

## HOUSE OF REPRESENTATIVES—Friday, June 24, 1994

The House met at 9 a.m., and was called to order by the Speaker pro tempore (Mr. MONTGOMERY).

### DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,  
June 24, 1994.

I hereby designate the Honorable G.V. (SONNY) MONTGOMERY to act as Speaker pro tempore on this day.

THOMAS S. FOLEY,  
Speaker of the House of Representatives.

### PRAYER

The Reverend Canon Patricia M. Thomas, diocesan administrator, Episcopal Diocese of Washington and canon of the Washington National Cathedral, Washington, DC, offered the following prayer:

O God, You have bound us together in a common life. You have so linked our lives one with another that all we do affects, for good or ill, all other lives. Give the Members of this House of Representatives courage, wisdom, and foresight to provide for the needs of all the people of this land and to fulfill our obligations in the community of nations. Guide and direct them in the work they do this day, granting them vision to see Your purpose for our Nation and filling them with compassion and understanding. Strengthen them with an abiding commitment to seek Your truth in all their deliberations and actions. This we pray. Amen.

### THE JOURNAL

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

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

### PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair will ask the gentleman from New York [Mr. LAZIO] if he would kindly come forward and lead the membership in the Pledge of Allegiance.

Mr. LAZIO led the Pledge of Allegiance as follows:

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

### MESSAGE FROM THE SENATE

A message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate has passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 4539. An act making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 1995, and for other purposes.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 4539) "An act making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 1995, and for other purposes" requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. DECONCINI, Ms. MIKULSKI, Mr. KERREY, Mr. BYRD, Mr. BOND, Mr. D'AMATO, and Mr. HATFIELD, to be the conferees on the part of the Senate.

### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair announces he will recognize five 1-minutes on each side.

### GUILTY UNTIL PROVEN INNOCENT

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

Mr. TRAFICANT. Mr. Speaker, Jeffrey Dahmer killed 17 young boys, adolescents, ate their flesh. He was innocent until proven guilty. Son of Sam, mass murderer, Charles Manson, mass murderer, Richard Speck, mass murderer, innocent until proven guilty. But when your mother and father or grandparents or the businessman or the teacher in your community gets called down to the IRS office, they are guilty and must prove themselves innocent.

Unbelievable, Congress. No American should fear their Government. People fear the IRS because Congress has allowed the IRS to intrude on their constitutional rights.

Shame, Congress. Discharge Petition No. 12 says a taxpayer is innocent until proven guilty. And if it is good enough for the Son of Sam, it is good enough for mom and dad. One hundred and

nine Members signed Discharge Petition No. 12, and the big shots in Congress are not going to do anything with it.

No reason to fear our Government. Discharge Petition No. 12.

### EMPLOYER MANDATES WILL HURT BUSINESS AND AMERICA

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

Mr. HEFLEY. Mr. Speaker, the word is getting out.

American businesses are finally starting to hear what the proposed Clinton health care plan and its job-killing employer mandates will cost them and their employees.

The U.S. Chamber of Commerce has said, overwhelmingly that Clinton's employer mandates are unacceptable.

The proposed mandates will kill jobs and drive down wages.

Employers will have no choice but to reduce either wages or their work force in order to cover their losses.

It just does not make sense to risk losing your job for government-run health care when there are health care reform proposals like the Republican's Michel-Lott bill, which fixes what is wrong with our health care system, while keeping what is right with it, and it does this without killing American jobs.

Mr. Speaker, the business of America is business and employer mandates will hurt business and America.

### SMALL BUSINESSMEN: MANDATES EQUAL UNEMPLOYMENT

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

Mr. KNOLLENBERG. Mr. Speaker, I have heard from community leaders and small business leaders alike, employer mandates now, equal unemployment lines tomorrow.

And my district is not unique. Nationally, more than a third of all small business owners say that contributions mandated by President Clinton and some of my colleagues on Capitol Hill would either force them out of business or significantly cut their work force.

A number of studies indicate that employer contributions would cost the United States more than 15 million jobs, during the first 5 years alone. We simply cannot afford this type of social experiment in health care roulette.

□ 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.

Additionally, these numbers fail to estimate the chilling effect that this type of job-killing legislation would have on small business hiring.

Our economy has anemic growth now. Are we supposed to believe that passing health care reform with employer mandates will spur further economic recovery?

Let us stop kidding ourselves and the American public, and start working on a bipartisan health care reform plan. We need health care reform, but we need to make sure that we do not ruin small businesses in the process.

#### HONORING GENERAL KICKLIGHTER

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

Mr. GIBBONS. Mr. Speaker, as our great country and the remainder of the free world remembers the historic 50th anniversary of the Normandy invasion, I rise today to honor and salute Lt. Gen. Claude Kicklighter on his outstanding job organizing the commemoration of the 50th anniversary of D-day.

Lt. Gen. Claude Kicklighter assumed the duties of special assistant to the Secretary of the Army and executive director of the Department of Defense 50th anniversary of World War II Commemoration Committee on August 7, 1991. He was directly responsible for managing a program designed to assist the Nation in thanking and honoring the veterans of World War II, their families, and those who served on the homefront. In addition, he developed programs and materials that provided a greater understanding of the lessons and history of World War II. It was evident from the very beginning that General Kicklighter's top priority was honoring the 8.2 million surviving World War II veterans. When describing his job, he reflects that "It's been a labor of love."

Over the past few weeks, I have received hundreds of letters from World War II veterans who attended the Normandy anniversary and from those who watched the ceremonies on television. It is overwhelmingly clear that the 50th anniversary of D-day has rekindled the spirit of patriotism all over America and has touched each of us in some way. The success of this moving and emotional anniversary could not have been achieved without the dedication and professional effort of General Kicklighter.

General Kicklighter has a distinguished record of service to his country at numerous locations in the United States and overseas. His assignments included duty with three Army Schools and service in Vietnam, Iran, Europe, Washington DC, and at numerous posts in the United States, including ROTC duty at Wofford College in South Carolina.

General Kicklighter has commanded at every level, from company through division, having commanded the 25th Infantry Division (Light) at Schofield Barracks from June 1984 until September 1986. He commanded the U.S. Army Security Assistance Center, Alexandria, VA, and served in staff assignments from battalion to Department of the Army, the Joint Staff, and the Office of the Secretary of Defense. He served as Director of the Army Staff from May 1987 to July 1989.

General Kicklighter's awards include the Distinguished Service Medal with two oak leaf clusters, the Defense superior service medal, the Legion of Merit with three oak leaf clusters, the Bronze Star, the Meritorious service medal with oak leaf clusters, the Army Commendation Medal with four oak leaf clusters, the Secretary of Defense identification badge, the Joint Chiefs of Staff identification badge, the Army general staff identification badge, Order of Aaron and Hur, the Argentina Order of May, the French Order National Du Merite, and the Korean Order of National Security Gugseon Medal. And finally, General Kicklighter received the Eisenhower liberation medal, presented by the U.S. Holocaust Memorial Council, on April 6, 1994.

Mr. Speaker, I ask you and my colleagues to join me in commending the accomplishments of General Claude Kicklighter. It is my sincere hope that future generations will have a full comprehension of the magnitude of the sacrifice that those in the military took on June 6, 1994. Thanks to General Kicklighter, I do not think we have to be concerned about our Nation forgetting this most profound day in our Nation's history and the world's history as well.

Again, I thank and applaud General Kicklighter for his outstanding dedication to all war veterans as our grateful Nation remembers.

#### EMPLOYER MANDATES

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

Mr. SAM JOHNSON of Texas. Mr. Speaker, the President's own competitiveness council reported to Congress last week that with regard to healthcare reform "Ultimately it is the worker who pays for most of the healthcare system, through lower wages and lower quality healthcare."

All Americans should be concerned about bearing the burden of healthcare reform. If Congress imposes employer mandates, quality of care will decrease, wages will be lower, and there will be less jobs due to layoffs to pay for the mandates.

Small business owners from all over the country have said employer mandates mean weaker businesses and

fewer jobs. We have a choice—we can ruin the American economy so that people can pay more for less—or we can pass responsible reforms that preserve our superb health care system and keep America's small businesses strong.

#### EMPLOYER MANDATES: THE CLINTON JOB KILLER

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

Mr. SMITH of Texas. Mr. Speaker, when big government comes calling and says it wants to do you a favor, you would do well to tread very carefully. There is usually a catch.

The catch in the Clinton-government-run health care proposal is something called an employer mandate. That means a payroll tax on American businesses—big and small. That means smaller profits, lower wages and fewer jobs. In fact, a survey of some 40 studies has found estimates running from 600,000 to 3.8 million jobs destroyed by imposition of a new payroll tax.

So, what our Democratic colleagues are promising is a government-run health care system paid for by the jobs of American working men and women. Does that sound like a good deal? I do not think so.

Mr. Speaker, Republicans have offered alternatives to the Clinton-socialized medicine schemes—without the new taxes and without the terrible job loss. It is time to reject the big government approach and give the Republican alternatives a fair hearing. The American people deserve a fair shake.

□ 0910

#### RELIGION

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

Mr. ROHRBACHER. Mr. Speaker, I am very concerned about some of the trends that I have seen politically in this country, and there are a lot of people with more middle class and traditional values that share those concerns.

First of all, we see funding for the National Endowment for the Arts going to very clearly antireligious works of art. This is at the same time when no manger scenes are legally being able to be placed in the front of city hall. So we have the Government subsidizing antireligious art on one side and, on the other hand the same people making the argument, if someone so much as places a manger scene in front of city hall, that they are subsidizing religion.

We saw a bill passed in this session that says: "If you are prolife, you do

not have the same rights to protest as someone who is prochoice or other people who want to protest other things in our society."

We now hear, coming from the other side of the aisle, a vicious attack on politically active people who happen to have religious convictions. This is an attack on the rights of people who go to church, ordinary American citizens, stalwarts of our community, who are politically active, simply because they believe in their religion.

I think the other side better think twice about limiting the rights of honest middle-American religious people in our society.

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 1995, AND SUPPLEMENTAL APPROPRIATIONS, 1994

Mr. MOLLOHAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 4603) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies programs for the fiscal year ending September 30, 1995, and making supplemental appropriations for these departments and agencies for the fiscal year ending September 30, 1994, and for other purposes.

The SPEAKER pro tempore (Mr. MURTHA). The question is on the motion offered by the gentleman from West Virginia [Mr. MOLLOHAN].

The motion was agreed to.

□ 0912

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 4603, with Mr. MONTGOMERY (Chairman pro tempore) in the chair.

The Clerk read the title of the bill.

The CHAIRMAN pro tempore. When the Committee of the Whole rose on Thursday, June 23, 1994, the bill had been read through page 7, line 22.

The Clerk will read.

The Clerk read as follows:

GENERAL ADMINISTRATION  
SALARIES AND EXPENSES

For expenses necessary for the administration of the Department of Justice, \$119,904,000; of which not to exceed \$3,317,000 is for the Facilities Program 2000, to remain available until expended: *Provided*, That of the off-setting collections credited to this account, \$37,000 are permanently canceled.

AMENDMENT OFFERED BY MR. SMITH OF TEXAS

Mr. SMITH of Texas. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SMITH of Texas: Page 7, line 26, strike "\$119,904,000" and insert "\$118,979,000".

Mr. SMITH of Texas. Mr. Chairman, my amendment makes a small cut of \$925,000 in the General Administration account of the Department of Justice. This reduction represents a 5-percent reduction in the money provided for the Department leadership and the executive support subaccounts, which are responsible for formulating policy at the Department of Justice.

This cut misses the crime fighting components of Justice, like the FBI and INS, but hits squarely that part of the Department that is just as likely to work against our crime prevention efforts as for them. This amendment will not in any way muzzle the Nation's watchdog, but hopefully it will serve to rouse the ACLU's lapdog.

Nothing serves as a better point of comparison between the crime-fighting end and the policy making end of the Department of Justice than its ability to staff its top positions. While our jails overflow, the Department of Justice—now 2 years deep into the Clinton administration—is still unable to fill its leadership positions. As of today, Justice has over a 34-percent vacancy rate in its Presidential appointee positions requiring confirmation. That is an unbelievable record coming from an administration professing to be tough on crime.

To quote from the C.R.S. report concerning Clinton administration appointees:

While unfilled positions accounted for 20.6 percent of all positions, the situation in each department varied considerably. Eight departments had more than 20.6 percent of their positions vacant, led by the Justice Department \* \* \*

Being first amongst the worst is not the kind of leadership we need.

Then again, considering the kind of policies the Justice Department has formulated, maybe America should count its blessings. Its litany of lulus reads like a Ripley's Believe It or Not.

Despite a debate by both the House and Senate on the largest crime bill in years, the Justice Department never bothered to deliver a crime bill for the administration. Based on this performance, if Justice had been a television show, it would not have been "America's Most Wanted," but "America's Funniest Home Videos." Thanks to the Department of Justice, the administration played no role in the crime debate.

While the Department of Justice was doing nothing when it came to a crime bill, it was doing less than nothing when it came to child pornography. Perhaps the sickest, most depraved crime most Americans can think of, child pornography should have no defenders. Yet the Department of Justice, through its handling of the Knox case, gave pornographers a helping hand by making it harder to convict someone on child pornography charges. Rather than fighting on the grounds of the tough standards, which had already

won numerous convictions, the Justice Department incredibly requested that the case be sent back to a lower court to be tried under a looser standard.

It's record on immigration is no better than it's record on litigation. Despite the fact that State after State has filed suit against the Federal Government for allowing a flood of illegal immigrants to continue to enter America, Justice has done nothing as far as proposing a solution to the problem. Again nothing was their best performance on the issue.

Just a few months ago, aptly on April Fool's Day, the INS moved to discontinue fingerprint checks that had resulted in stopping thousands of criminals from reaching our shores illegally. The INS' rationale for discarding this \$3 million program? Cost. Yet, at the same time, Justice was able to fund a \$30 million campaign to advertise alien naturalization.

If that were not enough, the INS Commissioner recently claimed at an Immigration Subcommittee hearing that the INS did not even need the 6,000 additional border patrol agents that the House had already passed overwhelmingly. Tell that to California, to Florida, to Texas, and to every local government that is struggling just as hard to meet the costs of illegal immigration as Justice is in avoiding any solutions.

Just like the Justice Department ignores the problem of illegal immigration, so too it has ignored the will of this Congress when it has come to allowing HIV-infected individuals to enter the United States legally. Last year, Congress overwhelmingly passed and the President signed a resolution maintaining the bar to HIV-infected individuals entering the country. It was ignored this year when the Attorney General granted a blanket waiver for participants of the Gay Games taking place right now in New York. While it is a terrible precedent for U.S. immigration policy because of the potential for fraud and abuse, it is not new for Justice to substitute social policy for immigration policy.

Almost a year ago to this day, Justice likewise decided not to appeal a Federal judge's decision to allow 158 HIV-infected Haitian immigrants to enter the United States. Again, despite a clear immigration policy to the contrary.

I could go on, but the trust is that 5 minutes is not enough time to do justice to the injustice that the Department of Justice has done to its watchdog role.

This amendment says one thing to the people at Justice who need to hear it: with a multibillion-dollar deficit, we can no longer afford to reward bad behavior and poor performance. It will not cut one cent from the law enforcement part of the Justice Department. Instead, hopefully, it will serve to separate the Keystone from the Cops.

Mr. MOLLOHAN. Mr. Chairman, I rise in opposition to the gentleman's amendment.

Mr. Chairman, the gentleman's amendment sets forth a litany of concerns with regard to the Justice Department, its administration, and problems that are occurring in the country with regard to immigration. The point, I think, of his amendment is to, in some indirect way, punish the Justice Department through the cutting general administration account of that Department.

Mr. Chairman, he represents that it will get to the concerns that he expressed. I would submit, Mr. Chairman, that this cutting amendment will do actually just the opposite. And while he represents that the amendment will not hit the crime-fighting components of the Justice Department, indeed, the amendment will hit the crime-fighting components of the Justice Department. Over half the funds in this bill are for costs associated with immigration judges. In this area and other areas of the bill we are enhancing appropriations for immigration initiatives.

Mr. Chairman, his amendment would cut that. This amendment will reduce enhancements placed in the bill to increase the number of immigration judges as a part of the President's expedited deportation initiative. I am sure that the gentleman is extremely supportive of the President's expedited immigration deportation initiative, and I know that to the extent that this amendment would cut that, it has an unintended result as far as he is concerned. I think he should understand that.

Indeed, the amendment will cut seven new immigration judges, which are badly needed, and I know that my colleague would agree that they are badly needed. Certainly he would agree they are badly needed because of the concerns he expressed in support of his amendment.

Mr. Chairman, we need those judges badly to remove illegal aliens, criminal aliens from our country. I would hope that his amendment would be opposed.

Mr. Chairman, I would refer the gentleman to page 20 of the report, which is—the page in the report that describes funding for general administration. I would refer him to the next to the last paragraph on that page where it says,

In addition to the management and administrative functions of the Department, this account also funds two very important programs: (1), the Executive Office for Immigration Review [EOIR] which includes the Board of Immigration Appeals, Immigration Judges, and Administrative Law Judges. These judges decide whether to admit or exclude aliens seeking to enter the country, and whether to deport or adjust the status of aliens whose status has been challenged.

