIS. The gentleman is correct, and it is my gentleman from California [Mr. HUNTER] and I do intend to conclude here rather rapidly.

But the points that are made are exactly correct. The Scud missile is not the greatest missile in the world. It is a very slow missile. But I will tell the

gentleman, it becomes a very sophisticated and a very deadly missile if you have nothing to defend against. So the President needs to carry through with his commitment and deploy those Patriot missiles in South Korea.

Furthermore, the President has discussed the deployment, or the administration has discussed the deployment of Apache attack helicopters over to South Korea. These ideas, the request for the Apache attack helicopters, the request for the Patriot defense interceptor system did not come from the administration, did not come from the U.S. Congress. It came from the commanding general of the American troops in South Korea.

What is our hesitation? We have an American general who is in charge of the troops in a country where the opposing forces have a long history of aggression, have twice the number of troops that we have and are refusing to comply with international inspections of nuclear capabilities. And this general is asking us to send him some defensive missile capability, and we are over here in Washington, DC hesitating on it. Those missiles ought to be in an airplane on their way to South Korea now, not 2 weeks from now, but today.

So my message here today to my colleagues is look, we are going to be talking about the budget, we are going to be talking about health care, we are going to be talking about other issues that come up, the Endangered Species Act, the Clean Water Act. But we better not fall asleep at the wheel of the Korean situation. If we do, we will pay a very, very heavy price. And the price to be paid will fall squarely on the shoulders of the administration and ourselves.

Mr. Speaker, I ask unanimous consent to yield the balance of my time to the gentleman from California [Mr. HUNTER].

The SPEAKER pro tempore (Mr. STRICKLAND). Is there objection to the request of the gentleman from Colorado?

There was no objection.

ENVIRONMENTAL PROTECTION IN IMPERIAL VALLEY, CA

Mr. HUNTER. Mr. Speaker, I want to thank my friend, the gentleman from Colorado [Mr. MCINNIS] for his very important special order about North Korea and then yielding the time to me. I am going to make this fairly brief, Mr. Speaker, but I think it is important to talk a little bit in these days when we are talking about big government doing everything for people, whether it is health care, or other areas, I think it is important to talk about people and what American people are doing for themselves. In particular, I want to talk about people who live in my congressional district in the Imperial Valley of California who are doing something for desert wildlife, for the environment, for con-

servation without simply going to Uncle Sam and saying we need another program and we need you to give us government money. That is what built this country.

The Imperial Valley is a low area, it is a desert area. Some parts of it are below sea level. It is immediately to the east of San Diego, CA, south of Palm Springs, and just north of the Mexican border. This is a rugged, arid land, and it produces in some years maybe one inch of rainfall.

We have a lot of wonderful people who live in Imperial County. A great deal of the country is watered with water from the Colorado River. We have a great farming area out there. We have a lot of folks who enjoy the out-of-doors, like my friend from Colorado [Mr. MCINNIS] does. They are sportsmen, sportswomen. They love to camp in the desert. They like to look at the wildlife. Some of them like to hunt and fish. And a group of them got together in 1979 because we had a big problem. And I want to show Members what that problem is with the pictures that I have on my board here.

□ 1820

If you can focus in, if I could ask our camera people to focus in on this top picture, this is a picture of the Coachella Canal. Our farming area is watered by these giant canals that come off the Colorado River and bring vast amounts of water to about 500,000 acres of farming land.

Now, there has been some collateral effect caused by these canals. If you look closely, you can see there is a deer stranded in the bottom of this canal. That deer cannot get up the steep walls of the canal which are lined with cement. In the old days, the wildlife used to be able to come in and drink from the water sources that were available. When we had a dirt-lined canal, they could come down and climb back up and go back to where they lived during the daytime and come back later to get water at night.

Water is very precious in the desert. In the desert, absolutely, for wildlife, it absolutely is the difference between life and death.

Well, we have these cement-lined canals that were literally killing our wildlife.

If you look at the second picture, you see the deer stranded in the canal in the first picture. In the second picture, you will see these depictions of the leg of a deer that has been stranded in the canal, and it has literally worn its hooves and legs out trying to climb back up that steep concrete incline, and being unable to do it, it ultimately succumbed in the canal.

We had a lot of sportsmen who got together, and foremost among these sportsmen were Leon Lesicka, a great friend of mine, a great outdoorsman and conservationist, a very excellent

tracker, who has a wonderful wife, Lavelle Lesicka, and also Bill Smith, who also is a great outdoorsman. They put together a group called Desert Wildlife, Unlimited, in 1979. They decided to go out and create water sources in the desert so that the wildlife would not come to these canals and would not ultimately die trying to climb out of the concrete lining of the steep inclines.

They put together this group, Desert Wildlife, Unlimited, and it is a group of wonderful people. They started experimenting with ways to build desert drinkers. I am going to turn my little picture plaque over here, and if you look at the top picture you will see a number of volunteers installing three drinking tanks in a very rugged area of the desert bighorn sheep in the desert. They built these big tanks that could collect the rain from maybe a one-time-a-year 1-inch or half-inch rainfall, and at times they were able to fill up a 5,000-gallon tank with just one rainfall if they put the tank at the right place where a lot of the runoff would come into that tank. That tank might hold that water for as long as 2 or 3 years. That would allow the animals to drink out in the desert. They would not have to come in to the canals, and they would not thereby succumb and die because of these steep inclines.

The second picture I want to show you is a tenaja, a deep watering hole that occurs naturally in the desert, and you can see there is a dead bighorn sheep floating in that water tank, and that is because the sides of the tenaja are very, very steep, and sometimes the animals were so thirsty they would get down and slip down into the watering tank and die.

Finally, the bottom picture is desert bighorn sheep, one of our finest big-game animals, and whether you are just a naturalist who loves wild animals or you are a hunter who likes to pursue them, they are truly a national treasure.

Well, Desert Wildlife, Unlimited, has had a big hand in preserving this species of desert bighorn sheep. They have done some wonderful things. They have developed some technologies that can be used around the world to give water not only to wild animals but also to people.

One thing that Leon Lesicka and his friends figured out was that if you buried a 10,000-gallon tank in an area where you would have a lot of runoff from a big flat area of which you have many in the desert, one rain, one half-inch rain or 1-inch rain, if you put your tank at the right place in the right ravine, it would fill up one of these 10,000-gallon tanks. They have done that successfully, and they now have installed 59 drinkers across the desert area in southern California. They brought back the bighorn sheep. They brought back our desert mule deer herds. They

have done a great deal for conservation, all as private people who love this country.

So I want to commend every member of Desert Wildlife, Unlimited, and to thank them for everything they have done for our country.

Mr. Speaker, the gentleman from Colorado was so kind to let us have this time and, once again, I am going to do maybe a longer special order on Desert Wildlife, Unlimited, in the future, but I wanted to give them a commendation for what they have done.

Mr. McINNIS. Mr. Speaker, I would ask the gentleman from California if he would explain to me very briefly, now, this is not a government-funded organization? Is that correct?

Mr. HUNTER. That is right.

Mr. McINNIS. It is funded privately, and that is part of the beauty of this type of, I do not know, kind of a creative financial setup to help preserve some of our natural wildlife? Is that not right?

Mr. HUNTER. The gentleman is absolutely right. This group has raised \$400,000 to build these tanks and, of course, they work off and they work in conjunction with Fish and Wildlife. They might, for example, on a program, Fish and Wildlife might be capturing desert bighorns and transplanting them, and the group will come out and work with them and do a lot of the legwork. They raise their own money to put these water holes in. In fact, they just had a major barbecue in Imperial County and had about 250 people there. This is the best of America; it is individual American citizens, most of whom are sportsmen, raising money to preserve their wild heritage. That is America at its best.

Mr. McINNIS. I thank the gentleman.

Mr. HUNTER. I thank the gentleman from Colorado. I invite him to come out sometime and take a tour with our Desert Wildlife, Unlimited.

Mr. McINNIS. I thank the gentleman.

SLAVE LABOR IN CHINA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Virginia [Mr. WOLF] is recognized for 60 minutes.

Mr. WOLF. Mr. Speaker, the issue that I would like to speak about is the issue of slave labor in China.

As a beginning, let me say that Congressman SMITH and I, several years ago, visited China, and we visited Beijing Prison No. 1, which is a prison camp operated by slave labor. There are many people from Tiananmen Square that are in this prison camp making goods and socks and shoes for the export to the United States.

Now, we found inadvertently the Chinese were running these camps, and I think the American people should know that much of the goods coming into the United States are made by slave labor.

So tonight I want to talk a little bit about that.

The Chinese denied it. But I would like to submit into the CONGRESSIONAL RECORD a Library of Congress documentation that the Chinese did not tell the truth.

In fact, it is clear to say that the Chinese Government has been caught in a lie.

But we found these men who had been arrested for human rights in Tiananmen Square in prison.

Now, we hear a lot about prison and slave labor, and there is a big issue about whether the United States will grant a most-favored-nation status to China.

President Clinton has said that he will not renew MFN unless the Chinese live under certain conditions, the prohibition of slave labor, stop the persecution of those in the church, and do a number of other things.

Well, we get so tied up in the words of human rights. What does "human rights" mean? So I would like to bring to the attention of my colleagues a report by the International Society of Human Rights.

Sometimes when people talk about human rights, they think we are talking about the right to vote or the right to move around or the right to speech.

I am talking about basic, fundamental human rights and in some cases torture.

Forced labour was first instituted throughout China after the Communists took power in 1949, although it was practised even earlier in territory under their control. The system was based on the Soviet Union's forced labour codes drawn up in 1933, with the emphasis on work as a means of re-education. Thus the slogan chosen by the Chinese state to sum up the forced labour philosophy was *laodong gaizao* (labour transforms).

In practice, there is often very little difference in the conditions experienced by prisoners in different categories and indeed, several different categories may share the same camp. All Re-education Through Labour prisoners are victims of a significant violation of their human rights—they have been sent to prison without trial by local party officials. Local communist parties in China have the power to send anyone in their area to prison for up to three years if they so chose purely by making an administrative decision—the sentence can subsequently be extended indefinitely.

Forced Job Placement prisoners are also victims of an iniquitous system. These are prisoners who have completed their jail terms in full, but must continue to carry out forced labour as though they were still serving a sentence. They are usually paid a wage, but this is invariably less than half the amount they could expect to receive if they were not confined in the *jiuye* system. In all other respects, they experience the same camp regime as any other prisoner.

Estimates as to the number of camps currently in existence vary—the actual number is a state secret of the PRC. Some put the figure as high as 5500. ISHR estimates that at least 3000 *laogaidui* camps are currently in operation, based on Chinese Government statistics. A big camp such as Beijing Qinghe Farm may have as many as 80000 inmates, others only a few hundred.

The number of prisoners in the *laogaidui* excluding *jiuye* prisoners is at least 10 million and probably near 15 million. These include 'counter-revolutionaries', class dissidents, anti-party/anti-socialist thinkers, historical revisionists, and, of course, victims of the crackdown which followed the Tiananmen Square massacre in 1989. Estimates of the number of people caught up in the *jiuye* system range from 8 million to 10 million.

□ 1830

Let me read to you from this report about life in the camps. It says, "Life in the camps is governed by five regulations. One, able-bodied prisoners must undergo forced labour." Then it goes on to say what those different things are.

Then it says, "To show prison officials that they are truly reformed, prisoners are expected to inform on each other," the old Communist system whereby you inform on the next person. "The system dictates that they must devise false accusations if they can find nothing else to report." Those who do not inform are regarded as rebels and are punished accordingly by the use of torture.

A typical day in this prison camp has been described by a former Tang Bouquao, who was imprisoned in 1989 for his part in the student democracy movement. He said that they would begin with the singing of three songs by all the prisoners. "Without the Communist Party, there would be no new China." "Socialism is good," and, "Learn from the good example of Lei Fang." Then there would follow three questions with answers to be shouted by the prisoners: "Who are you?" And the prisoners would shout, "Criminals." "Where are you?" Then the prisoners would shout back, "In prison." Then, "Why are you here?" Then the prisoners would shout back, "To inform ourselves through labor."

They went on to say there was a strict regime for prisoners for whom solitary confinement is not sufficient punishment. Their prisoners are forced to sit—so when you hear the term "slave labor" and "human rights" out of the Clinton administration, out of Republicans and Democrats in Congress, this is what we are really talking about. We are trying to put a real face on the problem.

"Prisoners are forced to sit motionless for 10 hours every day on a tiny stool just 6 inches high which is, in turn, on a raised platform about 14 inches square. The ordeal is agonizing. Prisoners must look straight at the wall in front and both hands are kept in the lap. Any movement is punished by blows administered by the guard with an iron rod."

Now listen to this: "Beatings with sticks and electric prods are another universal form of punishment in the prison camps. All camp guards carry a large battery-powered truncheon capa-

ble of giving a 50,000-volt electric shock. When used on prisoners, this causes severe pain and temporary paralysis."

During torture, these batons are applied to the most sensitive parts of the body, such as the nipples or the genitals. This is known as what they call an "electro-curing therapy." The prisoner "is ordered to kneel down and face the wall," says the prisoner describing the practice in the Changsha prison, where he was imprisoned in 1989 and 1990. Once the prisoner is in the state of terror, the guard begins to poke him in the neck with a live baton. This makes him scream in pain and turn around involuntarily, begging the guard for mercy. As a result, he then suffers severe shocks to his face, making him whip his head around again and again. Then the guard administers further shocks to his ears. This is repeated until the victim collapses or passes out.

So, when we hear of the MFN, are we going to give the Chinese MFN, are we going to give them that right? We are then talking about the punishment, brutal, barbaric punishment of innocent peasants who have been arrested in China and tortured for missing quotas.

Let me go on to tell you and read another paragraph. Liu Gang, a student activist arrested for his part in the 1989 democracy movement, was detained at the Lingyuan, a prison camp No. 1 labor reform detachment. Here he has to do at least 10 hours' work every day for the week; punishment for missing a quota: to be beaten with fists, batons, and leather belts. He has been chained in leg irons.

Every time he hears somebody in the Congress or in the administration say, "Wait a minute, there has been reform in China, they are making progress," think of this young man who has been tortured in the way that he has been. Punishment for missing quotas: Leather belts, chained in leg irons, receives death threats from guards. He spent 8 months of the last 18 in solitary confinement.

I saw Undersecretary Rubin testify the other day, saying he would like to see us continue MFN. I would say to Mr. Rubin, when you talk about continuing MFN, you are talking about continuing to punish this young man who is in prison.

They go on to say that another common form of torture is to restrain prisoners for long periods in positions which give rise to excruciating pain.

For example, Harry Wu has a new book out which you can find in any bookstore. Harry has been in prison for 19 years. He was tortured tremendously. He has since escaped from China and is committed to doing away with these slave labor camps. What does Harry Wu say? He said that while he was at the Tuanne prison camp,

guards tied prisoners up by their thumbs and hung them up by the rafters. Is Mr. Rubin, the deputy secretary of the Department of the Treasury, listening to this?

Harry Wu said, "Hanging by your thumbs." I would like to say that I have heard Mr. Rubin talk about this issue. Mr. Rubin should learn from Secretary Bentsen, because I believe Secretary Bentsen has a good statement out on slave labor and understands the problem. He says they would hang by their thumbs. He says guards have tied prisoners up in handcuffs, leg irons which are used, as well as a shackle board, which is a wooden plank to which prisoners are strapped using manacles attached to each corner.

The ultimate sanction in the camp is death. There have been a lot of people killed in these camps. Again, keep in mind, in these camps we found the Chinese using Tiananmen Square demonstrators, making socks, socks that, unfortunately, many here in America wear, making them for export to the United States. People who had demonstrated for their human rights.

It says guards are able to kill prisoners out of hand without fear of action being taken against them. Many camps where work is carried on out in the open, four red flags are set out to mark the areas in which prisoners must work. Any prisoner straying beyond the bounds of these flags will be shot on the spot.

Has anyone here seen "Schindler's List"? "Schindler's List" is one of the most popular movies today. This is "Schindler's List" taking place today in China.

For those who talk about MFN, I say until the Chinese recognize and stop the slave labor and the export of goods by slave labor, there should be no MFN.

I take President Clinton at his word. In fact, the other night I was sitting right over here and President Clinton said he was going to be tough on the issue of slave labor. I got up and gave the President a standing ovation, saying, "Right on, Mr. President; hold on to what you said."

I could go on and on and talk about the prison labor punishment, but I think you get the point.

Mr. Speaker, I yield to the gentleman from California.

Mr. HUNTER. I thank the gentleman for yielding.

Mr. Speaker, I really appreciate the fact that the gentleman from Virginia, Mr. WOLF, and one or two other Members have really explored this area. I remember the gentleman coming back from a tour in China. He and the gentleman from New Jersey, Mr. SMITH, asked to see some of the kids who had demonstrated at Tiananmen Square, and they were told by the guards that, "They are not here right now." "What do you mean, they are not here?" And

he said, "They are next door in the textile factory working to make textiles that will be sold to Americans in places like Sears' and Kmart and presumably other places where we sell fabrics and clothes made by those folks around the world.

We are obviously not upgrading their standard of living by allowing the Chinese rulers to export slave labor-made products, which is what they are doing, and yet they have, I think, a \$19 billion trade surplus with America. For every one of those slaves they are using to make fabrics and clothes, we have Americans in this country who do not have jobs, who have lost their jobs in the textile factories.

Mr. WOLF. The gentleman is exactly right. That is the other point. I am glad the gentleman raised it, because I was not going to raise it tonight. These slave labor people are competing with people from Buffalo and Toledo and through California and Akron and all the places around the country in the textile mills in the South and are putting our people out of business.

How can we compete with somebody who is paying nothing to a slave laborer who is being tortured working 10 hours a day, 7 days a week. It is really displacing and ruining American jobs. We are in competition with slave labor. It is a disgrace and I commend the AFL-CIO because they have been one of the champions against giving MFN to China because of what they are doing with slave labor.

Let me cover another point. In America, we prize the freedom of worship. We are a diverse Nation, from different backgrounds and different religions. But freedom of religion is very, very important.

Several weeks ago, I had asked for a visa to go to China. The Chinese would not give me a visa. They will give a visa to any Member of Congress who wants to go for trade, who wants to continue MFN. But Congressman CHRIS SMITH and I were not granted a visa until the last moment, until it was too late for me to go.

Congressman SMITH went. And Congressman SMITH and his delegation met with some different people. They met with a Bishop Su, 62 years old Bishop Su was arrested after he finished meeting with CHRIS SMITH and giving holy communion to those in the delegation. After the delegation, Congressman SMITH left China. While Secretary Bentsen was in China, the Chinese arrested the bishop and put him in jail.

Bishop Su was picked up by the security police on January 20. He had not been returned for a number of days. Fortunately, last week Bishop Su, because of the pressure, and I take my hat off to Congressman SMITH and Amnesty International and Pueblo and other groups, he was released. Some of the other people picked up were not released. Let me tell you something about the bishop.

Bishop Su has already served 15 years in prison. Once he was beaten so hard with a board that it was left in splinters. His captors then beat him with a board from the door frame. Another time he was enclosed and forced to stand in a room the size of a closet filled with water up to his thighs. He suffered hearing loss because of being beaten around the head. During his last prison term, from 1989 to 1992 or 1993, he was in prison labor where he had to haul boulders in a wheelbarrow. One of them rolled on him and crushed his ankle, ribs, and head. Then he recovered and had to go back to work.

When you are talking about MFN, we cannot lose any business, we have got to work with the Chinese, they are making progress, think about Bishop Su. Who is thinking about him? Are the rich lobbyists in Washington who represent the Chinese interests thinking about him? No way. No way. And many Members in Congress want to see MFN continued. Are they thinking of Bishop Su? Are they thinking of Harry Wu? The answer is no.

Let me tell you about a couple other people that they met with. A Protestant sister, and there are Catholic priests, Catholic bishops, Protestant ministers, and Buddhist monks, those of the Hindu and Moslem faith, have been persecuted and tortured. All religions in China have been tortured.

Religious persecution in the laogaidai is particularly severe in Tibet, since Tibetan Buddhism is closely associated with opposition to Chinese rule. There are thousands of prisoners of conscience including many Buddhist monks and nuns, who are subject to continuing brutality if they refuse to renounce their beliefs. The regime in Tibetan camps is exceptionally harsh and new techniques of punishment and torture are tested out in Tibet before being introduced elsewhere.

Palden Gyatso is a monk who has spent 24 years in the laogaidai for refusing to accept the Chinese occupation of Tibet. Imprisoned in Tibet's Drapchi camp, he was frequently beaten with electric batons. On one occasion in 1987, an electric cattle-prod was forced down his throat when he refused to declare that Tibet would never be an independent nation again. He passed out from the pain and was unable to eat or drink for a long time afterwards.

Tashi Dolma spent 18 months imprisoned without trial in Tibet after being found with a political leaflet and a recording of the Dalai Lama. She was kicked, punched, and beaten with electric batons during interrogation sessions. While in Tibet's Gutsa prison her diet was so poor that all her hair fell out and she was forced to stand barefoot in cells awash with freezing water. In common with a number of others, she was forced to give blood.

Working conditions are also more difficult than elsewhere—the high alti-

tudes and rarefied air in many parts of Tibet make it particularly difficult for prisoners to struggle through long hours of labor. However, the large number of prisoners in Tibet and the lack of development in the region means that there is no productive work for many—up to 100,000 prisoners may now be warehoused on the Tibetan plateau.

The reason I am doing this unpleasant special order is because I was tired. People would say, you know, human rights, I think we can work on them. We can move the Chinese along a little bit. They are making some progress. They can demonstrate once in a while.

I am not talking about the right to vote. I am talking about the right to live and not be tortured.

These individuals from southern China, several women, shared with us about two prison sentences she endured over 15 months, one for 45 days and the second for 110 days. During one term in jail, about 120 people had gathered for worship with a foreign evangelist. They were arrested for meeting illegally and having contact with foreigners. She and her husband were both beaten. She was held upside down by her feet. This must be a great Chinese torture tactic. Upside down by her feet and beaten with electrical wire. Some prisoners, and listen to this, some prisoners were forced to lie on the floor in the position of Christ on the cross. Yet these prisoners were extremely joyful. They said they were praying for those who persecuted them. They said because of their afflictions, we love the souls of China more.

I might say that these individuals in China are of no threat to the Chinese Government. They are not seeking to change the Chinese Government. They are not seeking to bring about overthrow or anything like that. They merely want to worship God, whether they be Buddhists, whether they be Moslems, whether they be Catholic, or Protestant, or whatever. They simply want to worship God as they see fit.

In March, Lai Manping was tortured to death. I think I might end on this, as reported by Christian Solidarity International. Let me just tell you a little bit about it.

China's notorious Public Security Bureau, equivalent to the Russian KGB, raided a house of 31 believers who had gathered for prayer on the evening of March 27 in the village of Taoyuan, Shaanxi Province. Five of the Christians, three men and two women, all in their twenties, were singled out. They were handcuffed, stripped naked, and beaten unmercifully with truncheons. I hope they haven't gotten these truncheons from the West on an exchange. The officers demanded each of those in attendance, listen to this, take turns beating the three young men one hundred times. Those who refused to take part in the beatings were than beaten.

The young men, covered with blood, gaping wounds, were suspended above the floor as the officers continued to beat them on their backs until they were unconscious and barely breathing. A 12-year-old boy was among those brutally beaten, with blood pouring from his head. The boy was then lifted into the air and hurled onto the heads of the horrified crowd of those who were worshipping.

Two women were beaten and raped in front of other believers. All five were than confined for 8 days to a small room without food, water, or the opportunity to relieve themselves. The PSB officers, fearing that one of the young men, Lai Manping, 22, might die, released him. Half walking and half crawling, Lai tried to reach his home, but was too weak to make it. Local villagers found him and carried him to a nearby desert farmhouse, where shortly thereafter he died from internal bleeding.

Within days the PSB arrested more than 90 Christians in the area who were aware of the incident, in an effort to deflect worldwide attention.

Let the word go forth that the Chinese Government, the more they do this, the more worldwide attention they will get. One believer managed to contact a CIA source in Hong Kong, and all but two of the detained Christians have been released, but only after paying heavy, heavy fines. The Chinese Government denies the incident.

In the last few years, several bishops have died while in detention, or what they call "old people's homes," with families discovering bruises and signs of torture on their body. New arrests are taking place as we now meet.

Mr. HUNTER. Every time my friend comes to the floor with the type of report he has just given us, I thank God that this gentleman is a Member of the U.S. House of Representatives. Because this is Washington, DC, the city of the business deal, where almost all of our American values with respect to our relations with other nations are talked about in the currency of business.

Are we going to recognize North Vietnam? Perhaps this week the embargo will be lifted by President Clinton. That is being couched in terms of how much business will be afforded multinational companies, including American-based companies.

Does Red China buy products from the United States, some high-technology products? Would we like to send more to them? Yes. Can we modify the present restrictions against critical military materiel. Should we? That is the debate that takes place in Washington, DC, always couched in terms of economics, and always advocated by lobbyists and representatives of multinational corporations who talk about the importance of receiving money and economic benefits as a result of our relationships with these countries.

□ 1850

This gentleman, Mr. WOLF of Virginia, has talked about another currency. It is a currency of humanity. It is a currency of decent treatment for people, of allowing them to worship without being oppressed, of allowing them to travel, of allowing them to do the things that the kids at Tiananmen Square did which demonstrate against a very repressive regime and find themselves making shirts for Sears.

The gentleman has brought, I think, he awakens in this Congress, every time he talks, a renewal and a realization of what we should be all about. We should be about the idea of not just spreading American dollars around the world and receiving dollars and other currencies in trade in turn for the products that we send to these countries but also sending American ideals around the world.

I would say that with respect to Communist China, either we have not sent enough ideals or they have not been receptive enough of American ideals to justify the benefits that we are conferring upon them. The situation that he is talking about, with the young people being tortured to death because they want to worship in privacy and in peace and in freedom, and young people being maintained basically as slaves, because they dared to challenge a repressive regime, then I think the Clinton administration has a pretty threadbare case to make to us but there is a reason for MFN status for Red China.

I am aware of the big global politics that are involved. The national security ramifications, Americans are worried because Red China has nuclear capability. Perhaps they have a desire to ascend to the place that has been recently vacated by the former Union of Soviet Socialist Republics.

They have taken some aggressive action in the South China Sea, and we are worried about their guns. We are worried about their military might. But if Americans abandon their ideals to a little temporary feeling of security, then we will be the worse off. And we are better off, once again, because of the gentleman from Virginia [Mr. WOLF]. I thank him for giving this report tonight.

Mr. WOLF. Mr. Speaker, I thank the gentleman for his comments. I wanted to do this early in the session, because I wanted Members, although the chamber is empty, there are a few Members here, hopefully, Members will read this, and I will send this to the administration, but the body ought to know, the Membership ought to know that this is not cheap grace, that a vote on MFN, if it comes up, and quite frankly, there has been so little progress. If the Clinton administration keeps its word, they may not even send it up.

But this is not a cheap grace vote. This is a serious vote, because what we

are doing is, we are voting to either punish or condemn or support and stand with people like this.

We have had similar cases. As the gentleman knows, the Congress very proudly, several years ago, working with Congressman SMITH and Congressman TONY HALL, we took away MFN from Ceausescu. Ceausescu was a brutal dictatorship. People said, if you take it away, it is going to hurt people. If I would go to Romania, the Romanian people would say, take it away, take it away.

We took MFN. We did not give MFN to the Soviet Union, because we allowed those who wanted to emigrate to Israel and places like that. We stood with those who were being persecuted.

I, for one, do not want 20 years from now my kids to say, Dad, this debate was going on and what did you do.