Indeed, while the gentleman was under the impression that the amendment would not cut in these areas, it

certainly does. We would urge opposition to the amendment, Mr. Chairman.

Mr. SMITH of Texas. Will the gentleman yield?

Mr. MOLLOHAN. I am glad to yield to the gentleman from Texas.

Mr. SMITH of Texas. Mr. Chairman, I just want to point out again that the \$925,000 cut is 5 percent of the Department leadership and executive support subaccounts, which goes directly to policy. If this money is taken out of the other accounts that my friend mentioned, for example, and adversely impacted immigration or expedited deportation, then certainly that would be because of the appropriations ignoring the intent of those who originated the amendment. I hope that would not be the case. I thank the gentleman for yielding.

Mr. MOLLOHAN. Reclaiming my time, the gentleman does understand however, that this is general cut to the fund and would cut the accounts that I represented.

Mr. SMITH of Texas. Will the gentleman yield one more time?

Mr. MOLLOHAN. I yield to the gentleman from Texas.

Mr. SMITH of Texas. I certainly do understand that, and I appreciate my friend pointing that out, but again if the appropriators do take into consideration the intent of those who offer the amendment, the money would not come out of the funds that would jeopardize immigration or efforts at deportation, it would come out of the funds for the Department leadership and executive support subaccounts.

Mr. MOLLOHAN. Reclaiming my time, Mr. Chairman, I understand the motives behind the gentleman's amendment. I would simply suggest that it is misdirected and could very well have an unintended result as it cuts these crime-fighting accounts. As a matter of fact, we are putting in these exact same accounts significant increases for immigration initiatives, a 25-percent increase, so I would hope that the amendment would be defeated.

Mr. BURTON of Indiana. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I rise to support this cut for a couple of different reasons. I want to send a signal to the Attorney General's office that they should not be stonewalling the Congress of the United States on critical issues facing this Nation.

Mr. Chairman, earlier this year there was a question about whether or not Mr. Ron Brown, the Secretary of Commerce, had received a payoff from the Vietnamese Government in the amount of \$750,000, with more to come, to normalize relations with that country, even though we did not have a full accounting of our POW-MIA's, the 2,300 that were left behind over there.

A man named Binh Ly came to Congress and talked to me and many oth-

ers, and he indicated, without any equivocation whatsoever, that there was substantial evidence from a man named Mr. Hao down in Florida that Mr. Brown had, in fact, agreed to this deal.

We even had evidence that there was a wire transfer, the FBI verified there was a wire transfer, of a large sum of money from the Vietnamese to a bank in Singapore, as Mr. Hao said there was, which was where the payoff point was to be. The FBI was investigating this case, they were called off the case, and there was a grand jury investigation down in Miami.

We asked for a special prosecutor for this. We were stonewalled by the Justice Department, and instead, the Attorney General sent one of her right-hand persons from the Justice Department down to Miami to conduct the grand jury investigation.

As a result, even though there was what I consider to be overwhelming evidence, they said there was not enough substantial evidence to indict, so they whitewashed that. We were stonewalled.

Now comes the investigation of Whitewater and Mr. Fiske. There is evidence, according to many sources, according to many sources there is evidence and allegations that there is a laundering of drug money, laundering of drug money through the Arkansas Development Finance Institution which was established under then President Clinton or then Governor Clinton, and that there were connections through banks to BCCI and others. We have asked Mr. Fiske, the special prosecutor, and the Attorney General to expand this investigation. Once again, we are being stonewalled.

Mr. Speaker, we have been stonewalled in the past regarding Mr. Brown, not only by Justice but by the White House, the Commerce Department. We on the Republican side cannot get any information out of this administration from any area of the Government.

Now here we have the Whitewater investigation, and there are a lot of people who believe that through the Mena Airport, there were millions of dollars' worth of drugs that came into Arkansas that were laundered through the Arkansas Development Foundation Corp., and we cannot get this investigation expanded. We cannot even have congressional hearings here on the floor of the House, and it is our responsibility.

The people of this country need to know the facts. Everything is being subpoenaed and kept in secret, and nobody can get the information. Documents are being shredded at the Rose law firm down there. There was a mysterious fire at one of the banks where the accounting was taking place as far as all the documents pertaining to Whitewater, and thousands of documents were destroyed. People have

been killed, believe it or not, mysteriously. Murders have taken place of people that were supposed to give evidence regarding this.

What do we want? All we want are congressional hearings. If we cannot get that, which we should have, we should have an expansion of the Whitewater investigation, Mr. Fiske and Janet Reno, to go into all the details of this.

I am going to tell the Members that even if the Justice Department does not do this, we on the minority side of this aisle are going to keep after it until we get the answers. We are going to stay after it until we get the answers. If there was a laundering of drug money through governmental institutions in Arkansas, it needs to be made public.

If public figures like Patsy Thomasson over at the White House, there are questions that the chief personnel officer at the White House may have been involved in this kind of operation. She worked for the Lasater Co., as chief financial officer during the time Mr. Lasater was convicted of cocaine trafficking, and during the time he was being investigated for cocaine trafficking, the Governor of Arkansas, Bill Clinton, gave \$665 million in bonds to him to sell, during the time he was being investigated.

□ 0930

Patsy Thomasson knew of all the financial transactions of that firm and there was between \$60 million and \$107 million in money that went through a bonding account, and the man who handled the account did not even know about it, his name was Dennis Patrick, and the money was transferred to Lasater bank accounts in three different banks around this country and some of it, we believe, went offshore. We may have a person at the White House, Patsy Thomasson, that may have been involved in this. The Arkansas Development Foundation may have been laundering drug money and there are people who worked there, who worked in the institution, one of the leading people, Mr. Larry Nickles, who worked in the Arkansas Development Finance Institution, says that money was being laundered, drug money was being laundered through that governmental institution. Janet Reno, the Attorney General of the United States, should not stonewall this. Neither should Mr. Fiske. This investigation must be expanded. If there was laundering of drug money, then let the chips fall where they may. If it involves people at the White House, if it involves even the President himself, let the chips fall where they may.

Mr. Chairman, the fact of the matter is the people of this country have a right to know. We in the Congress have the right to conduct an investigation, and the reason I am supporting this

amendment of cutting 900-some thousand dollars from the Justice Department is to send a signal to Janet Reno and the Justice Department and to Mr. Fiske that we want a thorough and complete investigation of all aspects of Whitewater and the possibility of laundering of drug money through the Arkansas Development Foundation. For us to do less as a Congress, for the Justice Department to do less as the Justice Department being the highest branch of the legal system in this country is a dereliction of their responsibility and our responsibility and we are not doing the job the American people sent us here to do.

For that reason I urge adoption of this amendment if for no other reason than to send a signal to Janet Reno and Fiske and everybody else connected with this that we want a complete and thorough investigation of Whitewater, drug trafficking, and everything else associated with it.

Mr. DELAY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I think it is really sad that I have to come down here and support this kind of amendment. I think it is sad that we have a situation where we cannot seem to get the attention of the Attorney General in this country. We have an Attorney General that has decided to use her office to set social policy in this country. I think it is really unfortunate that we have to send a signal to the Attorney General of the United States.

Mr. Chairman, the purpose of this amendment is to send a very clear message to the policymakers at the Department of Justice that the American people and Members of Congress have had it with the irresponsible and destructive policies that seem to be coming out of the Attorney General's office. After just 2 years under the Clinton administration, the Department of Justice has decided last year not to send a crime bill to Congress, yet they are taking credit for the crime bill that is moving through the House and the Senate and now is sitting in the conference committee. They refuse to take a position and change their position on weakening its opposition to the child pornography after several votes of the House and the Senate sending them a very clear message that the Members of the House and the Senate do not think that the Attorney General is doing the right thing in weakening our child pornography laws. They have failed to make an effective effort to combat illegal immigration and do not seem to be very interested in stemming the tide that is crossing our borders illegally. They have allowed just recently HIV-infected individuals to enter the United States legally despite Congress' express intent that this not be done. Just recently they gave political asylum to a homosexual, setting a new policy for political asylees that if

one is persecuted because of his or her sexual orientation, one can come to the United States under the protection of the United States for political asylum and all the benefits one receives for that. After 2 years into the Clinton administration, the Department of Justice has failed to even staff its top positions when the crime issue is at the top of the list of the concerns of the American public.

Mr. Chairman, as of December 1993, Justice had a 36.7-percent vacancy rate in its Presidential appointee positions requiring confirmation. As of May of this year, that figure has increased to 37.9 percent. How can the President claim to be tough on crime while at the same time failing to even fill these key crime fighting positions?

Mr. Chairman, I just think that my colleagues need to really look at this amendment. It is a serious amendment. This House needs to send a very serious message to this administration and particularly to the Department of Justice and Attorney General Janet Reno that it is time they got their act together and accurately represent what the American people support in the fight on crime. It is time that they stop setting social policy for this country using the Department of Justice.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. SMITH].

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

RECORDED VOTE

Mr. SMITH of Texas. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 171, noes 212, not voting 56, as follows:

[Roll No. 275]

AYES—171

Allard	Cunningham	Hansen
Andrews (NJ)	DeFazio	Hastert
Archer	DeLay	Hefley
Armye	Dickey	Heger
Bachus (AL)	Doolittle	Hobson
Baker (CA)	Dornan	Hoekstra
Baker (LA)	Dreier	Hoke
Ballenger	Duncan	Horn
Barrett (NE)	Dunn	Houghton
Bartlett	Ehlers	Huffington
Bateman	Emerson	Hunter
Bereuter	Everett	Hutchinson
Billirakis	Ewing	Hyde
Bliley	Fawell	Inglis
Boehlert	Fields (TX)	Inhofe
Boehner	Fingerhut	Inslee
Bonilla	Fowler	Istook
Bunning	Franks (NJ)	Johnson, Sam
Burton	Gallo	Kanjorski
Buyer	Geren	Kim
Callahan	Gilchrest	King
Calvert	Gilman	Kingston
Camp	Gingrich	Klein
Canady	Goodlatte	Klug
Cantwell	Goodling	Knollenberg
Castle	Goss	Kreidler
Clinger	Grandy	Kyl
Coble	Greenwood	Lazio
Collins (GA)	Gunderson	Leach
Combest	Hall (OH)	Levy
Cooper	Hall (TX)	Lewis (KY)
Cox	Hamilton	Lewis (KY)
Crapo	Hancock	Linder

Livingston	Poshard	Snowe
Lucas	Pryce (OH)	Solomon
Manzullo	Quillen	Spence
Margolies-	Quinn	Stearns
Mezvinsky	Ramstad	Stenholm
McCandless	Ravenel	Strickland
McHugh	Regula	Stump
McInnis	Roberts	Sundquist
McKeon	Rohrabacher	Swett
McMillan	Ros-Lehtinen	Talent
Menendez	Roth	Tauzin
Meyers	Roukema	Taylor (NC)
Mica	Royce	Thomas (CA)
Miller (FL)	Santorum	Thomas (WY)
Molinari	Sarpalius	Upton
Moorhead	Saxton	Vucanovich
Morella	Schiff	Walker
Nussle	Sensenbrenner	Walsh
Orton	Shaw	Weldon
Oxley	Shays	Wolf
Packard	Shuster	Young (FL)
Paxon	Skeen	Zeliff
Petri	Smith (MI)	Zimmer
Pombo	Smith (NJ)	
Portman	Smith (TX)	

## NOES—212

Abercrombie	Glickman	Norton (DC)
Andrews (TX)	Gonzalez	Oberstar
Applegate	Gordon	Obey
Bacchus (FL)	Hamburg	Oliver
Baesler	Hastings	Ortiz
Barca	Hayes	Pallone
Barcia	Hefner	Parker
Barlow	Hinchee	Pastor
Barrett (WI)	Hoagland	Payne (NJ)
Becerra	Hochbrueckner	Payne (VA)
Beilenson	Holden	Pelosi
Bevill	Hoyer	Penny
Bilbray	Hughes	Peterson (FL)
Bishop	Hutto	Peterson (MN)
Blute	Jacobs	Pickett
Bonior	Jefferson	Pickle
Borski	Johnson (CT)	Pomeroy
Boucher	Johnson (GA)	Price (NC)
Brewster	Johnson (SD)	Rahall
Brooks	Johnson, E.B.	Rangel
Browder	Johnston	Reed
Brown (CA)	Kaptur	Reynolds
Brown (FL)	Kennedy	Richardson
Brown (OH)	Kennelly	Roemer
Bryant	Kildee	Rogers
Byrne	Kleczka	Romero-Barcelo
Cardin	Klink	(PR)
Carr	Kolbe	Rose
Clement	Kopetski	Rostenkowski
Clyburn	LaFalce	Rowlan
Coleman	Lambert	Roybal-Allard
Collins (IL)	Lancaster	Rush
Condit	Lantos	Sabo
Conyers	LaRocco	Sanders
Coppersmith	Lehman	Sangmeister
Coyne	Levin	Sawyer
Cramer	Lewis (CA)	Schenk
Danner	Lightfoot	Schroeder
Darden	Long	Scott
Deal	Lowey	Serrano
DeLauro	Mann	Sharp
Dellums	Manton	Shepherd
Derrick	Markey	Sisisky
Deutsch	Martinez	Skaggs
Diaz-Balart	Matsui	Skelton
Dicks	Mazzoli	Slaughter
Dixon	McCloskey	Smith (IA)
Dooley	McDade	Spratt
Durbin	McDermott	Stark
Edwards (CA)	McHale	Studds
Edwards (TX)	McKinney	Stupak
English	McNulty	Swift
Eshoo	Meehan	Synar
Evans	Meek	Tanner
Farr	Mfume	Tejeda
Fazio	Michel	Thompson
Fields (LA)	Miller (CA)	Thornton
Filner	Mineta	Thurman
Fish	Minge	Torres
Flake	Mink	Torricelli
Foglietta	Moakley	Trafiacant
Frank (MA)	Mollohan	Underwood (GU)
Frost	Montgomery	Unsoeld
Furse	Moran	Valentine
Gedensson	Murphy	Velazquez
Gekas	Murtha	Vento
Gibbons	Myers	Viscosky
Gillmor	Neal (MA)	Volkmer

Waters	Williams	Woolsey
Watt	Wilson	Wyden
Whitten	Wise	Yates

NOT VOTING—56

Ackerman	Ford (TN)	Nadler
Andrews (ME)	Franks (CT)	Neal (NC)
Barton	Gallely	Owens
Bentley	Gephardt	Porter
Berman	Grams	Ridge
Blackwell	Green	Schaefer
Chapman	Gutierrez	Schumer
Clay	Harman	Slattery
Clayton	Hilliard	Smith (OR)
Collins (MI)	Kasich	Stokes
Costello	Laughlin	Taylor (MS)
Crane	Lewis (GA)	Torkildsen
de la Garza	Lipinski	Towns
de Lugo (VI)	Lloyd	Tucker
Dingell	Machtley	Washington
Engel	Maloney	Waxman
Faleomavaega	McCollum	Wheat
(AS)	McCreery	Wynn
Ford (MI)	McCurdy	Young (AK)

□ 1002

The Clerk announced the following pairs:

On this vote:

Mr. Taylor of Mississippi for, with Mr. Machtley against.

Mr. Grams for, with Mr. Ackerman against.

Mr. Smith of Oregon for, with Mr. Hilliard against.

Mr. Torkildsen for, with Mr. Tucker against.

Mr. WILSON and Mrs. JOHNSON of Connecticut changed their vote from "aye" to "no."

Messrs. PACKARD, GALLO, HALL of Texas, INSLEE, TAUZIN, STENHOLM, and SARPALIUS changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

## PERSONAL EXPLANATION

Mr. GENE GREEN of Texas. Mr. Chairman, during rollcall vote No. 275, I was unavoidably detained and unable to register my vote. Had I been present, I would have voted "no."

## PERSONAL EXPLANATION

Mr. PORTER. Mr. Chairman, I was unavoidably detained this morning and was unable to cast my vote on rollcall No. 275. Had I been present, I would have voted "aye."

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

In addition, for expenses necessary to implement the President's Immigration Initiative as authorized in H.R. 3355, the Violent Crime Control and Law Enforcement Act of 1994, or similar legislation, \$24,060,000, of which not to exceed \$6,000,000 shall remain available until September 30, 1996.

## OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, \$30,500,000; including not to exceed \$10,000 to meet unforeseen emergencies of a confidential character, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General; and for the acquisition, lease, maintenance and operation of motor vehicles without regard to the general purchase price limitation: *Provided*, That of the offsetting collections credited to this account, \$24,000 are permanently canceled.