I want people to know there are lives involved. So it is not a free vote.

In closing, my last two comments, I hope that the Chinese change. I believe anyone has the ability to change. I believe that the Chinese have the ability to change in the next 6 months.

We all know, from the Biblical story of Paul, who had the conversion on the road to Damascus, they may very well change. I want them to change. I want to give MFN to China.

I want to see them release these political prisoners, those who have hepatitis and who are dying to be with their families. I want them to allow the families to leave the country. I want them to allow these bishops and ministers and Buddhist monks and those of the Muslim faith to be released and worship.

I have never spoken to a Chinese person, and they are good people, they are really kind, good, decent people, who have never said anything negative about their Government. I have been with them, those who have been persecuted, where they said, can we have a word of prayer to pray for the leadership and pray for the Government. They are no threat. They are no threat.

If the Chinese stop exporting goods made by slave labor and close these slave labor camps down, we then can give them MFN. We can have a good relationship.

But if we do not do it, I, for one, do not want it on my conscience that because of powerful law firms or some company or somebody else came by, and you know what, the people, DUNCAN HUNTER, who represent the businesses can hire the best law firms on K Street. But these people who are in prison, these Catholic bishops have no lobbyist in Washington, DC. The Catholic priests have nobody to come and lobby for them.

The ministers, the Buddhists, the Muslims, they have nobody to lobby for them.

I will tell you that when we took MFN away from the Romanians, the

word went forth on Radio Free Europe. And they found that the U.S. Congress, the American people's body, stood with them.

We have got to make sure that we stand with these people. I would say to my Chinese friends, in the spirit of reconciliation, change, allow these people out of prison, allow those to worship in their faith, close down the slave labor camps.

All over the world, people who would prefer not to buy products derived from torture in labor camps are being sold Chinese goods in complete ignorance as to their possible origins. Even where laws exist and are enforced, the odds are stacked in favor of forced labor goods getting through.

This is because in both the United Kingdom and the United States products are regarded as clean until they can be proved beyond all possible doubt to have been created in the laogaidui. Yet the PRC has put in place a system which is expressly them in secrecy.

Each camp has two names to enable it to export without revealing that it is a prison. The number and location of camps is a state secret. Camp produce can be collectivized with produce from elsewhere and sold on by state trading companies at provincial level with no indication as to its true origin. Products may be made using cheap electricity generated from coal mined in forced labor mines, or using metals extracted and processed by prisoners. Plastics and many other raw materials are made in camps and used in manufacturing elsewhere.

I will be the one to say that I think you ought to get MFN. If you do not do it, then, quite frankly, I think, one, the Clinton administration is bound to keep their word and not grant it. And quite frankly, it should not even come up to this body, because when we vote, we are not voting on just some right to vote. We are voting on these individuals who have been persecuted, tortured and who, at this very moment, as Members of the body may be watching this, at this very moment people are probably being tortured and punished and up to their thighs in this in the slave labor camps.

I have been in one. There are only two Members of Congress that have ever been in one, Congressman SMITH and myself. It was probably a mistake that they let me in. But I thank the Good Lord that I got in.

I have seen it with my own eyes. It is not a pleasant place to be. We want to make sure that ends.

So with that and in deference to the gentleman from Texas, who has been so patient in waiting, I will not take more time.

I thank the gentleman for being here and for asking the questions.

Mr. Speaker, I include for the RECORD some printed material:

LIBRARY OF CONGRESS,
Washington, DC, January 18, 1993.

To: Hon. FRANK R. WOLF, House of Representatives, Attention: Karen Feaver.
From: Tao-tai Hsia, Chief.

Subject: People's Daily (Overseas Edition) distortion of Federal Register notice on Chinese prison export goods.

You will find attached a brief report analyzing a recent article that appeared on the front page of the People's Daily (Overseas Edition) in relation to a notice in the U.S. Federal Register to which the article refers. The relevant items—a photocopy of the People's Daily (Overseas Edition) article, of the Xinhua item (in English) on which it is based, and of the Federal Register notice—are also attached for your perusal. I hope you find this material to be of interest.

Attachments.

CHINESE PRESS DISTORTION OF FEDERAL REGISTER NOTICE

A recent front-page item in the official Chinese press attempts to give the misleading impression that China has never exported prison-made goods to the United States and bases its claim on a U.S. Customs finding reported in the Federal Register.

The January 5, 1994, article in the overseas edition of People's Daily (attributed to a Xinhua News Agency item of January 4), has the following headline: "China has never exported labor goods to America." First, although the text of the article narrows the context, stating that socks of the Qinghe Stocking factory of the Beijing No. 1 Prison produced by convict labor "were not" and "are not likely in the future" to be exported to America, the headline nevertheless gives the impression that all of China, at all times, has been innocent of exporting prison goods. It may be noted that an English version of the Xinhua item, with the headline "U.S. Government Scotches Chinese Prison Labor Rumor," also states that the factory "has never exported its products to the U.S."

Second, even the text of the article states that reform-through-labor institutions have no right to engage in foreign economic trade activities. While this is legally the case, in fact such institutions have engaged in overseas export activities, as different official Chinese sources themselves have indicated and even boasted about.

Third, the basis for the claim made by the Chinese press is stated as being the U.S. Federal Register of December 12, 1993, which contains a U.S. Customs finding in regard to the socks. Examination of the original item in the Federal Register (the relevant issue is actually dated December 13) shows that the Chinese article distorts the wording used. First, the Customs notice refers to a 1992 Customs determination that socks manufactured through the use of convict labor at the factory "were being, or were likely to be imported into the United States." Second, the notice gives a new finding of the Commissioner of Customs, determined after additional investigation of the 1992 case. The recent determination states that "certain articles of the People's Republic of China are no longer being, or likely to be, imported into the United States, which were being mined, produced or manufactured with the use of convict, forced, or indentured labor." Nowhere does it acknowledge that Chinese prison goods, or the kind of socks in question, have never been exported to the U.S.

Fourth, the determination of the U.S. Customs is made in reference to only one Chinese institution, even though others may have been or may still be exporting their products in order to earn foreign exchange.

Because of pressure from the U.S. Congress and the agreement that was worked out between China and the U.S. concerning prison-made goods, the Chinese are definitely more careful about the prison activities and it will be much more difficult now to obtain any incriminating evidence of violation of the agreement. A notable instance of their attempt to control foreign knowledge of the institutions was the issuance in 1991 of a Ministry of Justice circular concerning distribution of Provisions on the Reception of Foreign Guests by Rehabilitation Through Labor Units.

People's Daily (Overseas Edition) is a mouthpiece of the Chinese government and the Chinese Communist Party; Xinhua is the official party news agency. The publication of an officially sanctioned article that so clearly distorts the facts can but call into question the credibility of the Chinese government itself.

Prepared by Tao-tai Hsia, Chief, and Wendy I. Zeldin, Legal Research Analyst, Far Eastern Law Division, Law Library of Congress, January 1994.

NOTICES—DEPARTMENT OF THE TREASURY,
U.S. CUSTOMS SERVICE [T.D. 93-94]

Determination That Maintenance of Determination/Finding of July 7, 1992, Pertaining to Certain Socks Imported from the PRC Is No Longer Necessary. 58 FR 65235.

Date: Monday, December 13, 1993.

Action: Determination that Merchandise is no longer Subject to 19 U.S.C. 1307.

Summary: On July 7, 1992, the Commissioner of Customs, with the approval of the Secretary of the Treasury issued a determination/finding that certain child or infant and adult socks, possibly identified and/or marketed under the "Golden Double Horse" brand name, and manufactured at the Beijing Qinghe Hosiery Factory, People's Republic of China, with the use of convict labor and/or forced labor, and/or indentured labor, were being, or were likely to be imported into the United States. The Commissioner of Customs, pursuant to 19 CFR 12.42(f) has now determined, based upon additional Customs investigation, that such merchandise is no longer being, or is likely to be imported into the United States in violation of section 307 of the Tariff Act of 1930, as amended (19 U.S.C. 1307).

Dates: This determination shall take effect 5 days after the date of publication in the Federal Register.

For further information contact: Robert K. Neckel, Senior Special Agent, Office of Enforcement, Headquarters, U.S. Customs Service, 1301 Constitution Avenue, NW., Washington, DC 20229 (202) 927-1510.

Determination.—Pursuant to §12.42(f), Customs Regulations (19 CFR 12.42(f)), it is hereby determined that certain articles of the People's Republic of China are no longer being, or likely to be, imported into the United States, which were being mined, produced or manufactured with the use of convict, forced, or indentured labor.

Articles schedule.—Item number from the Harmonized Tariff (19 U.S.C. 1202).

Child or infant socks.—6115.93.20209 (Textile Category 632).

Adult socks.—6115.92.20004 (Textile Category 332). (Manufactured by the Beijing Qinghe Hosiery Factory)

Approved: November 15, 1993.

SAMUEL H. BANKS,

Acting Commissioner of Customs.

Dated: November 18, 1993.

JOHN P. SIMPSON,

Deputy Assistant Secretary (Enforcement).

UNITED STATES AND CANADA—PRC. U.S.
EXAMINE ILLEGAL EXPORT OF SOCKS
CHARGES SAID 'GROUNDLESS'

[Text] Beijing, 4 Jan. (XINHUA)—According to a report from the United States, an investigative report released by the U.S. Government publication the FEDERAL REGISTER [LIAN BANG JI SHI 51146721 6764 0057] has confirmed that the Beijing No. One Prison did not export, and is not likely to export in the future, socks produced by inmates working at its Qinghe Sock Factory. The facts of the case, concocted by Congressman Wolf, member of the U.S. House of Representatives, state that in 1991, "China's Beijing No. One Prison was exporting goods to the United States". This case has finally been vindicated by the facts.

On 27 March 1991, Representative Wolf and others visited the Beijing No. One Prison. When they toured the prison's sock workshop, Wolf attempted to take away without permission several pairs of semifinished socks on the table, but he was stopped then and there by the prison staff. After the tour, the warden gave each and every visitor five pairs of socks as souvenirs. A few days later, however, Wolf, through the media outside China, without grounds, accused the Beijing prison of exporting socks it produced to the United States. Testifying to the U.S. Senate Committee on Foreign Relations after he returned to the United States, Wolf brazenly accused China, displaying the five pairs of socks given to him as a gift, and claimed they were "proof" that China was exporting goods made by inmates in reformatories to the United States. Although China made an immediate clarification and explained the real situation on many occasions, Wolf still disregarded the basic facts and continued his totally groundless charges on many other occasions. Thus, the "case of the Beijing prison's sock exports" suddenly created a hue and cry in the U.S. Congress and in the media, creating a very bad impression of China.

Two years later, in March 1993, the U.S. Embassy in China submitted a request to the relevant Chinese authorities to send some officials to visit the Beijing No. One Prison, and the authorities made arrangements for three officials of the U.S. Embassy in China to visit the prison on 30 March 1993. During the visit, the officials conducted a detailed investigation of the matter regarding Wolf's accusation that the prison was exporting inmate-produced socks to the United States. The officials then reported the results of their investigation to the U.S. Government. Later, Wolf again spread the lies he created and attacked China, without grounds, at another news conference held in the United States in the summer of 1993. The Chinese authorities time and again urged the United States to publicize the results of the investigation conducted by the embassy officials. On 13 December 1993, the U.S. Government publicized the results of the investigation in the FEDERAL REGISTER, and thus the factory was vindicated.

An official of the relevant Chinese authorities pointed out, with regard to products produced by reformatories, the policy of the Chinese Government is clear: Reformatory-operated businesses do not have the right to carry out economic and trade activities with foreign countries or to conduct import-export business. China has been strictly abiding by the "Memorandum of Understanding on Banning the Import and Export of Prison-Produced Products" ever since it was signed by China and the United States. Facts are the most convincing proof.

"FEDERAL REGISTER" CITED

[Text] Beijing, January 4 (XINHUA)—A U.S. Government investigation has confirmed that the Qinghe stocking factory of Beijing's Number One Prison has never exported its products to the U.S.

The investigation report which was published last month in the U.S. Government publication "Federal Register," has put an end to a two-year probe into rumors of exports of prison-made goods from China to the U.S.

On March 27, 1991, during his visit to the stocking workshop of the prison factory, U.S. Congressman Frank Wolf tried to take away several semi-finished products with the intention of keeping them, but he was stopped.

Later, before they left the prison, the warden gave each of the visitors including Frank Wolf five pairs of stockings as souvenirs.

But several days later Wolf claimed that stockings produced by the Beijing prison had been exported to the U.S.

After he returned home Wolf displayed the stockings at a hearing of the Foreign Relations Committee of the U.S. Senate as "proof" that China had exported prison-made products.

Despite the fact that the Chinese side immediately clarified the truth of the matter, Wolf closed his eyes to the facts and continued to spread his allegations on many occasions.

Two years later, in March 1993, the U.S. Embassy to China made a request to the Chinese department concerned for embassy officials to be allowed to visit the Beijing Number One Prison.

On March 30, 1993 the Chinese department concerned arranged a visit by three U.S. Embassy officials to the prison. During their visit the embassy officials said that they had made a detailed inquiry about Wolf's allegation and they would report their conclusion to the American government.

Later, in the summer of 1993, Wolf again spread his lies at a press conference held in the U.S. and accused China groundlessly.

After repeated requests by the Chinese department concerned, the U.S. Government published the investigation conclusion in "FEDERAL REGISTER" on December 13, 1993, which conforms to the facts.

Speaking about reform-through-labor products, a Chinese Government spokesman said that the policy of the Chinese Government is very clear. "Reform-through-labor enterprises have no right to conduct foreign trade," he said.

"Since China and U.S. reached an understanding about banning imports and exports of prison labor products, the Chinese side has always abided by the agreement. And facts are the best proof," the official added.

NPC VICE CHAIRMAN MEETS ANNA CHENNAULT

[Text] Beijing, January 4 (XINHUA)—Wang Guangying, vice-chairman of the Standing Committee of the Chinese National People's Congress [NPC], met and had a cordial conversation with Mrs. Anna Chennault, a noted American personality, here today.