## WEED AND SEED PROGRAM FUND

For necessary expenses, including salaries and related expenses of the Executive Office for Weed and Seed, to implement "Weed and Seed" program activities, \$13,150,000, to remain available until expended for intergovernmental agreements, including grants, cooperative agreements, and contracts, with State and local law enforcement agencies engaged in the investigation and prosecution of violent crimes and drug offenses in "Weed and Seed" designated communities, and for either reimbursements or transfers to appropriation accounts of the Department of Justice and other Federal agencies which shall be specified by the Attorney General to execute the "Weed and Seed" program strategy: *Provided*, That funds designated by Congress through language for other Department of Justice appropriation accounts for "Weed and Seed" program activities shall be managed and executed by the Inspector General through the Executive Office for Weed and Seed: *Provided further*, That the Attorney General may direct the use of other Department of Justice funds and personnel in support of "Weed and Seed" program activities only after the Attorney General notifies the Committees on Appropriations of the House of Representatives and the Senate in accordance with section 605 of this Act.

## WORKING CAPITAL FUND

Of the offsetting collections credited to this account, \$387,000 are permanently canceled.

## UNITED STATES PAROLE COMMISSION

## SALARIES AND EXPENSES

For necessary expenses of the United States Parole Commission as authorized by law, \$7,451,000.

## LEGAL ACTIVITIES

## SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

For expenses necessary for the legal activities of the Department of Justice, not otherwise provided for, including not to exceed \$20,000 for expenses of collecting evidence, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General; and rent of private or Government-owned space in the District of Columbia; \$411,786,000; of which not to exceed \$10,000,000 for litigation support contracts shall remain available until expended: *Provided*, That of the funds available in this appropriation, not to exceed \$50,099,000 shall remain available until expended for office automation systems for the legal divisions covered by this appropriation, and for the United States Attorneys, the Antitrust Division, and offices funded through "Salaries and Expenses", General Administration: *Provided further*, That of the total amount appropriated, not to exceed \$1,000 shall be available for the United States National Central Bureau, INTERPOL, for official reception and representation expenses: *Provided further*, That notwithstanding 31 U.S.C. 1342, the Attorney General may accept on behalf of the United States and credit to this appropriation, gifts of money, personal property and services, for the purpose of hosting the International Criminal Police Organization's (INTERPOL) American Regional Conference in the United States during fiscal year 1995: *Provided further*, That of the offsetting collections credited to this account, \$99,000 are permanently canceled.

In addition, for expenses necessary to implement the President's Immigration Initiative as authorized in H.R. 3355, the Violent Crime Control and Law Enforcement Act of

1994, or similar legislation, \$4,695,000, of which not to exceed \$1,250,000 shall remain available until September 30, 1996.

In addition, for reimbursement of expenses of the Department of Justice associated with processing cases under the National Childhood Vaccine Injury Act of 1986, not to exceed \$2,500,000 to be appropriated from the Vaccine Injury Compensation Trust Fund, as authorized by section 6601 of the Omnibus Budget Reconciliation Act, 1989, as amended by Public Law 101-509 (104 Stat. 1289).

#### CIVIL LIBERTIES PUBLIC EDUCATION FUND

For research contracts and public education activities, and to publish and distribute the hearings, findings, and recommendations of the Commission on Wartime Relocation and Internment of Civilians, pursuant to section 106(b) of the Civil Liberties Act of 1988 (Public Law 100-383), \$5,000,000, to remain available until expended.

#### SALARIES AND EXPENSES, ANTITRUST DIVISION

For expenses necessary for the enforcement of antitrust and kindred laws, \$75,655,000; *Provided*, That notwithstanding any other provision of law, not to exceed \$35,460,000 of offsetting collections derived from fees collected for premerger notification filings under the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (15 U.S.C. 18(a)) shall be retained and used for necessary expenses in this appropriation, and shall remain available until expended, *Provided further*, That the sum herein appropriated shall be reduced as such offsetting collections are received during fiscal year 1995, so as to result in a final fiscal year 1995 appropriation estimated at not more than \$40,195,000; *Provided further*, That any fees received in excess of \$35,460,000 in fiscal year 1995 shall remain available until expended, but shall not be available for obligation until October 1, 1995; *Provided further*, That of the offsetting collections credited to this account, \$155,000 are permanently canceled.

#### AMENDMENT OFFERED BY MR. SCHIFF

Mr. SCHIFF. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SCHIFF: Page 12, line 6, strike "\$75,655,000" and insert "\$70,157,850".

Page 12, line 7, strike "\$40,195,000" and insert "\$34,697,850".

Mr. SCHIFF. Mr. Chairman, I have a second amendment which deals with the very next paragraph of page 12. I ask unanimous consent that the amendment which I just offered and my second amendment be considered en bloc.

#### POINT OF ORDER

Mr. MOLLOHAN. Mr. Chairman, I have a point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. MOLLOHAN. Mr. Chairman, I make a point of order against en bloc consideration of amendments on two different paragraphs in the bill, and I think the precedents of the House are clear on that matter.

The CHAIRMAN. The gentleman needs only to object to the unanimous consent request of the gentleman from New Mexico.

Is there objection to the request of the gentleman from New Mexico?

Mr. MOLLOHAN. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

The gentleman from New Mexico [Mr. SCHIFF] has offered two amendments and asked unanimous consent that they be considered en bloc. Unanimous consent is refused for that, and the gentleman may proceed with presenting his first amendment.

The Chair recognizes the gentleman from New Mexico [Mr. SCHIFF].

Mr. SCHIFF. Mr. Chairman, I do intend to offer two amendments to this bill if the first amendment is passed. Therefore, I ask my colleagues to consider the two proposals for their final intent, which is to transfer \$5.5 million, approximately, from the Antitrust Division of the Department of Justice to the U.S. attorneys in the Department of Justice. Mr. Chairman, I expect that the opposition to my proposal will turn out to be a defense of the Antitrust Division of the Department of Justice. I want to make it clear that I understand the important work of the Antitrust Division of the Department of Justice. In fact, it is currently headed by a very able antitrust attorney from New Mexico, Mrs. Ann Bingaman. If my two amendments are both adopted by the committee, the Antitrust Division will still receive on the bill a 5-percent increase in funding over the appropriation for the last fiscal year. But I raise this amendment as a matter of comparative priorities.

Mr. Chairman, I think that the appropriation committee under the gentleman from West Virginia and our ranking member from Kentucky have done an admirable job in attempting to set priorities in law enforcement, but I believe that there is one glaring example which must be addressed by these two amendments. The proposal in the bill is for the Antitrust Division of the Department of Justice to receive over a 13-percent increase in funding over the last fiscal year. While the U.S. attorney, even with funds from the proposed crime trust fund added in are proposed to receive only a 1.6-percent increase, by moving \$5.5 million the Antitrust Division will still receive an increase of 5 percent, and the U.S. attorneys will be moved up only to 2.3 percent. But I feel it is important to narrow the gap between the two divisions.

Mr. Chairman, the emphasis by the President of the United States and by the Congress over and over again in talking about our fight against crime has been in the fight against violent crime, and it is the U.S. attorneys where the rubber meets the road in that fight. They are the front line prosecutors in prosecuting Federal violent crimes and other street kinds of offenses, along with other offenses. An article in USA Today just this week pointed out some problems in the U.S. attorney's office. Admittedly they have had increases in funding over the last number of years. But the number of cases has increased along with that in-

creased funding, and they are still behind in many districts in prosecuting violent crimes, serious drug offenses and other serious crimes.

Mr. Chairman, the House and Senate hope to enact a crime bill this year. I certainly hope that we can reach a conference report that will be adopted by both the House and by the other body. But in both proposals that now exist from the two bodies there are numerous increases in Federal offenses, including Federal death penalty offenses. Who will prosecute these new cases if they become law?

I was a career prosecutor before coming to Congress. I was also a defense attorney for 2 years. I have to say that criminal prosecution remains one of the most labor intensive and nonautomated functions that we have.

□ 1010

No computer, no machine, can interview a witness or cross-examine a witness. No machine can question jurors. These have to be done by people. Positions for people have to be funded. And that is why I offer this amendment. If this amendment passes, I will offer the next amendment.

Mr. MOLLOHAN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I oppose this amendment. I think it is particularly misdirected. I would like to point out to this body that, to begin with, our appropriation's bill increases funding for U.S. attorneys a total of \$13.2 million. We think that all things considered, this increase gave the office a fair appropriation's level, particularly given our tight budget this year. We understand the important role that the U.S. attorneys play in crime fighting, but we have adequately funded them. We oppose the gentleman's amendment on that basis.

I understand that the gentleman intends, if successful with this amendment, to shift money to the U.S. attorneys from another office, and I think the area where the gentleman is targeting the cut is particularly misdirected.

I cannot think of an account in the bill, a crime fighting account or a law enforcement account, that would be a worse place to take money. The Antitrust Division in 1980 had 982 Antitrust Division personnel. By fiscal year 1989, that number was down by over half, to 509 personnel.

In 1990, President Bush began initiating a gradual expansion of the Antitrust Division.

The workload of this division has increased steadily over the past several years.

For example, since 1992, bank merger proceedings have increased by 43 percent; price fixing cases have increased by 46 percent; proposed merger transactions, Mr. Chairman, have increased by 275 percent; this is not an account that we can afford to cut.

Not only have the number of cases gone up, but the complexity of those cases has increased significantly.

Mr. Chairman, we have an excellent Assistant Attorney General of the Antitrust Division, Anne Bingaman. She has been particularly aggressive, and she is particularly capable. And if you have not had an opportunity to talk with her, my colleagues, about her plans and the way she is running this Division, I encourage you to do so. You will be impressed. She is a public servant who is doing an outstanding job.

She is totally committed to the task of protecting competition, which is critical in our free market economy. It is something I think the gentleman offering the amendment is committed to. She is very aggressive in this regard. As well, she is aggressive with respect to the other side of her job, protecting the consumer. She has undertaken major initiatives, and she needs additional resources.

In the past 10 months, in the areas of mergers, civil conduct, and international enforcement, she has made a very admirable record. She is seeking these additional resources to focus on critical industries such as telecommunications, as that industry matures and emerges. There is certainly a need for additional resources as they look at the complexities of antitrust questions there. Health care, banks, computers, software, financial markets—all of these are growing industries that need additional attention and additional resources. We are fortunate that she is putting together a marvelously capable organization to address these issues.

In order to enhance merger enforcement, especially involving international corporations and unfair trade practices, this bill provides a net increase, Mr. Chairman, of \$8.4 million, which expresses our confidence in Mrs. Bingaman and the job she needs to do.

As part of this recommendation, with the support and encouragement of the gentleman from Texas [Mr. BROOKS] and the Committee on the Judiciary, the bill recommends an increase in the Hart-Scott-Rodino premerger filing freeze from \$25,000 to \$45,000 dollars. My colleagues ought to understand that because of Chairman BROOKS' support, we are able to increase the funding of the Antitrust Division by \$8.4 million. And because we are raising an additional \$14.8 million, we are able to reduce the overall Antitrust Division's appropriation, saving the Treasury \$5.8 million compared to last year, and \$1.4 million below the administration's request.

So I will end where I began. I think that this is the exact wrong place to take funds. I would also offer that the committee, recognizing the vital role that its U.S. attorneys play, has been as generous as we could be with our increase, given that our 602B allocation

was \$1.1 billion below the President's request. We increased the U.S. attorneys by a total of \$13.2 million in the bill.

I would hope that the body would vote this amendment down.

Mr. ROHRBACHER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise today in support of the proposal of the gentleman from New Mexico [Mr. SCHIFF]. I strongly support the proposal. I do not know of another one of my colleagues who has a better sense of how to control crime and what the challenges of crime to the average American is than the gentleman from New Mexico [Mr. SCHIFF]. The gentleman was a district attorney prior to being elected to Congress, he prosecuted many cases, and he understands the struggle that goes on at the local level in trying to protect our honest citizens. In fact, over the years I have served with the gentleman, he has demonstrated time and time again how he understands this issue, and I always looked to him, as do a number of my other colleagues, for guidance and advice when it comes to criminal justice matters.

Today the gentleman again has demonstrated his wisdom and commitment to protecting the honest citizens of our country, which has to be a No. 1 priority of Government, by suggesting that the priorities of the Department of Justice are a little out of whack. And he has suggested a tangible way of re-adjusting those priorities by shifting money from the Antitrust Division to the U.S. attorney's offices, which will permit funds to flow into those offices that are most closely involved with the battle against crime and those offices that are directly involved with protecting the well-being and the safety of our citizens across the United States.

The fact that this administration has set up the priorities so that there is a bigger increase in the antitrust section than the U.S. attorney section suggests to me that this administration reflects what those of us who have been complaining about liberal Democrats for a long time have said, that they have got their priorities screwed up, when you have a situation where you are focusing on the businessman, rather than focusing on thugs and rapists and other people who are creating such havoc throughout our country.

This is a decision between spending more money on regulation of business, as opposed to spending more money on controlling crime and the criminal element in America. I wholeheartedly support the proposal of the gentleman from New Mexico [Mr. SCHIFF]. I wholeheartedly support the priorities the gentleman would establish.

Mr. Chairman, I yield the balance of my time to the gentleman from New Mexico [Mr. SCHIFF] to answer some of the suggestions we have had from the other side.

Mr. SCHIFF. Mr. Chairman, I thank the gentleman from California for both his remarks and support, and also for yielding.

I want to say the factual statements made by the chairman, the gentleman from West Virginia, are, of course, true, but I think they have to be put in context. It is true that the number of antitrust cases and antitrust volume of work has increased for the Antitrust Division. But my amendments, if passed together, will still give the Antitrust Division a 5-percent increase in funding, which, I suspect, is above most divisions and agencies in our tight budget.

It is also true that the committee recommends an increase for the U.S. attorneys, but that increase is 1.6 percent, and that is to take care of not only the increase in prosecutions for violent crimes and drug crimes under current laws, but to take care of new offenses we hope to enact this year.

I guarantee, Mr. Chairman, that if we pass a crime bill with a 1.6-percent increase only for the U.S. attorneys, the laws we pass will just sit on the books unenforced.

□ 1020

Mr. BROOKS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I must oppose this amendment. Bear in mind that the Antitrust Division is an integral part of Federal law enforcement. It must be adequately funded to effectively perform its mission, which is to protect our cherished economic system of vibrant competition and consumer choice. The antitrust laws have rightly been proclaimed the Magna Carta of American free enterprise.

The policies of the two previous Republican administrations left a legacy of budgetary pressures throughout the Government, from which the Antitrust Division has never recovered. Its funding was cut by more than a third during those years, and by 1992 its staffing was 38 percent below 1980.

Meanwhile, funding for other programs increased. For example, funding for U.S. attorneys doubled during the Reagan years and increased another 70 percent during the Bush years. In 1992 staffing was a whopping 120 percent above 1980.

Mr. Chairman, the Antitrust Division's increase results, not from cuts in other Federal programs, but from a new hike in the merger filing fee under Hart-Scott-Rodino. The Division's appropriations from the general treasury is actually being cut \$5.8 million.

Anne Bingaman, the head of the Antitrust Division, has invigorated and revitalized that Division after a sluggish period of enforcement. Under her leadership, the Division is zeroing in on foreign violators of U.S. antitrust laws, who have previously had carte blanche

to rape the American economy. Taking this money from the Division now will stop in mid-stream this extremely critical effort to assure that foreign business complies with the same laws in this country as do our own businesses.

I urge the House to oppose this effort to further cannibalize the Antitrust Division. Vote no on the amendment.

Mr. FISH. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I think my colleague from New Mexico knows the high respect in which I hold him, and particularly in the areas that concern or committee with respect to the criminal justice system.

And certainly, staffing of the U.S. attorneys is a matter that should be periodically reviewed and, of course, it has been reviewed by the Appropriations Subcommittee.

My problem is that my colleague's amendment increases funding for the U.S. attorneys at the expense of the Antitrust Division.

Now, colleagues, it is not as if the U.S. attorneys have been shortchanged over the years. The record shows very generous congressional treatment of the U.S. attorneys. And if my figures differ slightly from the chairman, it is simply because we are using different years.

In 1980, a total of \$156 million was paid out for U.S. attorneys, total staff of 3,906; 13 years later, by 1993, there had been a 230-percent increase in funding in constant 1980 dollars and 131-percent increase in total staffing.

The record shows exactly the opposite with respect to the Antitrust Division. Today the Division has 311 lawyers. In 1980, it had 456 lawyers. And, my colleagues, at the peak of the Nixon administration, 1972, there were more lawyers in the Antitrust Division than there are today. The total then was 325.

No one here disputes that prosecution is central to law enforcement. It is also true that the Antitrust Division is crucial to our competitiveness. The Division protects competition in critical industries, reviews mergers and investigates allegations of anticompetitive conduct. It is also true that the Antitrust Division is responding to developments today that will require a very competent Division.

They will have new responsibilities very soon when this body acts and passes telecommunications legislation reforming basically our entire system. We are also actively moving in the direction advocated by former Attorney General Barr, and that is antitrust violations overseas, a whole new area of enforcement for the Department.

Mr. Chairman, I maintain that antitrust enforcement is good for the economy. And today, in a far more complex global economy, it is foolhardy not to have in place an Antitrust Division competent to respond.

We are at the threshold, not just of an expanding economy but of new responsibilities for the Antitrust Division, and this would be just the very wrong time to be cutting back on the staffing and the funding of the Division.

Mr. HUGHES. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the amendment.

Mr. Chairman, I, too, rise in opposition to the Schiff amendment. I want to first of all congratulate the distinguished gentleman from West Virginia on, I think, his maiden voyage to the House as chairman of this appropriation subcommittee and wish him well and congratulate his ranking member for, I think, an excellent bill.

I serve with my colleague, the gentleman from New Mexico, on the Committee on the Judiciary. He is one of the valued members of my own particular subcommittee, the subcommittee I am privileged to chair, which deals with intellectual property and judicial administration. As such, one of our responsibilities is to oversee the operations of U.S. attorneys' offices and to authorize their budgets. And my colleague from New Mexico works very closely with us in attempting to address their issues.

I do not disagree with the gentleman from New Mexico [Mr. SCHIFF] when he says that we need to be very vigilant in ensuring that U.S. attorneys have adequate resources. They have had. They have received, as my colleague, the gentleman from New York [Mr. FISH], just indicated, very substantial increases.

And it was merited, because we have given them a lot of additional responsibilities. I did not realize that my colleague from New Mexico had such great concerns about the inadequacies of the U.S. Attorney's Office. He certainly did not discuss it with me, and we have prime responsibilities as an authorizing committee for their work.

I would also feel a little better if my friend, and he is my friend, the gentleman from New Mexico [Mr. SCHIFF], appeared before the Justice Appropriations Committees and testify to the inadequacies of that particular account. He did not, apparently. That is how we attempt to get more resources in the office of the U.S. attorney, is by appearing before those committees that appropriate those monies. And he did not do that.

What he does do, however, is come to the floor of the House and try to shift moneys from the Antitrust Division at probably one of the worst times to do that. He knows that during the 1980's, the Antitrust Division was decimated. They went from 456 attorneys in 1980 down to, with this mark, with the present mark, we are going to be at a level of 340. We are still below where we were in 1980, substantially below what

we were previous to 1980, at a time in our history where we see a major restructuring of industries.

□ 1030

I see the gentleman from Massachusetts [Mr. MARKEY] on the floor.

The telecommunications industry is undergoing a major transformation. We are seeing major changes in the manner in which our Bell operating companies are involved in all kinds of additional services, including the cable industry.

Major realignments are taking place in the health care industry, where there are absolutely mind-boggling antitrust issues that we are going to have to address, and we are going to need the best of leadership that we can get out of the Antitrust Division.

Anne Bingaman, I think even the gentleman from New Mexico [Mr. SCHIFF] concedes is probably one of the finest heads of that department we have seen in many, many years, and she is assembling a professional staff that is second to none. We saw so many mergers slip by in the 1980's, unfortunately, that did not receive review because we had an inadequate Antitrust Division.

Mr. Chairman, historically Democrats and Republicans have taken the well of this floor to fight for more antitrust enforcement, because that is the Holy Grail, really, of our free enterprise system, competition. I realize there are a lot of big corporations and foreign corporations out there that do not want to see us rebuild this particular Antitrust Division because they know it spells disaster for them as they try to achieve an unlevel playing field. If we are going to do a better job in identifying foreign governments and foreign corporations that basically flout our antitrust laws, we are going to have to have a strong Antitrust Division.

I say to my friend, the gentleman from New Mexico [Mr. SCHIFF], I understand why he wants to build up the U.S. Attorney's Office. I do, too. I do not want to see us basically lose ground there, but they have not lost ground.

I am working with the gentleman in attempting to get the resources the U.S. Attorney's Office needs, but we cannot take it away from the Antitrust Division at this time in our history. I hope Members will defeat the Schiff amendment.

Mr. DOOLITTLE. Mr. Chairman I move to strike the requisite number of words.

Mr. Chairman, I yield to the gentleman from New Mexico [Mr. SCHIFF].

Mr. SCHIFF. I thank the gentleman for yielding to me.

First of all, Mr. Chairman, I have to respond to the gentleman from New Jersey [Mr. HUGHES], with whom I have worked very closely on the Committee

on the Judiciary, and with whom I share a very high regard, that I did bring law enforcement to the attention of the appropriations subcommittee. I circulated a letter among my colleagues in which 35 other Members of the House, both Democrats and Republicans, joined me in asking the appropriations subcommittee to keep law enforcement of violent crimes as the top priority. I have to assume that the gentleman from New Jersey's office for some reason did not receive my request for his signature on that letter.

Mr. Chairman, second, I have to say, in deference to the subcommittee, to the gentleman from West Virginia [Mr. MOLLOHAN], and to the ranking member, the gentleman from Kentucky [Mr. ROGERS], very largely they did exactly that. There were initial proposals, for example, to reduce the staffing at the FBI and DEA, Drug Enforcement Administration, that the subcommittee reversed. I think they are to be commended strongly for that.

However, Mr. Chairman, I still think this item is a glaring exception to establishing correct priorities. As I predicted at the beginning of the debate, Mr. Chairman, the basic opposition to my two amendments is a passionate defense of the Antitrust Division.

I do not quarrel with that defense of the Antitrust Division. Indeed, if my amendment passes, or if my two amendments pass, I should say, Mr. Chairman, the Antitrust Division will still receive a 5 percent increase in funding over the last fiscal year. The U.S. attorney's increase will be less than 2.35 percent. That is with my transfer. Right now the proposal is more than 13 percent increase for the Antitrust Division, less than 2 percent for the U.S. Attorney's Office.

Mr. Chairman, the percentage of increase, even if my amendments are adopted, will still give the Antitrust Division a significant increase over their funding over the current fiscal year. Here is the point, Mr. chairman. The point is the priorities. It is true that the Antitrust Division's work load has gone up. It is also true that the U.S. Attorney's Office's work load in violent crimes and serious drug offenses has gone up.

Mr. Chairman, equally significant with that, we are poised to pass a new anticrime bill with a variety of new offenses: new death penalties, new life in prison without parole for career serious criminals. The U.S. Attorney's Office, and not the Antitrust Division, is responsible for enforcing those new laws, those new laws if they become enacted.

Mr. Chairman, I share the priority as stated by the President of the United States. The President in public statements right here in this Chamber, Mr. Chairman, to a joint session of Congress, as well as numerous statements throughout the country, the President has said that our priority must be to

combat violent criminals. The President has never, to the best of my knowledge, made any public statement that he is concerned about the effect of a smaller increase or the effect at all on the antitrust Division.

In other words, Mr. Chairman, the President has never said that "We are afraid of being mugged by a bunch of antitrust violators." Although I acknowledge the important contribution of the Antitrust Division, I think they should get an increase, but I think our first priority, as best we can, should be on the U.S. attorneys who will prosecute the violent criminals.

The CHAIRMAN. The time of the gentleman from California has expired.

(By unanimous consent and at the request of Mr. HUGHES, Mr. DOOLITTLE was allowed to proceed for 3 additional minutes.)

Mr. HUGHES. Mr. Chairman, will the gentleman yield?

Mr. DOOLITTLE. I yield to the gentleman from New Jersey.

Mr. HUGHES. I say to my colleague, the gentleman from New Mexico, that I appeared before the Subcommittee on Commerce, Justice, State, and Judiciary to testify for additional resources for law enforcement. My colleague, the gentleman from New Mexico [Mr. SCHIFF], if he had some serious concerns about the U.S. attorney's office, could have joined me in my appearance before the Committee on Appropriations. That is how we get resources for additional law enforcement efforts.

In this particular legislation, Mr. Chairman, I believe there is a little over \$13 million additional dollars for U.S. attorneys. The gentleman from New Mexico [Mr. SCHIFF] is a member of the crime conference committee, as I am. I would be happy to work with the gentleman from New Mexico in attempting to get the additional resources, if we can identify them, for U.S. attorneys.

That is how we get additional resources for U.S. attorneys. We do not take it away from an Antitrust Division that is already inadequate. A 5-percent increase of a totally inadequate staff level is still very inadequate. We still are inadequate where we are with the monies, the increases, in this bill for antitrust. That is the point that I think most of us are trying to make on both sides of the aisle, the gentleman's side of the aisle and mine.

I thank the gentleman for yielding to me.

Mr. MARKEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong opposition to the amendment offered by the gentleman from New Mexico [Mr. SCHIFF].

I want to compliment the gentleman from West Virginia [Mr. MOLLOHAN]. I think the leadership he has shown in putting in this additional money for

the Antitrust Division is a historically correct decision. It reflects a consensus which we have developed in this country throughout this century, that vigorous competition in the marketplace is the ultimate protection of consumers.

The gentleman from West Virginia, the chairman, I think reflects the views which the gentleman from New Jersey [Mr. HUGHES] and the gentleman from Texas [Mr. BROOKS] have already made quite correctly out here on the floor.

Mr. Chairman, Teddy Roosevelt, a Republican President, spins in his grave as he hears this debate out here on the floor of Congress. Ann Bingaman, the Assistant Attorney General, is a direct lineal descendent of Teddy Roosevelt and his trust busters in the early part of this century.

When commercial cartels are able to control a particular marketplace, it not only hurts the other competitors in that marketplace, but it ultimately hurts the consumer in the United States and our ability to be competitive in the global competitive marketplace.

The increase in the budget which the gentleman from West Virginia is recommending out here on the floor today still does not restore the budget to where it was in the early 1970's, but nonetheless, it will augment the capacity of this Attorney General, of this Assistant Attorney General, Ann Bingaman, to fight the critical battles that will have to be fought in the 1990's.

Mr. Chairman, I stand here today to tell the Members that without a vigorous Antitrust Division, there would be no significant competition in the telecommunications marketplace today. Without the breakup of AT&T, without the dissolution of that monopoly, which had been constructed over a century, we would not be bringing out legislation this coming Tuesday with Bell South, with US West, with Southwestern Bell, Nynex, PacTel. We would not be bringing it out with MCI and Sprint. We would not be bringing it out with hundreds of competitors in this telecommunications industry which have all been spawned since the early 1980's as vigorous competitors to AT&T.

□ 1040

We would still have for all intents and purposes one wire in America controlled by one company and one vision of one set of executives. We would not have seen a radical decline in the cost of long distance service in this country. We would not have seen a marketplace now where seven other competitors in regions across this country from PacTel and Bell South to Nynex and Southwestern Bell, now all competing with different visions of where this country should go in communications, all possible because of the Antitrust Division.

In cable, in long distance, in local, in information services and manufacturing, we are now seeing new competition emerge. At the same time we see new announcements: AT&T merging with McCaw British Telecom with MCI, Liberty Cable with TCI. We need an Antitrust Division that can keep pace with the ever-emerging challenges to this vigorous marketplace which we have created.

Mr. ROHRABACHER. Mr. Chairman, will the gentleman yield for a question?

Mr. MARKEY. I am glad to yield to the gentleman from California.

Mr. ROHRABACHER. Does the gentleman sense an outcry among the population throughout the United States, a cry from the people for more antitrust legislation and enforcement? Or does the gentleman instead hear a cry, a plea for help from our citizens that they are being victimized by violent criminals?

Is that not what this debate is all about, is what priorities we have? Not eliminating the department the gentleman is talking about, not eliminating antitrust. My friend, the gentleman from New Mexico [Mr. SCHIFF], has no complaint about antitrust enforcement at all. He is just saying that the priorities are different.

Does the gentleman sense the American people do not want a priority on violent crime?

Mr. MARKEY. I will reclaim my time, and I will make this point as strongly as I can. The gentleman is setting up a Hobson's choice which the American people do not want to have to make and should not have to make. That is, that they should have very strong antitrust enforcement against monopolists who ratchet up prices, tip consumers upside down, shake dollars out of their pockets and do not give them the proper choices which they need, at the same time ensure that violent criminals are put behind bars.

The CHAIRMAN. The time of the gentleman from Massachusetts [Mr. MARKEY] has expired.

(By unanimous consent, Mr. MARKEY was allowed to proceed for 2 additional minutes.)

Mr. MARKEY. It is that kind of false choice that masks what is really behind us. The real agenda here is to ensure that monopolists are able to recreate the kind of economic cartels which for this century have been the primary target of the antitrust division of the Justice Department. Those are the primary enemies of every consumer in America.

Mr. Chairman, I just mentioned the telecommunications industry here, but we could go on down the long litany of industries in this country, all of whom have an eagle eye on that Antitrust Division of the Justice Department at all times. Ultimately consumerism in this country is the byproduct of vigorous

competition in the marketplace. If the gentleman for a minute thinks that the hundreds of thousands of companies, small, across this country that serve as the lifeblood and the creation of new jobs in this country could exist without a very strong antitrust division, then he misunderstands the American economy. If he thinks the consumers will have lower prices and better quality if the Antitrust Division is less vigorous, he misunderstands the American economy. If he thinks that we should hand over to a small group of industry giants the economic agenda of this country, then he can side with the big business, but the small business agenda of this country, the 80 percent of the companies in this country that create 90 percent of the new jobs and force down prices and increase quality, then he should vote against this amendment. That is what this is all about. It is all about whether we want more economic concentration or we want more vigorous competition out in the marketplace to benefit the consumer.

Mr. HUGHES. Mr. Chairman, will the gentleman yield?

Mr. MARKEY. I am glad to yield to the gentleman from New Jersey.

Mr. HUGHES. I do not think our colleague, the gentleman from California, wants to align himself with the major monopolists of this world, but let us get it back on track again, also.

The CHAIRMAN. The time of the gentleman from Massachusetts [Mr. MARKEY] has again expired.

(On request of Mr. HUGHES and by unanimous consent, Mr. MARKEY was allowed to proceed for 1 additional minute.)

Mr. HUGHES. Mr. Chairman, if the gentleman will continue to yield, Members on the other side keep referring to muggers and rapists. We are talking about U.S. attorneys. They do a very, very important job. We work with them very closely. But they do not prosecute muggers and rapists. Ninety-five percent plus of the street crime is prosecuted by State and local government, not by U.S. attorneys. So, come on. Let us be honest about it.

Mr. MARKEY. Mr. Chairman, I reclaim the balance of my time.

Oppose this amendment. Small business want a no vote. A competitive marketplace wants a "no" vote. The consumers of America want a no vote on the Schiff amendment. It is the only way that we can be sure that we are going to guarantee a competitive marketplace.

The CHAIRMAN. The time of the gentleman from Massachusetts [Mr. MARKEY] has again expired.

(On request of Mr. SCHIFF and by unanimous consent, Mr. MARKEY was allowed to proceed for 2 additional minutes.)

Mr. SCHIFF. Mr. Chairman, will the gentleman yield?

Mr. MARKEY. I yield to the gentleman from New Mexico.

Mr. SCHIFF. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, this is still a debate about priorities. The more we increase the antitrust division of the Department of Justice, the more antitrust legal work that will be done. The more we increase the U.S. attorneys, the more violent crimes that will be prosecuted. It is true that the majority of violent crimes are still prosecuted by local prosecutors. Nevertheless, the U.S. attorneys enforce all Federal crimes involving a firearm. They even enforce Federal gun control laws. Further, the U.S. attorneys enforce Federal crimes against serious narcotics traffickers. What this is about is a choice between where we should place our priorities. It is not a matter of criticizing the antitrust division or any other portion of the Department of Justice. I am proposing an amendment that will change the priorities to say that instead of the antitrust division getting a 13-percent increase, they will get a 5-percent increase. Instead, they will be up to a 2.3-percent increase.

Mr. Chairman, with the existing laws we have on the books and with the increased violent crime measures we have already voted in this House to pass, somebody has to enforce those laws.

Mr. MARKEY. Mr. Chairman, I will reclaim my time at this point.

Mr. Chairman, the one mugging that 80 percent of most Americans have to worry about occurring in their lives over the next year is when monopolistic corporations tip them upside down and try to shake dollars out of their pockets. As they sit home in their suburban homes, their threat is less from a mugger than it is from a corporate cartel intent on overcharging them or breaking up some small company that they work in.

Mr. Chairman, this is a balance we are talking about here. We are having the largest increase in funding for fighting violent crime in the history of this country, but we should also ensure that we have proper protection for consumers in this country at the same time.

Mr. TAUZIN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, if I can muster enough voice today, I want to rise as a conservative Democrat in opposition to this amendment.

If there are two enemies to the free enterprise system in America, the first is overzealous government regulation, but the second is monopolistic dominant market practices by dominant players and monopolies in our country. If we are to avoid a condition on this House floor where Members seek to regulate industries in this country that we have fought desperately to return

to the free market system, if we are to avoid overzealous government regulation of industry and business in our country, we most certainly need a watchdog agency at the Department of Justice ensuring that monopolistic, predatory practices by dominant monopoly players in our society are not allowed to stand.

Just last year in this Congress we debated a historic bill that re-regulated the cable industry. We should not have had to do that. We should not have had to come on this House floor and ask for new regulations on an industry as important as the cable industry. We had to do it because over the last 10 years, the Justice Department failed in its duty to this country to protect us from monopolistic practices. It was the lack of competition, the failure of the Justice Department to vigorously engage the vertically integrated monopolists in the cable industry who forced us to come to the floor and ask for a re-regulation of the cable industry.