The visitor, who arrived here Thursday, is scheduled to leave here tomorrow to travel to some cities in southern China.

CENTRAL EURASIA

BEIJING SECRETARY MEETS KIEV CITY DELEGATION

[By reporter Lian Gong (6647 0364): "Strengthening Understanding, Exchange and Cooperation Between the Two Cities Will Help Promote Development of Relations Between the Two Countries"]

[Text] Yesterday evening, Chen Xitong, member of the Political Bureau of the CPC Central Committee, secretary of the Beijing Municipal CPC Committee, and honorary chairman of the Beijing Municipal People's Association for Friendship with Foreign Countries, met with a Kiev city government delegation led by Leonid Kosakivsky, representative of the president of the Ukraine stationed in Kiev city and state administrative leader of Kiev city.

During their enthusiastic talks, Chen Xitong welcomed the guests of Kiev city and congratulated Beijing Municipality for establishing friendly relations with Kiev city.

Chen Xitong happily reviewed the deep impression his visit to Ukraine in 1986 left. He acclaimed Kiev as a beautiful city full of patriotism. He said: Despite the changeable international situation, friendship between the peoples of China and the Ukraine will not change. As Beijing and Kiev, the capitals of the two countries, understand, exchange, and cooperate, they will surely help promote better relations between the two countries.

Chen Xitong said: The establishment of friendly relations between Beijing and Kiev will write a new page in the history of relations. He expressed the hope that both cities would regard this as a new starting point; realistically develop friendly cooperation in the economic, scientific, technological and cultural spheres; and ceaselessly achieve substantial results.

Leonid Kosakivsky thanked the Beijing Municipal leader for greeting him warmly and expressed Kiev city's ardent hope of strengthening exchange and developing cooperation with the Beijing Municipality.

Li Qiyang, Chen Guangwen, Lu Yucheng, Peng Kexun and Plyushko, Ukraine ambassador to China, were also present at the meeting.

CROSS-BORDER TRADE ZONE PLANNED WITH RUSSIA

[Text] Harbin, January 4 (XINHUA)—A Chinese city and a Russian city have agreed to build a cross-border free economic and trade zone.

The agreement, reached between Heihe city in the northeastern Chinese province of Heilongjiang and Blagoveshchensk city of the Amur region of Russia in the Far East, was made public here at a seminar named "special economic zones for regional development", jointly sponsored by the United Nations and Heilongjiang Province of China.

Under the agreement, the free economic and trade zone will extend from either end of the pontoon bridge to be built soon to span the boundary Heilongjiang river.

The zone, initially blueprinted to cover 20 sq km, will consist of 10 sq km of land from each of the two countries while respective state land ownership remains unchanged.

As outlined in the agreement, the zone, to be mainly engaged in trade, finance, high-tech industries, transportation and catering, is expected to become a transit center for goods and passengers. It is also designed to be an export-oriented processing base.

The agreement said the zone will be administered by a joint management commission, to be formed by state-appointed personnel from both China and Russia. The commission, meanwhile, will adopt internationally-recognized practices and regulations governing economic, social, cultural and legal affairs.

The zone will not be subject to the administration of either single government, the agreement noted.

THE FEDERAL OPEN MARKET COMMITTEE

The SPEAKER pro tempore (Mr. STRICKLAND). Under a previous order of the House, the gentleman from Texas [Mr. GONZALEZ] is recognized for 60 minutes.

Mr. GONZALEZ. Mr. Speaker, if there is one thing that affects all of us it is monetary policy—but we know next to nothing about how it is made. That is why it is critical that we hold the powerful Federal Open Market Committee, comprised of 12 Federal Reserve officials, accountable for their individual decisions which affect our employment, inflation, and the value of our currency.

In 1976, the Federal Reserve severed its ties to public accountability when it told the Banking Committee and the world that it had stopped taking detailed minutes of its FOMC meetings. Before 1976, these minutes had been released to the public, albeit with a 5-year lag.

It came as quite a surprise to learn that the Federal Reserve has continued to take detailed minutes and maintains neatly typed transcripts of every FOMC meeting.

Were it not for the Banking Committee's persistent questioning, the existence of the transcripts might have remained a secret. For example, when the Banking Committee held a hearing on October 19, 1993, to address that very important question, the Federal Reserve, as is its habit, tried to sidestep the issue.

Congressman MAURICE HINCHEY asked Federal Reserve Chairman Greenspan at that hearing about a permanent record of FOMC hearings, Chairman Greenspan replied:

There is no permanent electronic record, that is correct. We obviously have rough notes—

But lo and behold—he shaded the truth and none of the other Federal Reserve witnesses offered a correction. At Federal Reserve headquarters there are 17 years' worth of verbatim transcripts. One week later, Federal Reserve Chairman Alan Greenspan admitted as much in a letter to me.

The Federal Reserve also said it would begin issuing transcripts from 1976 to 1988, starting sometime this year with 1988 transcripts. The Federal Reserve said it would take several years to release the 1976 minutes. Still, the public will have to wait 5 years before the Federal Reserve releases its current FOMC meeting transcripts.

I find this offer wholly unacceptable for a number of reasons. One is the longtime lag. Another reason is that the Federal Reserve cannot be trusted to provide reasonable or even accurate editing.

Recently, a news organization requested under the Freedom of Information Act, some of the FOMC transcripts. It received approximately 84

mostly blank pages. Is that the kind of editing we can respect?

I have obtained nearly 3,000 pages of edited Federal Open Market Committee transcripts from the Arthur Burns collection at the Gerald R. Ford Presidential Library in Ann Arbor, MI. These transcripts were edited according to national security guidelines with very few deletions. Arthur Burns was Chairman of the Federal Reserve from February 1970 to January 1978.

However, like today's Federal Reserve, these old transcripts clearly show disdain for disclosure rather than the kind of accountability needed in a democracy. Some things never change.

Citizens who request FOMC transcripts under the Freedom of Information Act will now be able to see how the Burns-era FOMC transcripts, edited by the National Archives and Records Administration, compare with the Federal Reserve's heavy-handed editing.

"The Federal Reserve's 17-Year Secret," a committee staff report I recently issued, describes the methods the Federal Reserve has employed over the years in hiding its inventory of FOMC transcripts.

Mr. Speaker, today I submit for the RECORD part of the FOMC transcript of the May 18, 1976, FOMC meeting in which Federal Reserve Chairman Arthur Burns directs that the summary issued 45 days after each FOMC meeting be made to look a little thicker so the public would not object to the loss of the detailed minutes, which were unceremoniously dropped in 1976. Chairman Burns said to the FOMC:

I think you credit individuals who follow the Federal Reserve with more knowledge than I think many of them really have. [. . .] I'm not going to say that we should do anything that remotely resembles padded, but produce several additional pages.

These transcripts will clearly show why we need individual records of the actions taken by those who determine the Nation's money supply.

CB. Gentlemen, we'll get our meeting under way. During the past 2 or 3 meetings, we have deliberated on the desirability of continuing the memorandum of discussion or discontinuing it, and also the desirability of changing the character of the policy record, in front of me. The desirability of reducing the lag in the release of our policy record. Now at our intermeeting, the Committee agreed in principle with the following: (1) the memorandum of discussion should be discontinued; (2) the policy record should be expanded to include more information on the factors of considerations underlying the Committee's policy decision; and (3) that the lag in the release of the policy records should be reduced by some 10 or 15 days from the present lag of approximately 45 days. This was an agreement in principle, and the Committee did not act formally at the intermeeting. The Committee did not act formally in part in order to enable the staff to consult with the Justice Department without these actions in the light of the law suit, that the Committee is presently involved in. And Mr. Broida informs me that members of the Committee have been advised that rep-

resentative of the Justice Department has concurred in the reasonableness of our proposals—in other words, he sees no objection or difficulty from the viewpoint of the law suit. Is that correct?

BROIDA. That's correct.

CB. To go on with the review of where we were, and what has taken place since the meeting, at the April meeting the Committee also left open the question of the specific duration of the lag in releasing the policy record. And our staff has studied various possible schedules and on the basis of its studies, our staff has concluded, and I'm inclined to agree, that the best procedure, all things considered, would be to release the record for each meeting on the Friday following the next meeting. In other words, we hold the meeting—this is the May meeting, some four or five weeks from now we'd be meeting in June, the policy record for the May meeting would be released on the Friday following our June meeting held on a Tuesday. Now, to you the Committee some insight into the new procedure, and if we choose to adopt it, the Committee drafted a preliminary version of an expanded policy record covering the meeting. And this was done in order to test the feasibility of the new procedure if we finally decide to take that road. And I understand from Mr. Broida that the process of clearing, getting comments from members of the Committee went well, and Mr. Broida may want to say something about that later on. Now, we've agreed to, privately, formal and final action today. And if the Committee decides to adopt the new procedures, namely, to drop the memorandum of discussion, to have an expanded policy record, and to release it some 30 or 35 days after our meeting. If the Committee decides to adopt the new procedures, I think it would be desirable to hold a press conference to explain these procedures at the time when the first policy record is released on the new schedule. Regrettably, I will be out of the city on Friday, and such a press conference, if we proceed in this way would have to be delayed until next Monday. But the plan would be to make the release, henceforth, on a Friday following the Tuesday meeting. Now 2 elements of the proposal of this new approach were left open at the time of our April meeting. One was the suggestion that the Secretary place in the files memoranda that would summarize informal Committee decisions and understandings; and the second item that was left open was that the minutes of the Committee's deliberations be expanded to include explanations of procedural actions. Now we could hold a long debate on these outstanding items; I would suggest that we not do so. I would suggest that occasions may arise when such procedures would be appropriate, and that a Committee or a Subcommittee—special Subcommittee—be appointed to deal with these unresolved technical issues. That Subcommittee might have a great deal to do, and again that Subcommittee might have literally nothing to do. Now that is summary of where we are or where we might want to go, and before we proceed to an informal voting, we might want to address specific questions that members of the Committee may have. The questions may be directed to Mr. Broida, to Mr. O'Connell, or to me. Is there any questions?

CB. Yes, Mr. MacLaury.

MACLAURY. Thank you Mr. Chairman. I've been thinking about Sunshine in Government today and in that context my wonder is that were the bill pass as it presently is being proposed, am I correct in thinking that we would be required to keep a ver-

batim transcript and if so, wouldn't that make moot this question of whether we drop the memorandum of discussion? That's my question.

CB. I'm going to turn this over to Mr. O'Connell.

TJOC. Mr. Chairman, in the present wording of the bill, we hope to be able by liberal interpretation of that language, if it isn't changed from present wording of both Senate and House version of the Sunshine Bill, President MacLaury, to assert that the Sunshine Legislation is not applicable to the FOMC.

CB. Let me just interrupt. I think this is a statement that literally should be kept to ourselves. We should not—no member of the Committee should discuss that with any of his aids or anyone else at any time because we run the risk or amendment that might make life a good deal more difficult for us.

TJOC. Yes sir. At this time it has not been discussed by anyone.

There had been many allusions, I think perhaps loosely used, Mr. MacLaury, to applicable to the FOMC. Some in defense of our position that it should not be covered. We haven't asserted applicability to the FOMC. Our position has always been the Board's trouble with this bill. Others have converted that to use of the term FOMC. Assume for a moment though, that it is held to be applicable either by an amendment in the language if that occurs or by Court decision, and if thus this Committee is subjected to the provisions of the FOMC Sunshine Bill has finally passed, if it is in any form paralleling that of its present language, meetings the Committee would be subject to the transcript requirements of verbatim transcript with the requirement that the portion that is not exempt under one of the ten exemptions now in the bill, if they follow through, be made immediately available to the public. The balance, if it fits any of the exemptions can be deleted and withheld by the Committee, but the verbatim transcript would be required.

BROIDA. May I add. The memorandum of discussion, of course, is a rather different document from a verbatim transcript that's condensed and written in the third person and presumably a more efficient record of the meeting. But, and also the verbatim transcript under the bill as I understand it, the parts that are not made public need be held only for 2 years and need never be made public. Whereas, the memorandum of discussion under present practices made public after 5 years. But if there is a verbatim transcript made public, in part or in whole under the Government in the Sunshine Act, I think the Committee would certainly not want to have a competitive report of the meeting in being at the same time.

TJOC. May I add Mr. Chairman too, in reference to Art's point that a certain portion need not be published in the 2nd year. We have great question of the certitude with which that could be asserted for the reasons that we anticipate law suits being filed of many agencies demanding that a Court determine that a certain closed meeting was improperly closed and that the transcript should not have been withheld, and thus, they will ask that the Court examine and make public even withheld portions of the transcript. I think this is a reasonable anticipation.

CB. All right, any other question or comment?

WALLICH. I have a question with regard to the general style of the expanded policy record. I don't know whether it's appropriate at this time to bring that time.

CB. Yes, yes, it certainly is.

WALLICH. I think this is what we saw an extremely well done piece, and what I'm going to say is in no way critical of the fine work that's gone into it. It does seem to me that it kind of aims a great deal of the material that is familiar to every reader of the newspapers who know GNP was such, employment was such and so forth, now it's interesting to somebody who studies these matters carefully to know what information the Committee had, that could easily be accomplished by saying information was available up to such and such a date on particular . . .

CB. That wouldn't help a historian very much. It would make his task much more difficult.

WALLICH. Yes, but the general reader of this —, such a reader is really very familiar with all the data that are in that record besides their release with a delay of 30 days or what ever, so that they are not even a useful way for him to recapitulate this information. The interesting information for the reader, I think, is what the projections were of the staff —, that's new information. My suggestion is that we emphasize the latter and deemphasize the former.