Mr. Chairman, if my conservative brethren on the other side really want to avoid those instances where the Congress must come forward and re-regulate, reinvigorate the regulators in American government agencies, then I suggest we ought to support a re-institution of support to the antitrust division of the Justice Department and we ought to insist that it does its job. If Members are a defender of free enterprise, if Members believe in it as heartily as I know they do on the other side, I ask them to join with us in opposition to this amendment.

□ 1050

If you want to support more support for the Criminal Justice Division of the Justice Department, we will join you in that effort. But I suggest you find another place to find the funds.

If ever the free enterprise system was threatened in America, it is threatened in America today as much from monopolist vertically integrated companies as it is from government regulation. I suggest to you that unless we pay close attention, unless we invigorate the Justice Department's attention to the efforts to prevent monopolies from developing in our society, all we will be left with is more and more efforts on the floor of this House to reregulate, in fact, to stick more regulations on business than they currently are burdened with and than they currently must comply with.

I suggest to my friend, come with an amendment to help us support more money for the Justice Department at the criminal law level, and we will help you with that. But do not take it out of this Department. This Department, as the chairman of the Committee on the Judiciary has stated on this House floor, has suffered too many cuts over the last 10 years.

This effort today is a small effort at restoring the capability by the Justice

Department protection of the free market system by prevention of monopolistic dominant predatory practices of vertically integrated companies who should not be preying on smaller companies who are trying to give us competition, trying to give consumers choice in the marketplace.

I urge you, please, to defeat this amendment.

I yield to the gentleman from California [Mr. ROHRBACHER].

Mr. ROHRBACHER. Would the gentleman suggest that when we have this era when we have limited resources and where we spend those resources definitely indicates our priorities, then you would suggest then if we do have limited resources that the priorities should not be on violent crime but instead should be on this regulatory function?

My friend, the gentleman from New Mexico [Mr. SCHIFF] was a district attorney, fought crime locally, and pointed out that the only way the Federal Government does fight violent crime is through the U.S. Attorney's Office, and pointed out how it does that, that you think that now with these limited resources that we have that our priorities should be set on the regulatory task of Government rather than violent crime?

Mr. TAUZIN. Reclaiming my time, the gentleman will agree with my friend that high priority in the allocation of Federal funds ought to go to fighting crime. I and other conservative Democrats would join you in that effort.

What we are suggesting to you is that over the period of the last 10 years, which has seen more consolidation of businesses, more vertically integrated businesses the introduction of foreign businesses into the American economy at ever and ever greatly increasing rates, the gentleman suggests that the emphasis must be placed at the antitrust division as well to protect the consumers and free market system.

The CHAIRMAN. The time of the gentleman from Louisiana [Mr. TAUZIN] has expired.

(At the request of Mr. MOLLOHAN and by unanimous consent, Mr. TAUZIN was allowed to proceed for 30 additional seconds.)

Mr. MOLLOHAN. Mr. Chairman, will the gentleman yield?

Mr. TAUZIN. I yield to the gentleman from West Virginia.

Mr. MOLLOHAN. Mr. Chairman, to the extent that there have been created an illusion that this bill does not apply Federal resources to fight violent crime, I want to clear that up.

This bill provides \$2.4 billion of Federal funds, the lion's share of which goes to reinforce the front lines in the fight against crime. This bill funds 39,000 community police officers and we increase the Border Patrol by over

a thousand. This bill provides significant Federal funding to fight violent crime.

I would not want the impression lingering here that it does not.

Mr. KOLBE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I do not believe I would use the entire 5 minutes, but I know that the gentleman from New Mexico [Mr. SCHIFF] would like to make a final comment.

Mr. Chairman, I yield to the gentleman from new Mexico [Mr. SCHIFF].

Mr. SCHIFF. Mr. Chairman, I thank the gentleman for yielding to me.

I will be very brief and not use the whole 5 minutes.

This debate comes down still to a matter of priorities.

The President of the United States across the country said our major enemy is violent criminals. The President has not told the American people that our major opponent is antitrust violators, although I certainly agree that they should receive priority in prosecution and investigation.

My amendments would still leave them doing so. I am convinced, however, that if we keep up with the current increases in cases in violent crime and in addition to that pass new Federal laws making new Federal violent crimes, new Federal death penalties, and combine that with a 1.6-percent increase to the U.S. attorneys, which is where all of these cases go; every single case in Federal court in the street crime area basically goes to the U.S. Attorney's Office, if their offices cannot handle it, everything we are talking about with respect to a crime bill, everything the President is talking about with respect to a crime bill simply will not happen.

Mr. KOLBE. Reclaiming my time, I thank the gentleman for his comments and would just say that I think that he has touched on a very important point, one that I have expressed a lot of concern with both in our Committee on Appropriations, in the hearings we have had, as well as in the authorizing legislation, and that is our tendency to federalize so many crimes.

I disagree with that, but as long as we are doing that, we have to have the resources to prosecute these crimes that we are federalizing.

In one area that I am very aware of, both the health care fraud as well as the rising violent crimes on Indian reservations, 100 percent of which are prosecuted by Federal U.S. attorneys, we have severe problems, I know, in my own State and the inadequacy of the U.S. attorneys.

It is, as the gentleman from New Mexico [Mr. SCHIFF] said, a matter of priorities, and in this case, I think our priority really needs to be in the U.S. Attorney's Office, and I think there is merit to the proposal that he has made here.

Mr. COX. Mr. Chairman, I move to strike the requisite number of words.

I rise in strong support of the amendment offered by my colleague, the gentleman from New Mexico [Mr. SCHIFF], and I would make 2 points.

First, he is being modest in what he is proposing here. Even if the Schiff amendment passes, we are still giving a rate of increase to antitrust enforcement that is double the rate of increase that we would be giving to those who are actually fighting violent crime. Frankly, I think that this approach is overmodest.

I would like just to put real emphasis on fighting crime. But what is being proposed as things now stand is that fighting violent crime will be increased less than 2 percent, less than 2 percent, and 13 percent, 13 percent, increase will go to the antitrust division.

Now, there is a big distinction between fighting antitrust violations and prosecuting violent felons. If the Justice Department does not bring a marginal antitrust case, there is a private civil right of action that private parties can bring to do exactly the same thing. Computer companies are perfectly free to sue each other, and they often do.

But the individual citizens rely upon the government to protect and defend them against violent crime and self-help, at least technically, is illegal. It is ironic that private security is one of the fastest growing industries in America right now, because people simply cannot count upon the government to protect them against crime.

It is ironic even in an election year when people are talking about our commitment to fighting crime that we put so many billions of dollars for welfare programs in the crime bill, and here where we have a chance to fund the U.S. attorneys who are on the front line of fighting violent crime, we short-change them.

I was reading with dismay in the newspaper the other day, when I saw the Justice Department has accepted a referral to investigate whether the Catholic Church is not perhaps violating the antitrust laws in its pricing of catechisms. Now, perhaps there is a fine lawyers' argument here. But quite frankly this is not what the American people are demanding their tax dollars be used for. They want what the gentleman from New Mexico [Mr. SCHIFF] wants, and that is a tough law enforcement program.

One of the reasons that everybody is watching with fascination, grisly though it is, the O.J. proceedings is that they are no longer certain after having seen what happened in, for instance, the Menendez brothers' trial, that our system is capable of apprehending and prosecuting and convicting violent felons and making those convictions stick and seeing the sentences executed.

We have got to get serious about crime, and a vote against the Schiff amendment will show that this Congress simply is not serious.

I congratulate my colleague.

Mr. ROHRABACHER. Mr. Chairman, will the gentleman yield?

Mr. COX. I yield to the gentleman from California.

□ 1100

Mr. ROHRABACHER. Mr. Chairman, I would just like to note that again the gentleman from New Mexico [Mr. SCHIFF] has made it clear that he is a strong supporter of the Antitrust Division of the Department of Justice.

I would like to just note for the sake of discussion today that in a global economy when we have more and more foreign competition coming into our country, there is more and more competition; our friends on the other side of the aisle would have us believe that corporations are holding us up and shaking money out of the pockets of consumers. The consumers I know are less afraid of that than they are afraid of walking down the street going into the store in the first place because they are being mugged, they are being raped, and they are being murdered. We heard earlier about Teddy Roosevelt turning over in his grave if he heard this discussion.

The only people turning in their graves today are the victims of violent criminals who are victimizing the people of this country. We have got to set priorities at this time with limited resources. Mr. SCHIFF is in a very reasonable way suggesting that, yes, let us increase our enforcement of the antitrust laws but at the very least we should also make sure the U.S. attorneys who are involved in combating violent crime have a commensurate increase, an increase that suggests we have a priority here and we understand the pleas of our constituents who are saying, "Do something about violent crime," and are less concerned about perhaps when they get to the marketplace being shaken down as the fact that they are not even safe on the way to the market in the first place.

Mr. COX. I thank the gentleman from California.

I would just summarize by saying that what is at stake in the Schiff amendment is noting more or less than \$5.5 million. The question is can we take \$5.5 million from the largesse that is being extended to antitrust in a 13-percent increase and give it to fighting violent crime so we can at least have a 2.3-percent increase in fighting crime.

Mr. RICHARDSON. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I will be very brief and make just three points.

First, in a comparison of constant 1980 dollars: between 1980 and 1993, the Antitrust Division of the Department

of Justice had their budget cut by 28 percent and expense of a staff cut of 40 percent. On the other hand, in the U.S. attorney's office during the same period, 1980 through 1993, they benefited from a 230-percent increase in budget and a 137-percent increase in staff.

The second point I wish to make is that the Associate Attorney General for the Antitrust Division is Anne Bingaman, a New Mexican. If you read the major publications and you talk to attorneys, Members of Congress, and others who have dealt with Anne Bingaman and her Antitrust Division, you would see that she is doing an outstanding job, that she is fair, that she is hard-working, that she is honest, that she reaches out to Republicans and Democrats, and that her Antitrust Division has made a major difference already.

Mr. MOLLOHAN has already made many tough cuts, but we must keep these appropriations numbers for the Antitrust Division in order for Anne Bingaman to effectively do her job in the areas of merger enforcement, continuing investigations of international firms, continuing a program of providing guidance to health care, telecommunications, intellectual property, defense and other major industries and insure that we have a strategy on national and international criminal price fixing.

Mr. Speaker, my good friend and colleague, the gentleman from New Mexico [Mr. SCHIFF], is offering this amendment; he is an outstanding member of the Committee on the Judiciary and has a great deal of law enforcement background. I have supported him on many initiatives, but regretably, on this one I think it makes sense to stay with the chairman's mark. In so doing the House of Representatives will send a strong message that it agrees with the work of Anne Bingaman, the Associate Attorney General, who as I mentioned, is doing an outstanding job.

Mr. Chairman, I include the following articles.

[From The New York Times, May 27, 1994]  
UNITED STATES SUES BRITISH IN ANTITRUST CASE: A SETTLEMENT IS REACHED—STRATEGY FOR JAPAN SEEN

(By Keith Bradsher)

WASHINGTON, May 26.—Signaling a new tactic in the Clinton Administration's trade policy, the Justice Department won a settlement today from a British company that keeps the company from preventing American competitors' doing business overseas.

The antitrust suit against Pilkington P.L.C., the world's largest maker of flat glass, accused the British company of monopolizing the technology for making sheets of glass like those used in windowpanes or car windshields. The Justice Department argued that Pilkington fell under American legal jurisdiction because it owns 80 percent of an American glassmaker, the Libby-Owens-Ford Company.

The case had little to do with the glass market in the United States; instead it

sought to insure that American companies could freely operate abroad.

Justice Department officials would not say whether they planned such antitrust cases against Japanese companies, in connection with the Clinton Administration's effort to open Japanese markets to American business. But they did say that other investigations of foreign companies were under way.

"As we received information of a similar nature, we will aggressively pursue it," said Robert Litan, a Deputy Assistant Attorney General in the antitrust division.

The Japanese Embassy here quickly denounced the new tactic as a violation of international law.

"We have expressed our concern over the change because it constitutes the exercise of extraterritoriality, which is a violation of international law," said Seilchi Kondo, the embassy's press secretary. "Today's action will raise further concern over this among all the United States' trading partners."

The British reaction was restrained. "We've noted the settlement, but it's really a matter for the Department of Justice and Pilkington," a British diplomat said today.

The settlement with Pilkington, which was filed by the Justice Department simultaneously with the lawsuit late Wednesday, "is the first under a 1992 policy change that permits the department to challenge foreign business conduct that harms U.S. export trade," Attorney General Janet Reno said.

That change was made by the Bush Administration, which reversed a four-year Justice Department policy of avoiding such cases. But the Bush Justice Department never filed any cases, although it did start the investigation into Pilkington.

The department has seldom interpreted American antitrust law so broadly, partly because of objections from the State Department that such cases would hurt relations with allies.

Pilkington in the late 1950's developed and patented its technology for producing flat glass and required licenses for the right to use the technology. It limited the licensees to a certain geographical area in their home countries.

Although many of Pilkington's patents have expired, the company has continued to require the licenses, contending that its production processes are protected by law as trade secrets. Virtually all of the world's glass factories operate under Pilkington licenses, including plants in Russia and China.

In announcing the settlement today, Ms. Reno said Pilkington had agreed that much of its technology is in the public domain.

#### Fines Not Involved

No financial penalties were imposed and Pilkington denied any wrongdoing.

But the settlement requires the company to drop its rule that American concerns cannot build factories outside the territories in the United States assigned in their licenses, and to state that some of Pilkington's technology is now publicly available.

One of Pilkington's eight American licensees, the Guardian Industries Corporation, won the right in a lawsuit eight years ago to several territories in Asia and Eastern Europe. But the seven other companies have been barred until now from going abroad, said K. Craig Wildfang, the Justice Department lawyer who filed the case.

Settlements without monetary damages are not unusual. The Justice Department broke up the old Bell System a decade ago that way.

But today's action is significant because of the American assertion of legal jurisdiction

over how business is done in the rest of the world.

Ms. Reno said Pilkington fell under American legal jurisdiction because of its 80 percent ownership of Libbey-Owens-Ford, which is the second-largest American flat-glass maker. Mr. Wildfang said that even if Pilkington had not owned Libbey-Owens-Ford, the Justice Department would still have had jurisdiction through another subsidiary, Pilkington Holdings Inc., in Toledo, Ohio.

The case was filed in Tucson, Ariz., because the court there had already ruled in other cases that Pilkington P.L.C. was legally the same as Libbey-Owens-Ford and Pilkington Holdings, Mr. Wildfang said.

The settlement reached requires court approval.

It is virtually impossible for an international company to do business in the United States without setting up operations here, and the Justice Department is now asserting jurisdiction over the parent company through such subsidiaries.

Japanese officials have objected to this since the Bush Administration began considering such a move two years ago, Mr. Kondo of the Japanese Embassy said.

[From the Wall Street Journal, June 16, 1994]

MCI'S ALLIANCE WITH BRITISH TELECOM  
CLEARS HURDLE; SPRINT DEAL FACES FIGHT  
(By Wall Street Journal reporters Mary Lu Carnecale in Washington and Richard L. Hudson in London)

After a year of U.S.-British skirmishing, the Justice Department cleared the proposed alliance of MCI Communications Corp. and British Telecommunications PLC, but signaled that Sprint Corp.'s newly announced transatlantic deal faces tough sledding.

The Justice Department's action—which came in the form of an antitrust lawsuit and a proposed consent decree that requires approval of a federal district court in Washington—paves the way for BT to make a \$4.3 billion investment for a 20% stake in MCI later this year. The companies also will jointly operate a venture named Concert to provide telecommunications services to international companies.

The lawsuit, which named only Washington-based MCI and the joint venture, charged that the alliance could give BT an incentive to favor MCI over its U.S. rivals with better or cheaper connections to BT's network. While BT faces some competition in the United Kingdom, rivals generally don't have another network they can use to complete calls.

The proposed settlement aims to prevent BT from discriminating against other U.S. long-distance carriers. To that end, MCI and Concert promised to disclose to the Justice Department rates and other details of agreements to hook up to the BT network; the department can share the data with other U.S. carriers, which would face limits in making the data public.

#### STATE-OWNED MONOPOLIES

In announcing the action, the Justice Department signaled possible difficulties for Sprint as it tries to forge an alliance with France Telecom and Deutsche Bundespost Telekom; the two state-owned monopolies plan to invest \$4 billion for a 20% stake in Sprint, based in Westwood, Kan.

In a news release, Anne Bingsman, assistant attorney general in charge of the antitrust division, said that "in the increasingly global economy, vigorous antitrust enforcement is critical to guaranteeing U.S. con-

sumers the benefits of competition in international markets." She called the proposed decree "an example of how U.S. antitrust laws can be used to help protect U.S. competition from mergers that threaten the misuse of foreign monopoly power."

Steven Sunshine, deputy assistant attorney general, declined to comment on other proposed alliances, including the Sprint plan. But he said that "part of the reason why we think this decree works is that the U.K. has a fairly open telecommunications market and has a regulatory regime in place that believes in equal access," meaning that all telephone companies could connect with the BT network on equal terms and conditions. Without that degree of openness, he said, "we very well may have reached a different conclusion."

#### GREATER ACCESS IN U.K.

Unlike in Britain, where BT's monopoly was abolished in 1984, in France and Germany basic voice telephone service will remain a legal monopoly of the state phone companies until 1998.

In April, U.K. regulators helped push the BT-MCI plan toward approval by providing greater access by U.S. phone companies to the U.K. market. While declining to comment on the government-to-government discussions, BT Chief Executive Michael Hefher in an interview expressed "a sense of relief that we finally got over the last big hurdle" to starting the venture.

Gerald Taylor, president and chief operating officer of MCI Telecommunications Corp., a unit of MCI, said the Justice Department requirements "didn't change the deal at all," and that MCI and BT spent much of the past year ironing out a definitive agreement and legal issues.

Concert, which will be 75%-owned by BT and 25%-owned by MCI, opens with 700 to 800 employees and will receive investment of about \$1 billion over "the next few years" from its two parents, Mr. Hefher said. "The biggest single component" of the \$1 billion will go toward buying telephone exchanges, and installing and leasing long-distance lines for its international customers, he said.

Counting just the equipment and customers BT is contributing to the venture, Concert today claims 4,600 "access points" in about 30 countries for clients to plug into the BT-MCI network. The venture is developing standardized software and product portfolios to promise customers—more than half of which are based in the U.S. or U.K.—uniform services for voice and data communications around the globe.

The BT-MCI alliance is one of four major phone-company partnerships girding for a global battle over the communications budgets of the world's international corporations. In addition to the Sprint plan announced on Tuesday, AT&T Corp. of New York leads another alliance, and the Swiss, Swedish and Dutch phone companies have also formed a venture.

Despite the restrictions, AT&T complained that the proposed decree fails to protect MCI's rivals. Among other things, AT&T said that "U.S. carriers can never have a level playing field to compete in the U.K. without the ability to own international facilities."

AT&T is certain to press its points as the transaction goes through final clearances. Approval still is needed from the Federal Communications Commission and the European Union Commission—though Mr. Hefher described those as unlikely to be "particularly troublesome" following the Justice Department's action. The BT executive said he expects his company to buy the 20% MCI

stake in about 10 weeks, and for MCI to join Concert. In the meantime, he said, Concert will operate as a wholly owned unit of BT, which today began a global ad campaign promoting the Concert brand.

Despite all the publicity, analysts say, the venture isn't likely to produce much profit for BT or MCI for several years. "The jury will remain out" on the venture's value for some years, said Evan Miller, an analyst with Lehman Brothers in London. "They're thinking along the lines of five to 10 years" before a big impact on profit appears, he said.

BT's Mr. Hefner declined to forecast revenue or profit, but said generally that "multi-national telecommunications are growing at a very rapid rate, and the total revenues that are flowing in are in the many billions. We're playing this game for some serious money."

[From the Wall Street Journal, Mar. 18, 1994]  
**SIX BIG AIRLINES SETTLE U.S. SUIT ON PRICE FIXING—SCHEME USING DATA SYSTEM MAY HAVE COST PUBLIC \$2 BILLION IN 4 YEARS**

(By Joe Davidson)

WASHINGTON.—Six major airlines settled federal charges that they fixed prices in a scheme that may have cost consumers nearly \$2 billion between 1988 and 1992.

Under a consent decree filed in U.S. District Court here, the airlines agreed that they won't use Airline Tariff Publishing Co., an industry-owned computerized fare-information system, to negotiate fare changes. The Justice Department charged that the airlines had used coded messages showing prospective price changes as a way of communicating with each other about fares.

The airlines actually stopped the practice when the suit was filed more than a year ago. But yesterday's agreement, which still must be approved by the court after a 60-day comment period, would prevent them from resuming it.

Anna Bingaman, assistant attorney general for antitrust, called the case a "critically important victory for American consumers and American business." She said, "The airlines used the ATP fare-dissemination system to carry on conversations just as direct and detailed as those traditionally conducted by conspirators over the telephone or in hotel rooms. Although their method was novel, their conduct amounted to price fixing, plain and simple."

J. Mark Gidley, a former Bush administration antitrust official who worked on the suit, said the case takes antitrust probes into the high-tech era by establishing that price-fixing agreements can be made using computers.

Airlines agreeing to the consent decree include Alaska Air Group Inc.'s Alaska Airlines, AMR Corp.'s American Airlines, Continental Airlines, Delta Air Lines, Northwest Airlines and Trans World Airlines. Airline Tariff Publishing also was part of the accord. The settlement is substantially the same as one reached with United Air Lines and USAir in December 1982 following a three-year Justice Department investigation.

**NO REFUNDS IN FACT**

Ms. Bingaman said yesterday's agreement provides for no refunds because the department isn't empowered to seek them. She said the administration is considering asking Congress for such authority in future cases.

The airlines didn't shield their bitterness at what they thought was a baseless attack. They said they settled to avoid the cost of litigation.

"We continue to believe that the pricing practices in question benefited the traveling

public and were consistent with both the law and practice in many industries," American Airlines said. Delta Air Lines said the Justice Department "presented no evidence the industry's practices were illegal or added costs to ticket prices paid by consumers. It should be evident to anyone that the airlines are fiercely competitive in the pricing of their product."

Airlines have already shown that they can raise fares without the benefit of electronic signals. Ticket prices have gone up at least a half-dozen times since airlines stopped the signals. Instead, a carrier will raise fares on weekends, when few tickets are sold. If rivals don't match the increase, the carrier withdraws the fare hike on Monday. If everyone agrees, the increase sticks. The process may not be as smooth as electronic signals, but the effect is the same.

**FIFTY AGREEMENTS IDENTIFIED**

Ms. Bingaman said the department identified over 50 separate price-fixing agreements by the airlines. In one case, consumers paid \$138 more for one-way travel between Chicago and Dallas because of the agreement. If coordination raised fares 5%-8% on an average ticket—the harm to consumers would have amounted to \$1.9 billion, the department said.

Last year, nine major airlines settled a lawsuit that made essentially the same price-fixing allegations as the suit brought by the Justice Department. The airlines denied wrongdoing in the civil case, but issued \$396 million in ticket coupons, plus \$14.4 million in cash for lawyer fees.

After the government's suit was filed, representatives of travel agents and consumer groups were critical of the department's actions against the airlines, saying consumers could be denied information about when ticket prices would increase. But Ms. Bingaman said the information, more often than not, was bogus. It really was intended just to negotiate prices, she said, noting that more than 50% of the time, prices ended up being different than what was quoted.

(James Hirsch in Houston contributed to this article.)

**THE CHAIRMAN.** The question is on the amendment offered by the gentleman from New Mexico [Mr. SCHIFF].

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

**RECORDED VOTE**

**Mr. SCHIFF.** Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 160, noes 241, not voting 38, as follows:

[Roll No. 276]

**AYES—160**

Allard	Buyer	Dornan
Archer	Callahan	Dreier
Armey	Camp	Duncan
Bachus (AL)	Canady	Dunn
Baker (CA)	Castle	Ehlers
Baker (LA)	Coble	Emerson
Ballenger	Collins (GA)	Everett
Barca	Combest	Ewing
Barrett (NE)	Condit	Fawell
Bartlett	Cooper	Fingerhut
Barton	Cox	Fowler
Bilbray	Crane	Gallo
Bliley	Crapo	Gekas
Boehert	Cunningham	Gilchrest
Boehner	DeLay	Gillmor
Bonilla	Diaz-Balart	Gingrich
Bunning	Dickey	Goodlatte
Burton	Doolittle	Goodling

Gordon	Livingston	Ros-Lehtinen
Goss	Lucas	Roth
Grandy	Manzullo	Roukema
Greenwood	McCandless	Royce
Hancock	McCrery	Santorum
Hansen	McHugh	Saxton
Hastert	McInnis	Schiff
Hefley	McKeon	Sensenbrenner
Herger	McMillan	Shaw
Hobson	Meyers	Shays
Hoekstra	Mica	Shuster
Hoke	Michel	Skeen
Horn	Miller (CA)	Smith (MI)
Houghton	Miller (FL)	Smith (NJ)
Huffington	Molinaro	Smith (TX)
Hunter	Moorhead	Snowe
Hutchinson	Morella	Spence
Hyde	Myers	Stearns
Inglis	Nussle	Stump
Inhofe	Orton	Sundquist
Istook	Oxley	Swett
Johnson (CT)	Packard	Talent
Johnson, Sam	Paxon	Thomas (CA)
Kasich	Peterson (MN)	Thomas (WY)
Kim	Petri	Upton
King	Pombo	Vucanovich
Kingston	Porter	Walker
Klug	Portman	Walsh
Knollenberg	Pryce (OH)	Weldon
Kolbe	Quillen	Wolf
Kyl	Quinn	Young (AK)
LaFalce	Ramstad	Young (FL)
Lazio	Ravenel	Zeliff
Levy	Regula	Zimmer
Lewis (KY)	Roberts	
Linder	Rohrabacher	

**NOES—241**

Abercrombie	Edwards (CA)	Kopetski
Andrews (ME)	Edwards (TX)	Kreidler
Andrews (NJ)	Engel	Lambert
Andrews (TX)	English	Lancaster
Applegate	Eshoo	Lantos
Bacchus (FL)	Evans	LaRocco
Baesler	Farr	Laughlin
Barcia	Fazio	Leach
Barlow	Fields (LA)	Lehman
Barrett (WI)	Fields (TX)	Levin
Bateman	Flner	Lewis (CA)
Becerra	Fish	Lightfoot
Bellenson	Flake	Long
Bereuter	Foglietta	Lowe
Bevill	Ford (TN)	Maloney
Bilirakis	Frank (MA)	Mann
Bishop	Franks (NJ)	Manton
Blackwell	Frost	Margolies-
Blute	Furse	Mezvinsky
Bonior	Gejdenson	Markey
Borski	Geren	Martinez
Brewster	Gibbons	Matsui
Brooks	Gilman	Mazzoli
Browder	Glickman	McCloskey
Brown (CA)	Gonzalez	McDade
Brown (FL)	Green	McDermott
Brown (OH)	Gunderson	McHale
Bryant	Hall (OH)	McKinney
Byrne	Hall (TX)	McNulty
Cantwell	Hamburg	Meehan
Cardin	Hamilton	Meek
Carr	Harman	Menendez
Chapman	Hastings	Mfume
Clayton	Hayes	Mineta
Clement	Hefner	Minge
Clinger	Hinchee	Mink
Clyburn	Hoagland	Moakley
Coleman	Hochbrueckner	Mollohan
Collins (IL)	Holden	Montgomery
Conyers	Hoyer	Moran
Coppersmith	Hughes	Murphy
Coyne	Hutto	Murtha
Cramer	Inslee	Nadler
Danner	Jacobs	Neal (MA)
Darden	Jefferson	Neal (NC)
de la Garza	Johnson (GA)	Norton (DC)
de Lugo (VI)	Johnson (SD)	Oberstar
Deal	Johnson, E.B.	Obey
DeFazio	Johnston	Oliver
DeLauro	Kanjorski	Ortiz
Dellums	Kaptur	Owens
Derrick	Kennedy	Pallone
Deutsch	Kennelly	Parker
Dicks	Kildee	Pastor
Dixon	Kleczka	Payne (NJ)
Dooley	Klein	Payne (VA)
Durbin	Klink	Pelosi

Penny	Sawyer	Thompson
Peterson (FL)	Schenk	Thornton
Pickett	Schroeder	Thurman
Pickle	Scott	Torres
Pomeroy	Serrano	Torrice
Poshard	Sharp	Trafficant
Price (NC)	Shepherd	Tucker
Rahall	Sisisky	Underwood (GU)
Rangel	Skaggs	Unsoeld
Reed	Skelton	Valentine
Richardson	Slaughter	Velazquez
Roemer	Smith (IA)	Vento
Rogers	Spratt	Visclosky
Romero-Barcelo	Stark	Volkmer
(PR)	Stenholm	Waters
Rose	Strickland	Watt
Rostenkowski	Studds	Whitten
Rowland	Stupak	Williams
Roybal-Allard	Swift	Wilson
Rush	Synar	Wise
Sabo	Tanner	Woolsey
Sanders	Tauzin	Wyden
Sangmeister	Taylor (NC)	Wynn
Sarpalius	Tejeda	Yates

## NOT VOTING—38

Ackerman	Galleghy	Ridge
Bentley	Gephardt	Schaefer
Berman	Grams	Schumer
Boucher	Gutierrez	Slattery
Calvert	Hilliard	Smith (OR)
Clay	Lewis (FL)	Solomon
Collins (MI)	Lewis (GA)	Stokes
Costello	Lipinski	Taylor (MS)
Dingell	Lloyd	Torkildsen
Faleomavaega	Machtley	Towns
(AS)	McCollum	Washington
Ford (MI)	McCurdy	Waxman
Franks (CT)	Reynolds	Wheat

□ 1125

The Clerk announced the following pairs:

On this vote:

Mr. Calvert for, with Mr. McCollum against.

Mr. Grams for, with Mr. Ackerman against.

Mr. Lewis of Florida for, with Mr. Berman against.

Mr. Schaefer for, with Miss Collins of Michigan against.

Mr. Smith of Oregon for, with Mr. Hilliard against.

Mr. Taylor of Mississippi for, with Mr. Lipinski against.

Ms. MARGOLIES-MEZVINSKY and Mr. VENTO changed their vote from "aye" to "no."

Mr. BOEHLERT changed his vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

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

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore. (Mr. RICHARDSON) having assumed the chair, Mr. BROWN of California, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 4603) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies programs for the fiscal year ending September 30, 1995, and making supplemental appropriations for these departments and agencies for the fiscal year ending September 30, 1994, and for other purposes, had come to no resolution thereon.

PERMISSION FOR COMMITTEE ON APPROPRIATIONS TO FILE PRIVILEGED REPORT ON DISTRICT OF COLUMBIA APPROPRIATIONS BILL, FISCAL YEAR 1995

Mr. DIXON. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight tonight to file a privileged report to accompany a bill providing appropriations for the Government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said district for the fiscal year ending September 30, 1995, and for other purposes.

Mr. WALSH reserved all points of order on the bill.

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

There was no objection.

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 1995, AND SUPPLEMENTAL APPROPRIATIONS, 1994

Mr. RAHALL. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 4603) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies programs for the fiscal year ending September 30, 1995, and making supplemental appropriations for these departments and agencies for the fiscal year ending September 30, 1994, and for other purposes.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from West Virginia [Mr. MOLLOHAN].

The motion was agreed to.

□ 1129

## IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 4603, with Mr. BROWN of California in the chair.

The CHAIRMAN. When the Committee of the Whole rose earlier today, the amendment offered by the gentleman from New Mexico [Mr. SCHIFF] has been disposed of, and the bill had been read through page 12, line 22.

□ 1130

Mr. MOLLOHAN. Mr. Chairman, I know of no amendment until page 23, line 1. Therefore, I ask unanimous consent that the remainder of the bill through page 22, line 22, be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The text of the bill through page 22, line 22, is as follows:

SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

For necessary expenses of the Office of the United States Attorneys, including intergovernmental agreements, \$820,177,000, of which not to exceed \$2,500,000 shall be available until September 30, 1996 for the purposes of (1) providing training of personnel of the Department of Justice in debt collection, (2) providing services to the Department of Justice related to locating debtors and their property, such as title searches, debtor skiptracing, asset searches, credit reports and other investigations, (3) paying the costs of the Department of Justice for the sale of property not covered by the sale proceeds, such as auctioneers' fees and expenses, maintenance and protection of property and businesses, advertising and title search and surveying costs, and (4) paying the costs of processing and tracking debts owed to the United States Government: *Provided*, That of the total amount appropriated, not to exceed \$8,000 shall be available for official reception and representation expenses: *Provided further*, That not to exceed \$10,000,000 of those funds available for automated litigation support contracts shall remain available until expended: *Provided further*, That of the offsetting collections credited to this account, \$180,000 are permanently canceled.

In addition, for expenses necessary to implement the President's Immigration Initiative as authorized in H.R. 3355, the Violent Crime Control and Law Enforcement Act of 1994, or similar legislation, \$6,799,000, of which not to exceed \$2,000,000 shall remain available until September 30, 1996.

UNITED STATES TRUSTEE SYSTEM FUND

For the necessary expenses of the United States Trustee Program, \$100,469,000, as authorized by 28 U.S.C. 589a(a), to remain available until expended, for activities authorized by section 115 of the Bankruptcy Judges, United States Trustees, and Family Farmer Bankruptcy Act of 1986 (Public Law 99-554), of which \$61,593,000 shall be derived from the United States Trustee System Fund: *Provided*, That deposits to the Fund are available in such amounts as may be necessary to pay refunds due depositors: *Provided further*, That, notwithstanding any other provision of law, not to exceed \$38,876,000 of offsetting collections derived from fees collected pursuant to section 589a(f) of title 28, United States Code, as amended by section 111 of Public Law 102-140 (105 Stat. 795), shall be retained and used for necessary expenses in this appropriation: *Provided further*, That the \$100,469,000 herein appropriated shall be reduced as such offsetting collections are received during fiscal year 1995, so as to result in a final fiscal year 1995 appropriation estimated at not more than \$61,593,000: *Provided further*, That any of the aforementioned fees collected in excess of \$38,876,000 in fiscal year 1995 shall remain available until expended, but shall not be available for obligation until October 1, 1995, *Provided further*, That of the offsetting collections credited to this account, \$218,000 are permanently canceled.