CB. I follow the trend of thinking and I don't think I wholly agree for 2 reasons. One is purely formal. We're describing this document as an expanded policy record. We're providing more information than in the past. And that is partly the justification for eliminating the memorandum of discussion. Now on the basis of this concept the document should be longer, you see, must be longer, and this is a formal consideration that cannot be neglected, and we need some additional pages. Now as for the information that is contained about the economy, well, I think you credit individuals who follow the Federal Reserve with more knowledge than I think many of them really have. I think it's a useful summary. Those who feel that it merely repeats that which they already know will have no difficulty skipping paragraphs or pages. Those on the other hand, who may find such a recapitulation useful, or it find that they derive new knowledge—knowledge for the first time will have an opportunity to be instructed fully. And therefore, while I understand these criticisms, I think that if anything this document maybe criticized on the ground, coming back to my first formal point, that it is not long enough. Now when this document was first shown to me, it was hardly longer, or just about a page or two longer—2 pages longer than a policy record was in the past. And I told members of the staff, well that will not do. I'm not going to tell you how to add additional pages, and I'm certainly not going to say that we should do anything that remotely resembles padded, but produce several additional pages.

MAYO. Mr. Chairman, I might say too that to elaborate on your point, even the more sophisticated readers of our document, 3 or 4 weeks later, may be hard put to remember whether or directive came out the day before or the day after the appearance of new GNP figures and this sort of thing. The timing can be sensitive and I think it does make a more complete background information quite apart from the formal requirement here to have the facts as we knew them on that day and not have people wondering why sure, but did this new figure come out before or after that date.

MACLAURY. But perhaps Henry's point could be put a different way which would serve both of your principles and that is, that the interpretation of the existing facts

by the staff and by the members is what is now information to anyone outside of this group and the question is whether that information should be supplemented, not to say padded.

CB. I think that's a good comment, and I think our staff should strive toward somewhat fuller statements in the future. Now they will vary from time to time.

COLDWELL. May I raise a question Mr. Chairman. I'm not going to reiterate all my reasons for objection to this—last time, so I'm not going to reiterate. I would.* * *

Phil we can't hear you down here.

COLDWELL. I would like to know whether the informal understanding memo was planning to be released at any time?

CB. Now to—on the basis of discussions that I've held with the staff thus far, and on the basis of the discussion that we've had at this table last month, I would say that the present answer probably is no. Now that may not be a good answer, and therefore, we might well want to minimize the occasions where they are simply informal understandings, and seek a maximum of formal explicit understandings which would be included in the policy record. Now Mr. Broida you thought more about these questions than I have and you Mr. O'Connell have, and would each of you to answer Mr. Coldwell's question.

BROIDA. I would say I agree with you Mr. Chairman that there's no present plan to release them, but this is fully within the domain of the Committee, and the Committee at any time could decide to make any package of these public. The occasions may well arise in the form of requests under the Freedom of Information Act, presumably the response would be on an ad hoc basis.

CB. I think that it might be beneficial to indicate explicit just what it is that we're talking about when we discuss informal understandings. If we just talk about informal understandings in the abstract, we may create a conspiratorial mood within this Committee or convey a suggestion. Now, you're the author of the concept of informal understandings, Mr. Broida, would you be good enough to enlighten us just what it is that we might have informal understandings about.

BROIDA. There are a category of matters—there is a category of matters with respect to which the Committee reaches conclusions that do not constitute formal policy actions or formal procedural action. A case in point is the agreement in principle reached at the last meeting with respect to the matters under discussion now. This was deliberately not a formal action, but it seemed to the staff worthwhile that some record be made of that discussion and we would simply propose to note it in the memorandum to files. Now, at the March 29 meeting, a special meeting, there was an understanding that RPD's would be dropped from the specifications. The specifications themselves, for reasons that have been discussed earlier, are not formal actions and so a change in the variables for which the Committee makes specifications could not be a formal action, but in the staff's view should be some internal record of considerations underlying that action.

CB. Let me ask you a question. You have a technical reason here, but suppose we had decided to have a sentence in the policy record that we're dropping the RPD's, suppose we had decided

BROIDA. We do * * *

CB. We do, what?

PARTEE. Have such a sentence.

BROIDA. In this draft policy record for April there is such a sentence.

CB. Then I missed the point that you just made.

BROIDA. The point is that there is simply a sentence stating that the Committee decided to drop RPD's without any record whatsoever of the discussion * * *

CB. All right, suppose that we not only decided to do that; well, suppose that the policy record contained, reported not only the decision, but some of the major considerations that led to that decision. Would we be violating some statute that should concern us?

BROIDA. No sir.

CB. All right, therefore, I'd say this is something that is—

COLDWELL. Unless you can upward the level of the policy record.

CB. Yea, have an extra paragraph, and another half page.

COLDWELL. How about the zone of indifference, is that another point in which you put as an informal understanding?

BROIDA. I would recommend that the Committee not have any record of a decision with respect to the policy. I take it the zone of indifference is part of the policy decision beyond what's in the policy record. I think it might be dangerous and inappropriate to have it—a secret record of a policy decision that goes beyond the public record of policy decisions. So anything having to do with the Committee's policy decision, I think the full account should be in the policy record and no other record maintained.

COLDWELL. I may have missed it, but is it in this one?

CB. You see, our difficulty

BROIDA. There was no decision on that point.

CB. Our difficulty is that our—Mr. Broida and Mr. O'Connell have a very clear concept of what is a policy decision and what is not a policy decision. I've never shared that knowledge of that understanding, you see. Now I'm willing to be guided by them and when they explain their reasons, at the moment I do understand them or have the allusion of understanding them, then I forget immediately.

BALLES. I share that problem.

CB. Let me say just one word. Therefore, I think that responding not to the precise question, but I think to the thought that was at the basis of Mr. Coldwell's question. What we ought to do really is to seek to minimize his formal understandings, and the examples that you've cited I think are matters that could very well—I see no reason why myself, we should not be included in the policy record. And therefore the problem of informal understandings in these instances wouldn't arise. Now, now and then something may arise, but the committee could then determine whether or not that some specific item should be omitted from the policy record and if so, whether a minute should not be retained within our files. So we handle this I think on an ad hoc basis, but I would like to think we'd handle it with the understanding now that we would maximize inclusion of items in the policy record and thereby largely eliminate the need for so-called informal understandings.

COLDWELL. I would certainly hope we would Mr. Chairman, because I think what we're doing is actually reducing the amount of information to venture in the public's domain. If we do this informal * * *

CB. No I don't think that's true because the items that Mr. Broida is referring to are items that have not gotten into the memorandum of discussion. Is that correct?

BROIDA. It has not gotten into the policy record.

COLDWELL. Well, they've been in the memorandum of discussion.

TJOC. But the term openly is the further point. In 5 years they would be made available.

CB. But I think that the question that Mr. Coldwell has raised is a good one and I think the proper answer is let's proceed on the principle that there will rarely be informal understandings. Now and then there may be, and that's something we'll act on, on the ad hoc, not have basis. Mr. Balles?

BALLES. Excuse the interruption, Mr. Chairman.

CB. Not at all.

BALLES. But I was going to say I shared your lack of understanding of certain issues. In my case, I must say I fully support the proposal you made, but I just am mystified by why the specifications are not a part of the policy decision. I know that was explained once—I didn't understand it then and I'd like to be educated.

CB. Do you really want to be educated on this distinction now?

BALLES. Well, I'd like an executive summary education in two minutes..

CB. All right.

BALLES. This is not an idle question. It seems to me that with respect to the specs, the specs are such an integral part of what we've talked about here, I am in doubt as to why it shouldn't be in the policy record.

BROIDA. They are in the policy record, President Balles. The situation briefly is this. That if a matter is agreed by the Committee to be a policy decision or part of a policy decision, certain consequences follow. In particular, the information must be published in the Federal Register, it must be made available in the policy record.

CB. It must be made.

BROIDA. It must be included in the policy record. Now, subject to the lags and if the Court rules, if the appellate court upholds the District Court these factors, the facts will have to be made available on the day of the meeting. The Committee in the past has not been willing to publish the full specs on the same basis as it has published the directive. For a long time, it was disinclined to publish the long-run or the short-run targets, but then agreed to publish the short-run but not the long-run. It now has agreed to publish full but not immediately to defer publication of the long-run until the Chairman testifies in one of the quarterly hearings. So long as the committee is not willing to accept the consequences of having the specs as part of the policy decision, it cannot appropriately treat them as part of the policy decision. If the Committee can accept all of the consequences then it can't treat them as part of the policy decision.

BALLES. Art, what are those consequences—immediately reached, is that the problem.

BROIDA. At present since the district court order has been stayed, they would be released in the policy record on whatever schedule that might be released, whatever the lag that is released. If the district court is upheld then it would be immediate release.

BALLES. OK. Thank you. I'll try to remember that.

CB. All right any—yes Mr. Willes.

WILLES. Some time ago I spent many hours in the library at Columbia going through in detail the memorandum of discussion, but on prior to this Committee and contrary to my expectations they were very happy hours, because I found the memorandum rich in detail and insight into the workings of

monetary policy in the Federal Open Market Committee. In recognizing that I'm just a guest here today and I have just a note on that basis some sadness in seeing these particular documents * * *

CB. Well, I think you would find that a good many members of this Committee carry your sentiments. It's the recent turn of events, within the Congress, within the courts, within the environment in which we dwell that has moved members of this Committee towards the kind of decision that we may be taking today; but it's done, it will be done with, but a feeling sadness by certainly by me and by a good many members of this Committee. Any other question or comment? Well if not, I think we're ready for a formal vote and there are 3 steps that we need to go through or , that is to say, if we decide to move in the directions that have been now going, I would proceed systematically. First we need a motion that the memorandum of discussion be discontinued after the memorandum of the meeting—of the March meeting.

So moved.

Seconded.

CB. Motion has been made and seconded. Any further discussion of the motion? If not, we'll take a formal vote now.

CB. Yes.

VOLCKER. Yes.

BALLES. Yes.

BLACK. Yes.

COLDWELL. No.

GARDNER. Yes.

JACKSON. Yes.

KIMBREL. Yes.

PARTEE. Yes.

WALLICH. Yes.

WINN. Yes.

BROIDA. 10 to 1, Mr. Chairman.

CB. All right. Now, next we need a motion that the record of policy actions for each meeting of the Committee is to be released to the public shortly after the next regularly scheduled meeting of the Committee—meaning by that, on the Friday normally, normally on the Friday following the Tuesday meetings.

Mr. Chairman, clarification, I'm assuming you mean Friday afternoon after the markets are closed?

CB. Yes, that is correct.

PARTEE. I have a question too. What would be the treatment of interim votes of the Committee or interim telephone meetings of the Committee, would they be included in that release?

CB. I would interpret it if I may, that is, let's say, let's take today's meeting. The release would be 3 days after our June meeting and if there are any decisions taken between now and the June meeting by way of telegram or telephone conversation or a special, physical meeting of the Committee, all that would be included in the record of policy actions. Now that's my interpretation, is that correct?

TJOC. That's correct Mr. Chairman. You recall that was one of the factors you mentioned in arriving at times of our closed interval. You would include those.

JACKSON. If you didn't, you might distort the information that you give to the public which would mislead them rather than inform them.

WINN. Supposing we'd had a phone meeting last Friday, then would that be included this Friday in your release.

CB. It would.

VOLCKER. Well the information of any sense is distorted anyway. You would have always had another meeting before this is released. That's the object of delaying.

PARTEE. Suppose the subject at the Friday telephone conference call had been the bankruptcy of New York, then the discussion on that would be reported very promptly.

CB. Now there is a question there in my own mind. When members of this Committee have held telephone meetings or conversations via telegram, we announced the decision. We would not have gone beyond that. And I would assume that if members of this Committee chose to talk about something and no decision was reached, then there would be no clear reason for including that in the policy record. And I would leave that to our lawyers.

BROIDA. I might add Mr. Chairman that we do not make a policy record for every meeting, only those for which there are policy actions and if as the Chairman suggests, if there is a discussion with no formal policy action that it need not be

PARTEE. reflective in the policy record.

CB. But I would say, but I would say that again is a question that this is a procedural questions that members of the Committee may choose to decide one way or another in the future. What I've described and what Messrs. Broida and O'Connell have described is the procedure that we have worked with or under up to the present time. This Committee makes its own procedures. For me to change any time that we as a Committee decide to do so.

VOLCKER. The fact that there is a meeting is always reported? And if we had a telephone meeting and we have reached now a decision in your terms, you just note that there's been a meeting with no discussion at all?

BROIDA. We have in the past included in the following policy record an indication that there had been an intermeeting and the subject is—there's a case in point in this draft April record, there's a footnote with respect to the March 29 meeting.

COLDWELL. But no action was or in your lights(?) no decision may actually be a decision, would be no action.

JACKSON. How would you say no decision is a decision?

CB. I don't think this is a matter that should really trouble us because it's only a matter that we should be sensitive to—we should be alert to our own thinking. We wanted—if we have a meeting and no decision is reached, and if we want that recorded, I see no difficulty with recording it? Why not?

On the other hand, I might see a difficulty if we held a meeting to discuss a specific sensitive issue, than we've reached no decision. Then I would seriously doubt the wisdom of disclosing the sensitive issue on which we met and then decided to take no action.

COLDWELL. My point is you decide to take no action, that in effect is a decision. Suppose we had a situation we were discussing New York and they had applied to us for a loan and we took no action, we neither approve nor disapprove, will that be * * *.

CB. That's different because then an action would be taken you see. Here is an application that we are ——. We would assemble for the purpose of action on ——. But the—I see no difficulty really.

JACKSON. It strikes me Mr. Chairman that we could well establish the custom to the extent that those meetings were held. That the public record would show that the Committee held either a — or other type of meeting for the purpose of debating a discussion of recent events which have transpired since the last meeting. I — just be a comment

and that no policy actions were taken. And if you establish custom then the nature of the discussion, and I've never seen one of these yet where we didn't discuss more than the day we convened for. So I think that would be an accurate statement.

PARTEE. Well, ordinarily there would be some action, that is, in the case, the hypothetical case.

CB. I can't think of a case where we did not have * * *.

PARTEE. It would be a decision to constrain the Federal funds limit or something like that. And I take it then the entry would be that the Committee had had a telephone conference or call to discuss the emerging problems of financial markets, particularly with regard to New York and had decided for the time being to constrain the funds rate. That is, without any discussion of the ins and outs of the thing. It would be a simple reference to the thing. Well, I don't see that that does much damage, because of the public—something the public would know, I guess and it would even come out in 3, or 4 or 5 days, or after the —.

BLACK. Point of clarification, question to Art and Tom. Isn't it true that if we get the Government in the Sunshine that we will have to publish the fact that we had a meeting and secondly the general nature of that meeting that the latter discussed.

CB. Tom has indicated something that we are to keep in our own bosoms and not communicate to anyone that the present best legal interpretation to Tom and our other attorneys is that this Committee will not be subject to Sunshine legislation. And to keep this, never to discuss this in the sensitive days, I cannot emphasize the importance of that too much because it would be so easy to amend the Sunshine legislation, to make sure that we are covered. Any other question? Yes.

VOLCKER. Just to return to the same question of the intermeeting. It seems to me the general source one has is one either reports the interim meetings before the next full meeting in the policy record—is that the right term—which comes out immediately after the next full meeting or almost immediate after, or you wait a month and report it with that second meeting. You report the intermeetings that took place prior to the regular meeting. We can go one way or the other. I feel a little bit uncomfortable, although I think it would arise very rarely if we did have a intermeeting just before our regular meeting, what's the point of delaying the report on the regular meetings since it probably pretty much validated what you did at the intermeeting, why delay that a whole month. It seems a little inconsistent if we feel that there is some point in delaying the report basically a month. I suppose you could split the difference by saying you're going to report in any intermeeting that takes place 20 days before the release or something like that. So once it got near the next meeting would be the following report then.

CB. May I say a word. We've had interim meetings during the past several years and we have reported those within the interval of 45 days.

BROIDA. 90.

CB. Oh well, yes 90 days, and then.

BROIDA. The lag period.

CB. And, I'm not aware of any difficulty that has arisen as a result of reporting these special meetings and all that is involved now is shortening not a change in—if a change in one respect and one respect only—shortening the period from 45 to some 30 or 35 days.

BROIDA. Mr. Chairman, in announcing this change and its 3 publicly will the rationale behind the change be explained or what will that rationale be—I mean in other words, why does the public think we're doing this?

CB. Well, that's the purpose of—instead of having a mere press release, it seemed wise to hold a press conference to explain the reasons for these changes, and to give newspaper men financial writers, an opportunity to ask such a question.

COLDWELL. Why are we reducing from 45 to 30.

CB. We want to provide the public with maximum of information in the shortest possible time. Yes, Mr. Broida wants to comment on Mr. Volcker's * * *.

BROIDA. Mr. Chairman, most of the intermeeting consultations that we have had, they have generally been by telegram rather than telephone, have involved modifications of the instructions issued at the previous meeting and apply to the remaining period until the next meeting. If they were not reported at the same time as the decision which they modify, the public might well conclude that the Manager is violating his instructions where in fact he's been acting under modified instructions.

CB. Well, not only that but by that time the market will have validated the Committee's special decision.

JACKSON. This is really a lewd discussion because the procedural issues are subject to change by the Committee at any time. I think we haven't had any occurrence whether delay of release of information would be appropriate, all we do is change our procedures.

VOLCKER. I think that's right, it would arise very rarely.

JACKSON. —, but if that —. Then we've got that alternative is open to us so we really don't have any problems.

CB. That's true, but I want to modify a statement I made previously. I think that if we do have a special meeting, telephonically or otherwise, and if no decision, no policy decision is reached, the fact that such a meeting had occurred I think should be made a part of the record. Should be made a part of the record even though no action was reached. I think it's a better — and I think I spoke hastily at the outset.

VOLCKER. I make the motion if that's what you're waiting on.

CB. All right the motion has been made, should the motion be repeated. The motion is simply that the record of policy actions for each meeting of the Committee is to be released to the public shortly after the next regularly scheduled meeting of the Committee. Now the reason for saying shortly after is, there may be special circumstances for making the release not on the Friday following the meeting of the Committee, but a day or two later and it's to take care of contingencies of that sort. One such contingency is arising immediately. That is, we want to make this release at the time of the press conference or the press conference cannot be held on Friday. Well, we're ready for the vote.

CB. Yes.

VOLCKER. Yes.

BALLES. Yes.

BLACK. Yes.

COLDWELL. Abstained.

GARDNER. Yes.

JACKSON. Yes.

KIMBREL. Yes.

PARTEE. Yes.

WALLICH. Yes.

WINN. Yes.

BROIDA. 10 for and one abstain.

CB. All right, now we have a 3rd item that we have to vote on and this is an item that I'm going to ask Mr. Broida to explain. I shall vote for it, then I hope I shall understand it.

BROIDA. Mr. Chairman, in the Committee's rules regarding the availability of information as noted in the memorandum from Mr. O'Connell and myself to the Committee, section 271.5(a) sites as an example of the policy of deferred availability of information that the Committee releases its directive and information pertaining thereto 45 days after the meeting. We recommend simply that the Committee amend the rules to delete that language. As an example it is not essential to an understanding or the thrust—it does not modify the thrust of the rules and it would obviously be in conflict with the action the Committee had just taken to release the record shortly after the next meeting.

CB. Any question or discussion? Well we're ready for a vote.

PARTEE. You are not substituting anything, you're just deleting it.

TJOC. Just today.

CB. Yes.

VOLCKER. Yes.

BALLES. Yes.

BLACK. Yes.

COLDWELL. Yes.

GARDNER. Yes.

JACKSON. Yes.

KIMBREL. Yes.

PARTEE. Yes.

WALLICH. Yes.

WINN. Yes.

BROIDA. Unanimous, Mr. Chairman.

CB. Well, I think we've disposed of the—oh, I'm terribly sorry. Well, Mr. Broida is calling my attention to a note that he prepared in my behalf—I'm not sure that it is necessary to take this up, but I also see no harm in doing so. And therefore, I will read the note that Mr. Broida prepared for me. The suggestion is that we arrive at an informal consensus—we may already be in trouble—that it would be desirable to expand the record of policy actions to include more detailed information on members views concerning longer-run and currency policy. I think we've decided all that. We ought to have an expanded policy record. Do you have anything else in mind?

BROIDA. No.

CB. Well, let's leave this quickly then. Now there is a 5th item. I am advised that it need not be covered because it already had been covered. Let's leave this quickly. All right? Are we legal?

TJOC. Yes sir, I think you've in substance have covered both of these points and subsequent questions.

CB. Let me appoint a Subcommittee that I refer to but the intention would be to give this Subcommittee nothing to do. This is, you see we talked about informal understandings to be put away in our, to be recorded in our files. I think we've reached a decision, a consensus, that we will minimize such occasions and strive for, and try to proceed in such a fashion that there will be no need for informal understandings and yet we have to be pragmatic and recognize that such a need may arise. And to help our secretary discharge his duties, and to take care of troubles that may arise, and which I hope will not arise, let me appoint a Committee consisting of Mr. Gardner as Chairman, Mr. Volcker and Mr. Partee, who are to be consulted by the secretary. But now let me ask you, you know I've been away and since getting back I've had to prepare a speech and

cover a lot of ground, and I'm less well prepared for this meeting than I'd like to be or ought to be. But I seem to recall that we felt a need for a Committee not only for this purpose but for a wider purpose. The secretary may need assistance and some guidance. There will be comments from Committee members that he may find it difficult to resolve. Didn't we discuss that? Or is it my imagination?

BROIDA. I don't recall the discussion.

CB. Well, can we not do this, consider this a Committee that the secretary may find it useful to consult in connection with difficult questions that arise in the preparation of the policy record. All right? Well I think we're ready for our regular meeting. Let's take a recess for 2 or 3 minutes. To stretch our legs.

□ 1900

ACCOUNTABILITY FOR CONGRESS

The SPEAKER pro tempore [Mr. STRICKLAND]. Under a previous order of the House, the gentleman from Michigan [Mr. CAMP] is recognized for 5 minutes.

Mr. CAMP. Mr. Speaker, in the aftermath of the House Bank and Post Office scandals in 1992, the House and our colleagues in the other body established a Joint Committee on the Organization of Congress.

Last year, this bipartisan reform panel met for many weeks listening to the testimony of Members and former Members of Congress and many other people testified, including Mr. Perot of Texas.

There were over 100 hours of hearings in which many questions were asked and answers were given about how Congress works and how it can and should be changed.

The joint committee's final report was finished just before the end of the year. And, in the coming weeks we will all have the opportunity to further consider and vote on the joint committee's recommendations.

My distinguished colleague, DAVID DREIER of California, who served as a vice chairman of the committee, and many other Members on both sides of the aisle, put a lot of time and work into these efforts for which they are to be commended.

Establishing a two year budget cycle; authorizing use of non-Members of Congress in ethics investigations and limiting the number of committees and subcommittees are steps in the right direction. I know our side of the aisle, led by Mr. DREIER, is working to make this package stronger as it moves through the Rules process and makes its way to the floor.

By changing the way business is done here in Congress, we make Congress more accountable. In the view of the American people, Congress ranks right up there with Chevy Chase on late night TV. And without action to make the needed reforms, we may find Congress soon to be canceled.

Unfortunately, there was irony in the way the joint committee finished its

business that shows Congress is not accountable. On December 31, 1993, the committee closed their doors with a \$300,000 surplus.

Yes; that is \$300,000 that was not spent.

But those unspent funds will not be returned to the Treasury, and they will not be dedicated to deficit reduction.

They are or have already been given back to the House and Senate to be reassigned for other uses. These are public funds and Congress needs to build public trust.

Mr. Speaker, where will this \$300,000 go? Who is responsible for it? And, what are these other uses for which it will be spent?

The irony is the other body included a provision in their reform package that says unspent funds from individual Member offices and committees should be returned to the Treasury for deficit reduction at the end of each year.

The House chose not to include such a provision.

And, we can see from the diversion of \$300,000 from the joint committee to so-called other uses that these funds will as well not be returned to the Treasury.

And one of the reasons why the American people's trust in Congress is so low.

Let us say for example I wanted to build a house. A contractor tells me he would build the house for \$100,000. But the contractor, a reputable fellow, eventually builds the house for a price of \$70,000 and I have \$30,000 to put back in the bank or not borrow in the first place. But if that contractor were to do business the same way Congress does, he would have kept \$30,000.

During the 102d and 103d Congress, I have introduced legislation that would give individual Members the ability to return unspent official expenses and clerk hire funds to the Treasury for deficit reduction.

Let's give Congress more credibility. Let's give Congress more respect. Let's help life the cloud which descended on the House of Representatives following the House Bank and Post Office Scandals.

Most importantly, let us rebuild the American people's trust in Congress.

Let us make designating unspent funds from this House to deficit reduction a part of the House reform package. I am going to continue this effort, and I ask every Member to join me. It is one way Congress, by starting with itself, can show the American people it is serious about reducing the deficit. No, it is not the cure to solving the deficit, but it may show Congress can stop the symptoms of deficit spending in a responsible manner.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of Rule I, the Chair de-

clares the House in recess subject to the call of the Chair.

Accordingly (at 7 o'clock and 7 minutes p.m.) the House stood in recess subject to the call of the Chair.

□ 2055

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore [Ms. SLAUGHTER] at 8 o'clock and 55 minutes p.m.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3759, EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR EARTHQUAKE ASSISTANCE

Mr. MOAKLEY, from the Committee on Rules, submitted a privileged report (Rept. No. 103-416) on the resolution (H.Res. 336) providing for consideration of the bill (H.R. 3759) making emergency supplemental appropriations for the fiscal year ending September 30, 1994, and for other purposes, which was referred to the House Calendar and ordered to be printed.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. LEHMAN (at the request of Mr. GEPHARDT) on February 2 and 3, on account of illness.

Mrs. MEEK (at the request of Mr. GEPHARDT) after 4:40 p.m. on Wednesday, February 2, until 2 p.m. on February 3, 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. GOODLATTE) to revise and extend their remarks and include extraneous material:)

Mr. CAMP, for 5 minutes, today.

Mr. HORN, for 5 minutes each legislative day in 1994, beginning February 2.

Mr. HUNTER, for 5 minutes, today.

Mr. BACHUS of Alabama, for 5 minutes, on February 7 and 8.

Mr. GOSS, for 5 minutes, today.

Mr. BURTON of Indiana, for 60 minutes each day on February 8, 9, 10, 22, 23, 24, March 1, 2, 3, 8, 9, 10, 15, 16, 17, 22, 23, 24, 29, 30, and 31.

(The following Members (at the request of Mr. FIELDS of Louisiana) to revise and extend their remarks and include extraneous material:)

Mr. LEWIS of Georgia, for 5 minutes, today.

Mr. HINCHEY, for 5 minutes, on February 3.

Mr. SABO, for 5 minutes, today.

Ms. CANTWELL, for 60 minutes, on February 9.

(The following Member (at the request of Mr. LEWIS of Georgia) to revise and extend their remarks and include extraneous material:)

Mr. MOAKLEY, for 60 minutes each day, on February 8, 9, and 10.

(The following Member (at his own request) to revise and extend his remarks and include extraneous material:)

Mr. MICA, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. GOODLATTE) and to include extraneous material:)

Mr. CLINGER in two instances.

Mr. CRANE.

Mr. SOLOMON.

Mr. GILMAN in two instances.

Mr. GALLEGLY.

Mrs. ROUKEMA in two instances.

Mr. BLILEY in two instances.

Mr. SUNDQUIST.

Mr. PACKARD.

Mr. HUNTER.

Mr. CUNNINGHAM.

Mr. FIELDS of Texas.

Mr. DICKEY.

Mr. DUNCAN.

(The following Members (at the request of Mr. FIELDS of Louisiana) and to include extraneous matter:)

Mr. RUSH.

Mr. JOHNSON of Georgia.

Mr. TRAFICANT.