SALARIES AND EXPENSES, FOREIGN CLAIMS SETTLEMENT COMMISSION

For expenses necessary to carry out the activities of the Foreign Claims Settlement Commission, including services as authorized by 5 U.S.C. 3109, \$830,000.

SALARIES AND EXPENSES, UNITED STATES  
MARSHALS SERVICE

For necessary expenses of the United States Marshals Service; including the acquisition, lease, maintenance, and operation of vehicles and aircraft, and the purchase of passenger motor vehicles for police-type use without regard to the general purchase price limitation for the current fiscal year; \$390,185,000, as authorized by 28 U.S.C. 561(i), of which not to exceed \$6,000 shall be available for official reception and representation expenses: *Provided*, That of the offsetting collections credited to this account, \$95,000 are permanently canceled.

SUPPORT OF UNITED STATES PRISONERS

For support of United States prisoners in the custody of the United States Marshals Service as authorized in 18 U.S.C. 4013, but not including expenses otherwise provided for in appropriations available to the Attorney General; \$299,465,000, as authorized by 28 U.S.C. 561(i), to remain available until expended.

FEES AND EXPENSES OF WITNESSES

For expenses, mileage, compensation, and per diems of witnesses, for expenses of contracts for the procurement and supervision of expert witnesses, for private counsel expenses, and for per diems in lieu of subsistence, as authorized by law, including advances, \$78,000,000, to remain available until expended; of which not to exceed \$4,750,000 may be made available for planning, construction, renovation, maintenance, remodeling, and repair of buildings and the purchase of equipment incident thereto for protected witness safesites; of which not to exceed \$1,000,000 may be made available for the purchase and maintenance of armored vehicles for transportation of protected witnesses; and of which not to exceed \$4,000,000 may be made available for the purchase, installation and maintenance of a secure automated information network to store and retrieve the identities and locations of protected witnesses.

SALARIES AND EXPENSES, COMMUNITY  
RELATIONS SERVICE

For necessary expenses of the Community Relations Service, established by title X of the Civil Rights Act of 1964, \$20,379,000, of which not to exceed \$10,001,000 shall remain available until expended to make payments in advance for grants, contracts and reimbursable agreements and other expenses necessary under section 501(c) of the Refugee Education Assistance Act of 1980 (Public Law 96-422; 94 Stat. 1809) for the processing, care, maintenance, security, transportation and reception and placement in the United States of Cuban and Haitian entrants: *Provided*, That notwithstanding section 501(e)(2)(B) of the Refugee Education Assistance Act of 1980 (Public Law 96-422; 94 Stat. 1810), funds may be expended for assistance with respect to Cuban and Haitian entrants as authorized under section 501(c) of such Act.

ASSETS FORFEITURE FUND

For expenses authorized by 28 U.S.C. 524(c)(1)(A)(i), (B), (C), (F), and (G), as amended, \$55,000,000 to be derived from the Department of Justice Assets Forfeiture Fund.

Amounts otherwise available for obligation in fiscal year 1995 are reduced by \$92,000.

RADIATION EXPOSURE COMPENSATION

ADMINISTRATIVE EXPENSES

For necessary administrative expenses in accordance with the Radiation Exposure Compensation Act, \$2,655,000.

INTERAGENCY LAW ENFORCEMENT  
ORGANIZED CRIME DRUG ENFORCEMENT

For necessary expenses for the detection, investigation, and prosecution of individuals involved in organized crime drug trafficking not otherwise provided for, to include intergovernmental agreements with State and local law enforcement agencies engaged in the investigation and prosecution of individuals involved in organized crime drug trafficking, \$383,250,000, of which \$50,000,000 shall remain available until expended: *Provided*, That any amounts obligated from appropriations under this heading may be used under authorities available to the organizations reimbursed from this appropriation: *Provided further*, That any unobligated balances remaining available at the end of the fiscal year shall revert to the Attorney General for reallocation among participating organizations in succeeding fiscal years, subject to the reprogramming procedures described in section 605 of this Act.

FEDERAL BUREAU OF INVESTIGATION

SALARIES AND EXPENSES

For expenses necessary for detection, investigation, and prosecution of crimes against the United States; including purchase for police-type use of not to exceed 1,815 passenger motor vehicles of which 1,300 will be for replacement only, without regard to the general purchase price limitation for the current fiscal year, and hire of passenger motor vehicles; acquisition, lease, maintenance and operation of aircraft; and not to exceed \$70,000 to meet unforeseen emergencies of a confidential character, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General; \$2,178,218,000, of which not to exceed \$35,000,000 for automated data processing and telecommunications and technical investigative equipment and \$1,000,000 for undercover operations shall remain available until September 30, 1996; of which not to exceed \$14,000,000 for research and development related to investigative activities shall remain available until expended; of which not to exceed \$10,000,000 is authorized to be made available for making payments or advances for expenses arising out of contractual or reimbursable agreements with State and local law enforcement agencies while engaged in cooperative activities related to violent crime, terrorism, organized crime, and drug investigations; of which \$84,400,000, to remain available until expended, shall only be available to defray expenses for the automation of fingerprint identification services and related costs; and of which \$1,500,000 shall be available to maintain an independent program office dedicated solely to the relocation of the Criminal Justice Information Services Division and the automation of fingerprint identification services: *Provided*, That not to exceed \$45,000 shall be available for official reception and representation expenses: *Provided further*, That of the offsetting collections credited to this account, \$572,000 are permanently canceled.

DRUG ENFORCEMENT ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Drug Enforcement Administration, including not to exceed \$70,000 to meet unforeseen emergencies of a confidential character, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General; expenses for conducting drug education and training programs, including travel and related expenses for

participants in such programs and the distribution of items of token value that promote the goals of such programs; purchase of not to exceed 1,265 passenger motor vehicles, of which 1,115 will be for replacement only, for police-type use without regard to the general purchase price limitation for the current fiscal year; and acquisition, lease, maintenance, and operation of aircraft; \$742,497,000, of which not to exceed \$1,800,000 for research shall remain available until expended, and of which not to exceed \$4,000,000 for purchase of evidence and payments for information, not to exceed \$4,000,000 for contracting for ADP and telecommunications equipment, and not to exceed \$2,000,000 for technical and laboratory equipment shall remain available until September 30, 1996, and of which not to exceed \$50,000 shall be available for official reception and representation expenses: *Provided*, That of the offsetting collections credited to this account, \$439,000 are permanently canceled.

IMMIGRATION AND NATURALIZATION SERVICE  
SALARIES AND EXPENSES

For expenses, not otherwise provided for, necessary for the administration and enforcement of the laws relating to immigration, naturalization, and alien registration, including not to exceed \$50,000 to meet unforeseen emergencies of a confidential character, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General; purchase for police-type use (not to exceed 346 of which 177 are for replacement only) without regard to the general purchase price limitation for the current fiscal year, and hire of passenger motor vehicles; acquisition, lease, maintenance and operation of aircraft; and research related to immigration enforcement; \$1,098,602,000, of which not to exceed \$400,000 for research shall remain available until expended, and of which not to exceed \$10,000,000 shall be available for costs associated with the Training program for basic officer training: *Provided*, That none of the funds available to the Immigration and Naturalization Service shall be available for administrative expenses to pay any employee overtime pay in an amount in excess of \$25,000: *Provided further*, That uniforms may be purchased without regard to the general purchase price limitation for the current fiscal year: *Provided further*, That not to exceed \$5,000 shall be available for official reception and representation expenses: *Provided further*, That of the offsetting collections credited to this account, \$1,240,000 are permanently canceled.

In addition, for expenses, not otherwise provided for, necessary to implement the President's Immigration Initiative as authorized in H.R. 3355, the Violent Crime Control and Law Enforcement Act of 1994, or similar legislation, to include purchase of uniforms and not to exceed 467 passenger motor vehicles for police-type use without regard to the general purchase price limitation for the current fiscal year, \$251,157,000, of which not to exceed \$116,842,000 for procuring automation, communications and technical systems and equipment shall remain available until expended.

The CHAIRMAN. Are there any amendments to the bill through page 22, line 22?

If not, the Clerk will read.

The Clerk read as follows:

FEDERAL PRISON SYSTEM  
SALARIES AND EXPENSES

For expenses necessary for the administration, operation, and maintenance of Federal

penal and correctional institutions, including purchase (not to exceed 736 of which 383 are for replacement only) and hire of law enforcement and passenger motor vehicles; and for the provision of technical assistance and advice on corrections related issues to foreign governments; \$2,356,404,000: *Provided*, That there may be transferred to the Health Resources and Services Administration such amounts as may be necessary, in the discretion of the Attorney General, for direct expenditures by that Administration for medical relief for inmates of Federal penal and correctional institutions: *Provided further*, That the Director of the Federal Prison System (FPS), where necessary, may enter into contracts with a fiscal agent/fiscal intermediary claims processor to determine the amounts payable to persons who, on behalf of the FPS, furnish health services to individuals committed to the custody of the FPS: *Provided further*, That uniforms may be purchased without regard to the general purchase price limitation for the current fiscal year: *Provided further*, That not to exceed \$6,000 shall be available for official reception and representation expenses: *Provided further*, That not to exceed \$50,000,000 for the activation of new facilities shall remain available until September 30, 1996: *Provided further*, That of the amounts provided for Contract Confinement, not to exceed \$20,000,000 shall remain available until expended to make payments in advance for grants, contracts and reimbursable agreements and other expenses authorized by section 501(c) of the Refugee Education Assistance Act of 1980 for the care and security in the United States of Cuban and Haitian entrants: *Provided further*, That any unobligated balances available for the care of Mariel Cuban detainees under the heading, "Salaries and Expenses, Community Relations Service" are transferred to this heading, and shall remain available until expended.

AMENDMENT OFFERED BY MR. SMITH OF TEXAS

Mr. SMITH of Texas. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SMITH of Texas: Page 23, line 9, strike "\$2,356,404,000" and insert "\$2,355,404,000".

Mr. SMITH of Texas. Mr. Chairman, I rise today to offer an amendment to the Commerce-Justice-State appropriations bill that makes a \$1 million cut in the Bureau of Prisons' appropriation level. This small cut is designed to make a large point: It is past time that the Federal Government cease to allow unnecessary, unjustified, and in this case, downright unusual spending to continue merely because it occurs in the dark recesses of the Federal budget.

My amendment cutting \$1 million is designed to equal the difference in the cost of new Public Health Service Commissioned Corps hires and general schedule hires in the next fiscal year. This amendment will not affect a single individual now serving in the corps, nor will it even affect any person who will join the corps before October 1 of this year. What the amendment will do is to send a direct and indisputable signal that it is time the corps shipped out of the Bureau of Prisons.

Why is this necessary? First, let me provide some background on the corps

itself. The Public Health Service Commissioned Corps was founded in 1798, back when John Adams was President, to treat disabled seamen. Today, there are about 6,500 total individuals in the corps and it is the 449 in the Bureau of Prisons that this amendment addresses.

The Commissioned Corps is one of the seven uniformed services and they receive the exact same benefits as the military. The section of the Public Health Service Act that deals with the corps states:

Commissioned officers of the Service or their surviving beneficiaries are entitled to all rights, benefits, privileges, and immunities now or hereafter provided for commissioned officers of the Army \* \* \*.

While the corps are equal to the military in their benefits, they are not in their duties. Corps officers are not subject to the uniform military code of conduct, which means they have the option of refusing an assignment or transfer simply by exiting the corps. In addition, the corps has not been activated for military service for a generation.

In the testimony of then-Assistant Secretary for HHS, James O. Mason, before the Energy and Commerce's Subcommittee on Health and the Environment, he explained the reason that none of the of corps' officers were activated or called up for Desert Storm as follows:

The last time the Commissioned Corps was "militarized" was during the Korean conflict. Historically, this power has been used very sparingly by the President. It was not done during the Vietnam war even though the draft was in effect at the time \* \* \*.

So we have the Federal Government paying military-equal benefits for civilian-type service. And what is this unnecessary cost? As is usually the case with Government slip-ups, it is not cheap. A corps officer with 6 years of service receives approximately \$15,000 more annually than a GS-13. This is neither fair to the military officers who make the military sacrifices for the same benefits, nor is it fair to the Bureau of Prisons' 23,000 civilian and 2,200 medical employees who do the same work as the Bureau of Prisons' 449 Commissioned Corps officers, but at much less cost.

Even if this basic unfairness between Federal employees did not exist, the basic unfairness to the American taxpayer would still remain. They are the ones required to pick up the tab for the day-to-day discrepancy of paying military benefits for a civilian job. In addition, the cost of retirement is not set-aside now; it adds up to a huge unfunded liability that the corps is accumulating through their officers' retirement benefits. The Commissioned Corps is rewriting the old commercial phrase of "you can pay me now, or pay me later," into "you can pay me now and pay me later."

Unlike either the military or civilian employees they resemble, Commissioned Corps officers' retirement benefits are not prefunded as are other Federal workers. Instead, we rely on an antiquated accounting system, whereby we pay the current year's retiree costs while refusing to set anything aside for the future costs. This same ostrich approach virtually bankrupted the Social Security Trust Fund and is one we have wisely abandoned for all current Federal employees.

Except for the corps, that is. As a result, according to the independent audit of the corps' retirement system, the unfunded accrued liability for the corps was \$3.6 billion as of September 1, 1992. Every day we do nothing to correct this, it increases. This amendment says that day has come today.

This amendment is about small money but big principles. It is time to get rid of patent unfairness. It is time we get rid of the pointlessness of two personnel systems doing one job. It is time to abandon an antiquated anachronism that racks up costs we do not need to be paying today, and makes no plans to pay them tomorrow.

We can correct this now by passing this amendment and we can do it without unfairly hitting anyone in the corps.

I urge Members of this House, who have supported government-wide reforms, to support this one today and vote to pass this amendment.

Mr. MOLLOHAN. Mr. Chairman, I move to strike the last word, and I rise in opposition to the amendment.

Mr. Chairman, I believe that the gentleman is trying to make a point here that there is an unfunded liability that is in the Civilian Health Corps as they work in the Bureau of Prisons. He is expressing that concern. He is offering an amendment to cut a million dollars out of the account that funds the salaries and expenses account of the Federal Prison System.

I do not really see how his amendment gets to the problem that he is concerned with. As a matter of fact, as I read the statute and understand the funding of the retirement fund, this would not even be the appropriate appropriations bill to address the issue, if the \$1 million cut had any impact on it at all. The gentleman's amendment does reduce the amount provided, however, in the bill for the activation of new Federal prisons.

I would refer the gentleman to page 33 of the committee report, which describes how the Federal Prison System is funded under this bill, under the salaries and expenses account.

□ 1140

Mr. Chairman, I would point out to the gentleman that his amendment would reduce that account by \$1 million, and to that extent, in some way affect the activation of new prisons.

In this bill, as part of the crime fighting effort, we are activating 11 new Federal prisons. They are located all across the country, and it is very possible, and I think it is even true, that one of these prisons is being activated in the gentleman's home State.

Mr. Chairman, I just think the amendment is misdirected, and however sincerely concerned he is about this unfunded liability, I would suggest to him that it is an issue that he might better be advised to take up with the authorization committee, and not reduce funding that we have worked very hard to find to activate new prisons, to help in the President's and every Member of this body's efforts to fight crime.

Mr. SMITH of Texas. Mr. Chairman, will the gentleman yield?

Mr. MOLLOHAN. I yield to the gentleman from Texas.

Mr. SMITH of Texas. Mr. Chairman, I would like to reply to the points made. I understand the sincerity with which they have been made.

I would simply respond to two points, first by saying that if funds are taken out of prison construction, that is certainly not the intent of the amendment. I would expect that the appropriators, if this amendment would pass, would certainly honor the intent with which the amendment was offered.

Mr. MOLLOHAN. If I may reclaim my time, it is not prison construction, it is the salaries and expenses account that the gentleman is reducing. It is not prison construction. Out of that money is the activation of our prisons.

Mr. SMITH of Texas. Will the gentleman yield further?

Mr. MOLLOHAN. I am happy to yield to the gentleman from Texas.

Mr. SMITH of Texas. The intent of the amendment is clear. If the intent of the amendment is followed by the appropriators, then the money will be taken from the area that I have suggested.

Second, if the gentleman objects to the withdrawal of funds as being misdirected or too large or whatever, I would be happy to offer a limitation amendment with his support, if I was able to do so before the preferential motion.

Mr. MOLLOHAN. Mr. Chairman, I would say to the gentleman, I just cannot do that.

Mr. SMITH of Texas. I thank the gentleman for yielding to me.

Mr. ROGERS. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in opposition to the amendment of the gentleman from Texas [Mr. SMITH], although I sympathize with what he is trying to do, and I wish him success in that. I just think the appropriate place for this is in the authorizing committee. This is the first we have heard of this. We have had no hearings or no information about this.