Ms. WOOLSEY.

Mr. FINGERHUT.

Mr. STOKES.

Mr. HAMILTON.

Mr. TORRICELLI.

Mr. REED.

Ms. KAPTUR.

Mrs. MALONEY.

Mr. VENTO.

Mr. NADLER.

Mr. GLICKMAN.

(The following Members (at the request of Mr. CAMP of Michigan) and to include extraneous matter:)

Mr. JACOBS.

Mr. COSTELLO.

Ms. MARGOLIES-MEZVINSKY.

Mr. BROWN of Ohio.

Mr. KREIDLER.

Mr. HOYER.

Mr. ROTH.

Mr. KLEIN.

Mr. SMITH of New Jersey.

Mr. RICHARDSON.

ADJOURNMENT

Mr. MOAKLEY. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 56 minutes p.m.) under its previous order the House adjourned until Thursday, February 3, 1994, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2508. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting the annual report on its operations for fiscal year 1993, pursuant to 12 U.S.C. 635g(a); to the Committee on Banking, Finance and Urban Affairs.

2509. A letter from the Administrator, Environmental Protection Agency, transmitting a report entitled, "International Anthropogenic Methane Emissions: Estimates for 1990," pursuant to Public Law 101-549, section 603(b)(3) (104 Stat. 2671; to the Committee on Energy and Commerce.

2510. A letter from the Assistant Secretary of State for Legislative Affairs, transmitting copies of the report of political contributions by Richard D. Kauzlarich, of Virginia, to be Ambassador to the Republic of Azerbaijan, and members of his family, pursuant to 22 U.S.C. 3944(b)(2); to the Committee on Foreign Affairs.

2511. A letter from the Assistant Secretary of State for Legislative Affairs, transmitting copies of the report of political contributions by March Fong Eu, of California, to be Ambassador to the Federated States of Micronesia, and members of his family, pursuant to 22 U.S.C. 3944(b)(2); to the Committee on Foreign Affairs.

2512. A letter from the Assistant Secretary of State for Legislative Affairs, transmitting copies of the report of political contributions by Josiah Horton Beeman, of the District of Columbia, to be Ambassador to Western Samoa, and members of his family, pursuant to 22 U.S.C. 3944(b)(2); to the Committee on Foreign Affairs.

2513. A letter from the Assistant Secretary of State for Legislative Affairs, transmitting copies of the report of political contributions by Donald M. Blinken, of New York, to be Ambassador to the Republic of Hungary, and members of his family, pursuant to 22 U.S.C. 3944(b)(2); to the Committee on Foreign Affairs.

2514. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on Foreign Affairs.

2515. A letter from the Comptroller General, General Accounting Office, transmitting a compilation of GAO reports and testimony issued during fiscal year 1993, pursuant to 31 U.S.C. 719(h); to the Committee on Government Operations.

2516. A letter from the Secretary of the Interior, transmitting the 1994 update to the National Plan for Research in Mining and Mineral Resources and the 1994 report on the Mineral Institute Program of the U.S. Department of the Interior, pursuant to 30 U.S.C. 1229(e); to the Committee on Natural Resources.

2517. A letter from the Postmaster General, CEO, U.S. Postal Service, transmitting a copy of the 1993 annual report and the comprehensive statement on postal operations, pursuant to 39 U.S.C. 2401(g); to the Committee on Post Office and Civil Service.

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. BEILENSON: Committee on Rules. House Resolution 336. Resolution providing for the consideration of the bill (H.R. 3759) making emergency supplemental appropriations for the fiscal year ending September 30, 1994, and for other purposes (Rept. 103-416). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Ms. BYRNE:

H.R. 3761. A bill to amend the Internal Revenue Code of 1986 to permit individual retirement accounts to be used as security for certain business loans; to the Committee on Ways and Means.

By Mr. GALLEGLY:

H.R. 3762. A bill to amend the Internal Revenue Code of 1986 to permit the penalty-free withdrawal of amounts in retirement plans to pay for disaster-related expenses; to the Committee on Ways and Means.

By Mr. GLICKMAN:

H.R. 3763. A bill to clarify the scope of the Gun-Free School Zones Act of 1990; to the Committee on the Judiciary.

By Mr. LIVINGSTON (for himself, Ms. DUNN, and Mr. BAKER of Louisiana):

H.R. 3764. A bill to abolish the ex officio positions on the Federal Election Commission; to the Committee on House Administration.

By Mr. HAMILTON (for himself and Mr. GILMAN) (both by request):

H.R. 3765. A bill to repeal the Foreign Assistance Act of 1961 and provide a policy framework and authorities for programs to promote the prosperity and security of the United States by supporting bilateral, multilateral, and people-to-people partnerships for the advancement of market economies and democracy; to the Committee on Foreign Affairs.

By Mr. ROBERTS:

H.R. 3766. A bill to prohibit any Federal department or agency from requiring any State, or political subdivision thereof, to convert highway signs to metric units; to the Committee on Public Works and Transportation.

By Mrs. ROUKEMA:

H.R. 3767. A bill to improve and simplify the HOME Investment Partnerships Program, and for other purposes; to the Committee on Banking, Finance and Urban Affairs.

By Mrs. ROUKEMA (for herself and Mr. RIDGE):

H.R. 3768. A bill to transfer the emergency food and shelter program for the homeless of the Federal Emergency Management Agency to the Department of Housing and Urban Development and to provide funding to States, metropolitan cities, urban counties, and Indian tribes on a formula grant basis for housing and related activities for the homeless in order to give grantees maximum flexibility to meet the needs of the homeless and to improve the efficiency and effectiveness of the homeless housing assistance programs under the Stewart B. McKenney Homeless Assistance Act, and for other purposes; to the Committee on Banking, Finance and Urban Affairs.

By Ms. SCHENK (for herself, Mr. ANDREWS of Maine, Mr. DELLUMS, Mr. FILNER, Mr. HOCHBRUECKNER, Mr.

HUNTER, Mr. LIPINSKI, Mr. STUDDS, Mr. TAYLOR of Mississippi, and Mr. TRAFICANT):

H.R. 3769. A bill to promote the construction in the United States of modern, efficient document vessels suitable for commercial and national defense purposes; to strengthen the defense industrial base, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Ms. SCHENK:

H.R. 3770. A bill to designate the United States courthouse located at 940 Front Street in San Diego, CA, and the Federal building attached to the courthouse as the "Edward J. Schwartz Courthouse and Federal Building"; to the Committee on Public Works and Transportation.

By Mr. SCHUMER:

H.R. 3771. A bill to amend the Internal Revenue Code of 1986 to provide tax incentives for businesses participating in gun exchange programs, and for other purposes; jointly, to the Committees on Ways and Means and the Judiciary.

By Mr. INGLIS of South Carolina:

H.R. 3772. A bill to amend the Agricultural Trade Act of 1978 to repeal the market promotion program of the Department of Agriculture; to the Committee on Agriculture.

H.R. 3773. A bill to amend the Rural Electrification Act of 1936 to return the Rural Electrification Administration to its original mission of providing credit to rural electric cooperatives which are unable to obtain needed financing in the private sector; to the Committee on Agriculture.

H.R. 3774. A bill to repeal the Davis-Bacon Act; to the Committee on Education and Labor.

H.R. 3775. A bill to achieve budget savings by reducing spending by the Agency for International Development for development assistance; to the Committee on Foreign Affairs.

H.R. 3776. A bill to reduce the Speaker of the House's spending on salaries and expenses; to the Committee on House Administration.

H.R. 3777. A bill to terminate funds for the Office of Technology Assessment; to the Committee on House Administration.

H.R. 3778. A bill to terminate funds for congressional parking attendants and to charge for parking; to the Committee on House Administration.

H.R. 3779. A bill to end the purchase of House calendars and for other purposes; to the Committee on House Administration.

H.R. 3780. A bill to direct the President to develop a plan for transferring all real property, facilities, and equipment of the Federal Power Marketing Administration to public and private entities, and for other purposes; to the Committee on Natural Resources.

H.R. 3781. A bill to amend the Intermodal Surface Transportation Efficiency Act of 1991 to eliminate funding for highway demonstration projects; to the Committee on Public Works and Transportation.

By Mr. KREIDLER:

H.R. 3782. A bill to establish the Department of Energy Facilities Closure and Reconfiguration Commission, and for other purposes; jointly, to the Committees on Energy and Commerce, Armed Services, Science, Space, and Technology, and Rules.

By Mr. RICHARDSON (for himself, Mr. KENNEDY, Mrs. MORELLA, Mr. SYNAR, Mr. BEREUTER, and Mr. MORAN):

H.R. 3783. A bill to amend the Public Health Service Act to provide a comprehensive program for the prevention of fetal alcohol syndrome, and for other purposes; to the Committee on Energy and Commerce.

By Mr. SMITH of Texas:

H.R. 3784. A bill to provide for compensation to owners of property substantially diminished in value as a consequence of a final decision of any U.S. agency; to the Committee on the Judiciary.

By Mr. MYERS of Indiana:

H.J. Res. 315. Joint resolution designating May 30, 1994, through June 6, 1994 as a "Time for the National Observance of the Fiftieth Anniversary of World War II"; to the Committee on Post Office and Civil Service.

By Ms. WATERS (for herself, Mr. MANTON, Mr. FILNER, Mr. SWETT, Ms. BYRNE, Mrs. MORELLA, Mr. MONTGOMERY, Mr. NADLER, Mr. CONYERS, Mrs. MALONEY, Mr. DELLUMS, Mr. RAVENEL, Mr. KLEIN, Mr. ANDREWS of Texas, Miss COLLINS of Michigan, Mr. SCHUMER, Mr. MORAN, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. CLAYTON, Mr. KLECZKA, Mr. KOPETSKI, Mr. ACKERMAN, Mr. GORDON, Mr. COLEMAN, Mr. STOKES, Mr. LEWIS of California, Ms. WOOLSEY, Ms. KAPTUR, Mr. PETERSON of Minnesota, Mr. FINGERHUT, Mrs. UNSOELD, Mr. ANDREWS of Maine, Mrs. MEEK of Florida, Mr. WALSH, Mr. CRAMER, Mr. HUGHES, Mr. TUCKER, Mrs. LLOYD, Mr. SERRANO, Mr. MURTHA, Ms. ROYBAL-ALLARD, Ms. SLAUGHTER, Mr. UNDERWOOD, Mr. BONIOR, Mr. LAFALCE, Mr. VALENTINE, Mr. MINETA, Mr. GENE GREEN of Texas, Mr. ORTON, Ms. NORTON, Mr. NEAL of North Carolina, and Mr. FROST):

H.J. Res. 316. Joint resolution designating March 8, 1994, as "International Women's Day"; to the Committee on Post Office and Civil Service.

By Mr. ALLARD (for himself, Mr. PENNY, Mr. MICHEL, Mr. GINGRICH, Mr. STENHOLM, Mr. ARMEY, Mr. DEAL, Mr. KASICH, Mr. PETE GEREN of Texas, Mr. ARCHER, Mr. ROWLAND, Mr. DELAY, Mr. JACOBS, Mr. HYDE, Mr. TAUZIN, Mr. THOMAS of California, Mr. KNOLLENBERG, Mr. LANCASTER, Mr. MILLER of Florida, Mr. BREWSTER, Mr. GOSS, Mr. PETERSON of Minnesota, Mr. GRANDY, Mr. BLILEY, Mr. BURTON of Indiana, Mr. WALKER, Mr. BAKER of California, Mr. BAKER of Louisiana, Mr. BALLENGER, Mr. BARTLETT of Maryland, Mr. BATEMAN, Mr. BEREUTER, Mr. BLUTE, Mr. BOEHRER, Mr. BONILLA, Mr. BUNNING, Mr. BUYER, Mr. CALVERT, Mr. CAMP, Mr. CANADY, Mr. CASTLE, Mr. COLLINS of Georgia, Mr. COMBEST, Mr. COX, Mr. CRANE, Mr. CRAPO, Mr. DICKEY, Mr. DOOLITTLE, Mr. DORNAN, Mr. DUNCAN, Ms. DUNN, Mr. EHLERS, Mr. EMERSON, Mr. EVERETT, Mr. EWING, Mr. FIELDS of Texas, Mrs. FOWLER, Mr. FRANKS of New Jersey, Mr. FRANKS of Connecticut, Mr. GALLEGLY, Mr. GILLMOR, Mr. GOODLING, Mr. GREENWOOD, Mr. HASTERT, Mr. HEFLEY, Mr. HERGER, Mr. HOBSON, Mr. HOEKSTRA, Mr. HOKE, Mr. HORN, Mr. HOUGHTON, Mr. INGLIS of South Carolina, Mr. ISTOOK, Mrs. JOHNSON of Connecticut, Mr. SAM JOHNSON, Mr. KLUG, Mr. KOLBE, Mr. KYL, Mr. LIGHTFOOT, Mr. LINDER, Mr. LIVINGSTON, Mr. MCCREERY, Mr. MCINNIS, Mr. MCKEON, Mr. MCMILLAN, Mr. MACHTLEY, Mr. MANZULLO, Mrs. MEYERS of Kansas, Mr. MICA, Mr. MYERS of Indiana, Mr. NUSSLE, Mr. OXLEY, Mr. PACKARD, Mr. PAXON, Mr. POMBO, Mr. PORTMAN, Ms. PRYCE

of Ohio, Mr. RAMSTAD, Mr. REGULA, Mr. ROBERTS, Mr. SANTORUM, Mr. SCHAEFER, Mr. SHAW, Mr. SHAYS, Mr. SCHIFF, Mr. SHUSTER, Mr. SKEEN, Mr. SMITH of New Jersey, Mr. SMITH of Texas, Mr. SMITH of Michigan, Mr. SOLOMON, Mr. SPENCE, Mr. STEARNS, Mr. STUMP, Mr. SUNDBQUIST, Mr. TALENT, Mr. THOMAS of Wyoming, Mr. TORKILDSEN, Mr. UPTON, Mrs. VUCANOVICH, Mr. WELDON, Mr. WOLF, Mr. ZELIFF, Mr. ZIMMER, Mr. CLINGER, Ms. SNOWE, Mr. INHOFE, and Mr. LAZIO):

H. Con. Res. 201. Concurrent resolution expressing the sense of the Congress that any Federal Government mandated health care reform should be on-budget; to the Committee on Government Operations.

By Mr. MICHEL:

H. Res. 335. Resolution designating minority membership on certain standing committees of the House; considered and agreed to.

By Mr. FROST (for himself and Ms. EDDIE BERNICE JOHNSON of Texas):

H. Res. 337. Resolution expressing the sense of the House of Representatives with respect to radiation experiments conducted by the Federal Government; jointly, to the Committees on Government Operations, Energy and Commerce, and the Judiciary.

By Mr. MOAKLEY (for himself and Mr. SOLOMON):

H. Res. 338. Resolution providing amounts from the contingent fund of the House for expenses of investigations and studies by the Committee on Rules in the 2d session of the 103d Congress; to the Committee on House Administration.

By Mr. STUDDS (for himself and Mr. FIELDS of Texas):

H. Res. 339. Resolution providing amounts for the contingent fund of the House for expenses of investigations and studies by the Committee on Merchant Marine and Fisheries in the 2d session of the 103d Congress; to the Committee on House Administration.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 93: Mr. BARCA of Wisconsin, Mr. MORAN, Mr. BOEHLERT, Mr. COLLINS of Georgia, Mr. HOBSON, Mrs. JOHNSON of Connecticut, Mr. MCCOLLUM, Mr. MCKEON, Mrs. MORELLA, Ms. PRYCE of Ohio, Mr. SHAYS, Mr. SMITH of Michigan, Mr. STEARNS, Mr. EHLERS, Mr. HALL of Texas, and Mr. KLECZKA.

H.R. 292: Mr. TEJEDA.

H.R. 300: Mr. ROMERO-BARCELÓ, Mr. DICK-
EY, and Mr. GENE GREEN of Texas.

H.R. 326: Mr. BROWN of Ohio, Mr. JEFFERSON, and Mr. MILLER of California.

H.R. 349: Mr. WISE.

H.R. 392: Mr. MCINNIS.

H.R. 509: Mr. HOKE.

H.R. 539: Mr. HOKE.

H.R. 553: Mr. BOEHLERT.

H.R. 643: Mr. KILDEE.

H.R. 672: Mrs. SCHROEDER, Mr. KANJORSKI, Ms. MOLINARI, Mr. FOGLIETTA, and Mr. MANN.

H.R. 702: Mr. MYERS of Indiana.

H.R. 739: Mr. STUMP and Mr. TALENT.

H.R. 743: Mr. KILDEE.

H.R. 794: Mr. BARLOW, Mr. DARDEN, Mr. JOHNSON of Georgia, Mr. BLUTE, Mr. SENSENBRENNER, Mr. ORTON, Mr. HUTCHINSON, Mr. JEFFERSON, Mr. FRANKS of Connecticut, Mr. OLVER, Mr. QUILLEN, Mrs. SCHROEDER, and Mr. LEWIS of Georgia.

- H.R. 830: Mr. WILLIAMS.
 H.R. 840: Mr. ENGEL, Mr. SANDERS, and Mrs. MORELLA.
 H.R. 859: Mr. PETE GEREN of Texas, Mr. RANGEL, Ms. PELOSI, Mr. WISE, Mr. BARLOW, Mr. THOMPSON, Mr. LIPINSKI, Mrs. MINK of Hawaii, Mr. STUPAK, Mr. PASTOR, Mr. JEFFERSON, Mr. REED, Mr. NADLER, Mr. RAHALL, and Mr. DIAZ-BALART.
 H.R. 967: Mr. GOODLATTE and Mr. SMITH of New Jersey.
 H.R. 1026: Mr. BARTLETT of Maryland.
 H.R. 1055: Mr. CAMP and Ms. PELOSI.
 H.R. 1127: Mr. KILDEE.
 H.R. 1151: Mr. FAZIO, Mr. COYNE, Ms. CANTWELL, and Mrs. SCHROEDER.
 H.R. 1168: Mr. STUMP, Mr. DELAY, Mr. LEWIS of Florida, Mrs. LLOYD, and Mr. FROST.
 H.R. 1219: Mr. SCHUMER.
 H.R. 1297: Mr. BARTLETT of Maryland.
 H.R. 1298: Mr. BEREU-TER.
 H.R. 1417: Mr. ENGEL, Mr. MILLER of California, Mrs. MINK of Hawaii, Mr. SYNAR, Mr. BERMAN, and Mr. NEAL of North Carolina.
 H.R. 1482: Mr. LAZIO, Mr. KREIDLER, and Mr. MCINNIS.
 H.R. 1483: Mrs. MALONEY.
 H.R. 1485: Mr. POMBO.
 H.R. 1487: Mr. POMBO and Mr. CRAPO.
 H.R. 1541: Mr. DUNCAN.
 H.R. 1627: Mr. MINGE and Mr. CUNNINGHAM.
 H.R. 1671: Mr. MURTHA.
 H.R. 1677: Mr. DELLUMS and Ms. KAPTUR.
 H.R. 1793: Mr. TUCKER and Mr. SWETT.
 H.R. 1801: Mr. RIDGE and Mr. SANTORUM.
 H.R. 1823: Mr. FILNER and Mr. DELLUMS.
 H.R. 1843: Mr. DEUTSCH.
 H.R. 1852: Mr. LAZIO, Mr. FRANKS of New Jersey, Mr. BROWN of Ohio, and Mr. WHEAT.
 H.R. 1853: Mr. LAZIO and Mr. MCINNIS.
 H.R. 1856: Mr. KINGSTON and Mr. WHEAT.
 H.R. 1857: Mr. WHEAT and Mr. MCINNIS.
 H.R. 1858: Mr. PAXON.
 H.R. 1859: Mr. WHEAT.
 H.R. 1860: Mr. KINGSTON.
 H.R. 1872: Mr. CLINGER.
 H.R. 1886: Mr. MCCURDY, Mrs. MEEK of Florida, Mr. LEWIS of Georgia, Mr. HOCHBRUECKNER, Mr. GINGRICH, Mr. KLUG, Mr. SANDERS, Mr. FALCOMA, Ms. SLAUGHTER, Mr. APPELEGATE, Mr. INSLEE, and Mr. STUPAK.
 H.R. 1938: Mr. GRANDY.
 H.R. 2035: Mr. KILDEE.
 H.R. 2036: Mr. KILDEE.
 H.R. 2037: Mr. KILDEE.
 H.R. 2062: Mr. KING.
 H.R. 2079: Mr. LIPINSKI and Mr. DELLUMS.
 H.R. 2092: Mr. MINETA.
 H.R. 2135: Mr. TEJEDA and Mr. STUPAK.
 H.R. 2318: Mr. SPENCE, Mr. RAVENEL, Mr. DURBIN, Mr. EMERSON, Mr. STENHOLM, Mr. SPRATT, and Mr. KLECZKA.
 H.R. 2319: Mr. FARR.
 H.R. 2365: Mr. BROWN of Ohio, Mr. WYDEN, Ms. MARGOLIES-MEZVINSKY, Mr. PALLONE, Mr. STUDDS, and Ms. SCHENK.
 H.R. 2375: Mr. SANDERS.
 H.R. 2790: Ms. BYRNE.
 H.R. 2872: Mr. HERGER, Mr. PACKARD, Mr. COLLINS of Georgia, Mr. INHOPE, Mr. KASICH, Mr. SCHAEFER, Mr. GOODLATTE, Mr. LEWIS of California, Mr. PETRI, and Mr. EVERETT.
 H.R. 2898: Mr. BILBRAY and Mr. STARK.
 H.R. 2927: Mr. GRANDY, Mr. KANJORSKI, Mr. SWIFT, Mr. FARR, Mr. CLYBURN, Mr. BEREU-TER, and Mr. DURBIN.
 H.R. 2958: Mr. TUCKER and Mr. NADLER.
 H.R. 2995: Mr. BARRETT of Nebraska, Mr. FRANK of Massachusetts, and Mr. FIELDS of Texas.
 H.R. 3039: Mr. DREIER, Mr. RAMSTAD, Mr. DEUTSCH, Mr. SMITH of Oregon, Mr. WOLF, and Mr. BAKER of Louisiana.
 H.R. 3041: Mr. WELDON.
 H.R. 3153: Mr. BISHOP.
 H.R. 3228: Mr. NADLER.
 H.R. 3259: Mr. JEFFERSON.
 H.R. 3269: Mr. DURBIN, Mr. MACHTLEY, Ms. FURSE, Mr. INSLEE, Mr. SANDERS, Mr. PETERSON of Minnesota, Mr. SAXTON, Mr. KINGSTON, Mr. MCCLOSKEY, Mr. HUGHES, and Mr. CRAMER.
 H.R. 3272: Mr. SHAW.
 H.R. 3296: Mr. DELLUMS, Mr. FILNER, and Mr. JOHNSTON of Florida.
 H.R. 3328: Mr. GALLEGLY, Mr. ORTON, Mrs. MALONEY, Mr. ROBERTS, Ms. SCHENK, and Mr. PALLONE.
 H.R. 3389: Mr. SANDERS.
 H.R. 3407: Mr. BURTON of Indiana, Mr. EWING, Mr. PENNY, Mr. WILSON, Mrs. MEYERS of Kansas, Mr. DOOLITTLE, Mr. CRAMER, Mr. RAHALL, Mr. FILNER, Mr. HOEKSTRA, Mr. STEARNS, Mr. KOLBE, Mr. HOUGHTON, Mr. KLINK, and Mr. TALENT.
 H.R. 3492: Mr. MANTON, Mr. SHUSTER, Mr. CRAMER, Mr. DEAL, Mr. PICKETT, Mr. SISISKY, Mr. BURTON of Indiana, Mr. HOEKSTRA, Mr. QUILLEN, Mr. BILIRAKIS, and Mr. BACCHUS of Florida.
 H.R. 3513: Ms. LONG and Mr. PETERSON of Minnesota.
 H.R. 3519: Mr. SMITH of Texas, Mr. FROST, Mr. WILLIAMS, Mr. FINGERHUT, and Mr. LANCASTER.
 H.R. 3527: Mr. HOAGLAND, Mr. SABO, Mr. MANTON, Mr. MARKEY, Mr. JOHNSTON of Florida, and Mr. MANN.
 H.R. 3591: Ms. MARGOLIES-MEZVINSKY.
 H.R. 3615: Mr. ORTON.
 H.R. 3645: Mr. BALLENGER and Mr. FIELDS of Texas.
 H.R. 3658: Mr. EDWARDS of California, Mr. ZIMMER, and Ms. ESHOO.
 H.R. 3698: Mr. CRANE, Mr. SMITH of Michigan, and Mr. LINDER.
 H.R. 3721: Mr. FROST.
 H.R. 3727: Ms. MOLINARI, Mr. EVERETT, Mr. FRANKS of New Jersey, Mr. BLUTE, Mr. DOOLITTLE, Mr. GALLEGLY, Mr. BAKER of California, Mr. HERGER, and Mr. POMBO.
 H.R. 3746: Mr. ANDREWS of New Jersey, Mr. HUGHES, and Mr. PAYNE of New Jersey.
 H.J. Res. 113: Ms. SLAUGHTER.
 H.J. Res. 146: Mr. MCINNIS.
 H.J. Res. 209: Mr. BLACKWELL, Mr. WAXMAN, Mr. LEWIS of Georgia, Mr. HAMBURG, Mr. ENGEL, and Mr. SHAYS.
 H.J. Res. 233: Mr. SMITH of New Jersey.
 H.J. Res. 253: Mr. SCHAEFER.
 H.J. Res. 285: Mr. FINGERHUT, Mr. QUINN, and Mr. HUGHES.
 H.J. Res. 304: Mr. PAYNE of New Jersey, Mr. WILSON, Mr. BILIRAKIS, Mr. HEFNER, Mr. REYNOLDS, Mr. CRAMER, Mr. UNDERWOOD, Mr. MURTHA, Mrs. MALONEY, Mr. KLEIN, Mr. BEVILL, Mr. GREENWOOD, Mr. MARTINEZ, Mr. WOLF, Mr. YATES, Mr. KLECZKA, Mr. MONTGOMERY, Mr. KASICH, Mr. MYERS of Indiana, Mr. LIPINSKI, Mr. GORDON, Mr. GENE GREEN of Texas, Mr. FROST, Mr. JOHNSON of South Dakota, and Mr. STUDDS.
 H. Con. Res. 104: Mr. HERGER.
 H. Con. Res. 107: Mr. MACHTLEY, Mrs. UNSOELD, Mr. KLECZKA, Mr. GALLO, and Mr. SWETT.
 H. Con. Res. 110: Mr. MAZZOLI and Mr. SUNDQUIST.
 H. Con. Res. 124: Mr. FORD of Michigan, Mr. BEREU-TER, and Mr. MANZULLO.
 H. Con. Res. 141: Mr. BARLOW.
 H. Con. Res. 147: Mr. DELLUMS.
 H. Con. Res. 148: Mr. QUILLEN and Mr. CALVERT.
 H. Res. 181: Mr. BARTLETT of Maryland.
 H. Res. 225: Mr. SANDERS, Mr. SAM JOHNSON, Mr. SCHAEFER, and Mr. BAKER of Louisiana.
 H. Res. 281: Mr. DARDEN, Mr. BAESLER, Ms. LAMBERT, Mr. OBERSTAR, Mr. MANN, Mr. PRICE of North Carolina, Mr. TORRICELLI, Mr. WHEAT, and Mr. NEAL of Massachusetts.
 H. Res. 310: Mr. GENE GREEN of Texas, Mr. FROST, Mr. COBLE, Mr. FORD of Michigan, and Mr. HUTTO.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

- H.R. 1200: Mr. FIELDS of Louisiana.