Mr. Chairman, frankly, we do not know a lot about it. For that reason,

among others, Mr. Chairman, I would hope the gentleman would take it to the authorizing committee, and I would be willing to help the gentleman in that respect, if I could. But to take the money, as this amendment does, from the ability of us to open up 11 new or expanded prison facilities should not be allowed. For that reason, I oppose the amendment.

Mr. Chairman, we are already \$50 million below what was requested in this account, salaries and expenses, to open up those new prison facilities, 11 new or expanded facilities. So while this is not a huge amendment, it would take further from that account. We have scrimped and saved in every corner that we could in order to find the monies to put into this account so we could activate these prisons, which are desperately needed.

Mr. Chairman, in addition to that, this account also pays for the closing of the Federal prison facility at Tindall Air Force Base in Florida. We have a huge increase in inmate population, and we have to increase personnel to accommodate that, so this account is one of the most squeezed and imperative accounts in the whole Justice Department.

Mr. Chairman, therefore, I would hope we could defeat this amendment. I will be happy to work with the gentleman to correct the inequities that he has so eloquently described.

Mr. HUGHES. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I will not take the full time.

I just want to say to my colleagues, who I serve with on the Committee on the Judiciary, that I understand what the gentleman is trying to do. However, I think, as both the ranking Republican and the chairman have indicated, the gentleman misses the mark. We have had difficulty opening up new prisons.

Can the Members imagine building new prisons, which is the clamor throughout the country, and then not having sufficient resources to open them? Last year the Bureau of Prisons came to us, and they were concerned because they did not have sufficient resources to open up a prison that had been completed. They had to do some reallocation within the Bureau of Prisons' budget to open up some new prisons.

On the second score, I understand the gentleman's point about unfunded liability. I think that is his major point in the Public Health Service, but I say to my colleague, as he knows, the entire military budget is unfunded. Much of our Federal retiree, civilian retiree budget is underfunded. It is underfunded.

Mr. Chairman, that is one point that I want to clear up.

Second, without the Public Health Service, as my colleague must know,

we would have an awful time attempting to staff with medical personnel the prisons around the country. Mr. Chairman, we have some institutions where we have no physician. We are actually contracting out in many instances because we do not have sufficient personnel.

We have seen an increase in litigation over health care in the prison system, and without the Public Health Service, that dual system that enables us to operate these prisons, we could not operate the prisons. We would be subject to tremendous litigation, tremendous costs, and right now we are having an awful time trying to recruit physicians.

The gentleman says that the Public Health Service is not really the military. I want to tell the gentleman, a lot of the members of the Public Health Service believe they are on the front line when they accept duty in the prison system. It is tough duty. It is not the most attractive duty. Thank goodness we have a lot of Public Health Service personnel that are willing to serve in our prison system.

Take a look at the data that exists, I would say to the Members. We were criticized just within the past year or so by the General Accounting Office because of the lack of adequate health care facilities and adequate health personnel in our prison system. We are going to expand that system by 11 prisons, with the activation money that is in this particular budget.

We do not have the personnel, the health care personnel, to staff that, Mr. Chairman. We cannot recruit the health care personnel we have. If the gentleman made it impossible for the Public Health Service to operate in our prison system, we would have chaos in the system.

Mr. SMITH of Texas. Would my friend, the gentleman from New Jersey [Mr. HUGHES], yield?

Mr. HUGHES. I am happy to yield to the gentleman from Texas.

Mr. SMITH of Texas. Mr. Chairman, I just want to repeat the points of this amendment, and make it very, very clear that the cut that this amendment proposes does not adversely affect one current commissioned corps individual nor anyone that might be hired by October.

The cut that I had proposed is the difference in salary between commissioned corps individuals and all other general service, GS Federal employees. They do the same work, they ought to get the same pay, and my cut amendment is designed to do just that, cut the difference in salary. They have not been militarized in generations since the Korean war, they do not do anything more or less than other civilian employees, so they should not be paid any more.

Mr. HUGHES. To recapture my time, I would say that the gentleman's

amendment misses the mark, however. The Bureau of Prisons has to reimburse Labor-HHS for the services of the Public Health Service, for their work in the prisons. Does the gentleman believe his amendment is going to stop that reimbursement?

The gentleman is not attempting to stop the deployment of personnel from the Public Health Service, but I am saying, if the gentleman is only attempting to send a signal, I think he should be sending the signal to the authorizing committee, not to the Committee on Appropriations. This misses the mark.

The \$1 million the gentleman wants to cut will not do anything except to deny \$1 million to a very important part of the budget, that part of the budget that assists us in opening up new prisons around the country. If the gentleman wants to restructure the Public Health Service, the gentleman ought to be talking to the authorizing committee.

Mr. SMITH of Texas. Will the gentleman yield once again?

Mr. HUGHES. I am happy to yield to the gentleman.

Mr. SMITH of Texas. Let me just repeat that this amendment and the cut that I proposed is not going to cut one individual from the commissioned corps. It is not going to adversely impact them, but the point is, we need to know the true cost of the Public Health Commissioned Corps.

That unfunded liability of \$3.8 million is real, it is there, and this is the only group of individuals in the entire Federal Government who get that special consideration. We need to know as taxpayers what it is going to cost us up front, have the cost of the retirement set-asides up front, just like all the other employees. There is no reason for this unfunded liability.

I thank the gentleman for yielding.

Mr. HUGHES. The gentleman has made his point. I think he will agree that this misses the mark. I hope the gentleman will withdraw the amendment. I think he has sent a signal.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. SMITH].

The amendment was rejected.

The CHAIRMAN. The Clerk will read.

□ 1150

The Clerk read as follows:

#### NATIONAL INSTITUTION OF CORRECTIONS

For carrying out the provisions of sections 4351-4353 of title 18, United States Code, which established a National Institute of Corrections, and for the provision of technical assistance and advice on corrections related issues to foreign governments, \$10,344,000, to remain available until expended.

#### BUILDINGS AND FACILITIES

For planning, acquisition of sites and construction of new facilities; leasing the Oklahoma City Airport Trust Facility; purchase and acquisition of facilities and remodeling

and equipping of such facilities for penal and correctional use, including all necessary expenses incident thereto, by contract or force account; and constructing, remodeling, and equipping necessary buildings and facilities at existing penal and correctional institutions, including all necessary expenses incident thereto, by contract or force account; \$238,094,000, to remain available until expended, of which not to exceed \$14,074,000 shall be available to construct areas for inmate work programs: *Provided*, That labor of United States prisoners may be used for work performed under this appropriation: *Provided further*, That not to exceed 10 per centum of the funds appropriated to "Buildings and Facilities" in this Act or any other Act may be transferred to "Salaries and Expenses", Federal Prison System upon notification by the Attorney General to the Committees on Appropriations of the House of Representatives and the Senate in compliance with provisions set forth in section 605 of this Act: *Provided further*, That unless a notification as required under section 605 of this Act is submitted to the Committees on Appropriations of the House and Senate, none of the funds in this Act for the Cooperative Agreement Program shall be available for a cooperative agreement with a State or local government for the housing of Federal prisoners and detainees when the cost per bed space for such cooperative agreement exceeds \$50,000, and in addition, any cooperative agreement with a cost per bed space that exceeds \$25,000 must remain in effect for no less than 15 years: *Provided further*, That of the total amount appropriated, not to exceed \$9,903,000 shall be available for the renovation and construction of United States Marshals Service prisoner holding facilities.

#### FEDERAL PRISON INDUSTRIES, INCORPORATED

The Federal Prison Industries, Incorporated, is hereby authorized to make such expenditures, within the limits of funds and borrowing authority available, and in accord with the law, and to make such contracts and commitments, without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended, as may be necessary in carrying out the program set forth in the budget for the current fiscal year for such corporation, including purchase of (not to exceed five for replacement only) and hire of passenger motor vehicles.

#### LIMITATION ON ADMINISTRATIVE EXPENSES, FEDERAL PRISON INDUSTRIES, INCORPORATED

Not to exceed \$3,463,000 of the funds of the corporation shall be available for its administrative expenses, and for services as authorized by 5 U.S.C. 3109, to be computed on an accrual basis to be determined in accordance with the corporation's current prescribed accounting system, and such amounts shall be exclusive of depreciation, payment of claims, and expenditures which the said accounting system requires to be capitalized or charged to cost of commodities acquired or produced, including selling and shipping expenses, and expenses in connection with acquisition, construction, operation, maintenance, improvement, protection, or disposition of facilities and other property belonging to the corporation or in which it has an interest.

#### GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

SEC. 101. In addition to amounts otherwise made available in this title for official reception and representation expenses, a total of not to exceed \$45,000 from funds appropriated to the Department of Justice in this title

shall be available to the Attorney General for official reception and representation expenses in accordance with distributions, procedures, and regulations established by the Attorney General.

SEC. 102. Subject to subsection (b) of section 102 of the Department of Justice and Related Agencies Appropriations Act, 1993, authorities contained in Public Law 96-132, "The Department of Justice Appropriation Authorization Act, Fiscal Year 1980", shall remain in effect until the termination date of this Act or until the effective date of a Department of Justice Appropriation Authorization Act, whichever is earlier.

SEC. 103. None of the funds appropriated under this title shall be used to require any person to perform, or facilitate in any way the performance of, any abortion.

SEC. 104. Nothing in the preceding section shall remove the obligation of the Director of the Bureau of Prisons to provide escort services necessary for a female inmate to receive such service outside the Federal facility: *Provided*, That nothing in this section in any way diminishes the effect of section 103 intended to address the philosophical beliefs of individual employees of the Bureau of Prisons.

SEC. 105. Pursuant to the provisions of law set forth in 18 U.S.C. 3071-3077, not to exceed \$5,000,000 of the funds appropriated to the Department of Justice in this title shall be available for rewards to individuals who furnish information regarding acts of terrorism against a United States person or property.

SEC. 106. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Justice in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers: *Provided*, That this section shall not apply to any appropriation made available in title I of this Act under the heading, "Office of Justice Programs, Justice Assistance": *Provided further*, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 107. In fiscal year 1995 and thereafter, amounts in the Federal Prison System's Commissary Fund, Federal Prisons, which are not currently needed for operations, shall be kept on deposit or invested in obligations of, or guaranteed by, the United States and all earnings on such investments shall be deposited in the Commissary Fund.

SEC. 108. (a) Of the budgetary resources available to the Department of Justice during fiscal year 1995, \$23,830,000 are permanently canceled.

(b) The Attorney General shall allocate the amount of budgetary resources canceled among the Department's accounts available for procurement and procurement-related expenses. Amounts available for procurement and procurement-related expenses in each such account shall be reduced by the amount allocated to such account.

(c) For the purposes of this section, the definition of "procurement" includes all stages of the process of acquiring property or services, beginning with the process of determining a need for a product or services and ending with contract completion and close-out, as specified in 41 U.S.C. 403(2).

#### RELATED AGENCIES

#### COMMISSION ON CIVIL RIGHTS SALARIES AND EXPENSES

For necessary expenses of the Commission on Civil Rights, including hire of passenger

motor vehicles, \$9,500,000: *Provided*, That not to exceed \$50,000 may be used to employ consultants: *Provided further*, That none of the funds appropriated in this paragraph shall be used to employ in excess of four full-time individuals under Schedule C of the Excepted Service exclusive of one special assistant for each Commissioner whose compensation shall not exceed the equivalent of 150 billable days at the daily rate of a level 13 salary under the General Schedule: *Provided further*, That none of the funds appropriated in this paragraph shall be used to reimburse Commissioners for more than 75 billable days, with the exception of the Chairman who is permitted 125 billable days.

EQUAL EMPLOYMENT OPPORTUNITY  
COMMISSION  
SALARIES AND EXPENSES

For necessary expenses of the Equal Employment Opportunity Commission as authorized by title VII of the Civil Rights Act of 1964, as amended (29 U.S.C. 206(d) and 621-634), the Americans with Disabilities Act of 1990, and the Civil Rights Act of 1991, including services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles as authorized by 31 U.S.C. 1343(b); nonmonetary awards to private citizens; not to exceed \$26,500,000, for payments to State and local enforcement agencies for services to the Commission pursuant to title VII of the Civil Rights Act of 1964, as amended, sections 6 and 14 of the Age Discrimination in Employment Act, the Americans with Disabilities Act of 1990, and the Civil Rights Act of 1991; \$238,000,000: *Provided*, That the Commission is authorized to make available for official reception and representation expenses not to exceed \$2,500 from available funds: *Provided further*, That of the budgetary resources available in fiscal year 1995 in this account, \$242,000 are permanently canceled: *Provided further*, That amounts available for procurement and procurement-related expenses in this account are reduced by such amount: *Provided further*, That as used herein, "procurement" includes all stages of the process of acquiring property or services, beginning with the process of determining a need for a product or services and ending with contract completion and closeout, as specified in 41 U.S.C. 403(2).

FEDERAL COMMUNICATIONS COMMISSION  
SALARIES AND EXPENSES

For necessary expenses of the Federal Communications Commission, as authorized by law, including uniforms and allowances therefor, as authorized by 5 U.S.C. 5901-02; not to exceed \$600,000 for land and structures; not to exceed \$500,000 for improvement and care of grounds and repair to buildings; not to exceed \$4,000 for official reception and representation expenses; purchase (not to exceed sixteen) and hire of motor vehicles; special counsel fees; and services as authorized by 5 U.S.C. 3109; \$166,832,000, of which not to exceed \$300,000 shall remain available until September 30, 1996, for research and policy studies: *Provided*, That \$116,400,000 of offsetting collections shall be assessed and collected pursuant to section 9 of title I of the Communications Act of 1934, as amended, and shall be retained and used for necessary expenses in this appropriation, and shall remain available until expended: *Provided further*, That the sum herein appropriated shall be reduced as such offsetting collections are received during fiscal year 1995, so as to result in a final fiscal year 1995 appropriation estimated at \$50,432,000: *Provided further*, That any offsetting collections received in excess of \$116,400,000 in fiscal year 1995 shall

remain available until expended, but shall not be available for obligation until October 1, 1995: *Provided further*, That of the budgetary resources available in fiscal year 1995 in this account, \$197,000 are permanently canceled: *Provided further*, That amounts available for procurement and procurement-related expenses in this account are reduced by such amount: *Provided further*, That as used herein, "procurement" includes all stages of the process of acquiring property or services, beginning with the process of determining a need for a product or services and ending with contract completion and closeout, as specified in 41 U.S.C. 403(2).

FEDERAL MARITIME COMMISSION  
SALARIES AND EXPENSES

For necessary expenses of the Federal Maritime Commission as authorized by section 201(d) of the Merchant Marine Act of 1936, as amended (46 App. U.S.C. 1111), including services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles as authorized by 31 U.S.C. 1343(b); and uniforms or allowances therefor, as authorized by 5 U.S.C. 5901-02; \$18,569,000: *Provided*, That not to exceed \$2,000 shall be available for official reception and representation expenses.

FEDERAL TRADE COMMISSION  
SALARIES AND EXPENSES

For necessary expenses of the Federal Trade Commission, including uniforms or allowances therefor, as authorized by 5 U.S.C. 5901-5902; services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles; and not to exceed \$2,000 for official reception and representation expenses; \$95,428,000: *Provided*, That notwithstanding any other provision of law, not to exceed \$35,460,000 of offsetting collections derived from fees collected for premerger notification filings under the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (15 U.S.C. 18(a)) shall be retained and used for necessary expenses in this appropriation, and shall remain available until expended: *Provided further*, That the sum herein appropriated shall be reduced as such offsetting collections are received during fiscal year 1995, so as to result in a final fiscal year 1995 appropriation estimated at not more than \$59,968,000: *Provided further*, That any fees received in excess of \$35,460,000 in fiscal year 1995 shall remain available until expended, but shall not be available for obligation until October 1, 1995: *Provided further*, That section 605 of Public Law 101-162 (103 Stat. 1031), as amended, is further amended by striking "\$25,000" and inserting in lieu thereof "\$45,000": *Provided further*, That none of the funds made available to the Federal Trade Commission shall be available for obligation for expenses authorized by section 151 of the Federal Deposit Insurance Corporation Improvement Act of 1991 (Public Law 102-242, 105 Stat. 2282-2285): *Provided further*, That of the budgetary resources available in fiscal year 1995 in this account, \$145,000 are permanently canceled: *Provided further*, That amounts available for procurement and procurement-related expenses in this account are reduced by such amount: *Provided further*, That as used herein, "procurement" includes all stages of the process of acquiring property or services, beginning with the process of determining a need for a product or services and ending with contract completion and closeout, as specified in 41 U.S.C. 403(2).

SECURITIES AND EXCHANGE COMMISSION  
SALARIES AND EXPENSES

For necessary expenses for the Securities and Exchange Commission, including serv-

ices as authorized by 5 U.S.C. 3109, the rental of space (to include multiple year leases) in the District of Columbia and elsewhere, and not to exceed \$3,000 for official reception and representation expenses, \$238,131,000, of which not to exceed \$10,000 may be used toward funding a permanent secretariat for the International Organization of Securities Commissions, and of which not to exceed \$100,000 shall be available for expenses for consultations and meetings hosted by the Commission with foreign governmental and other regulatory officials, members of their delegations, appropriate representatives and staff to exchange views concerning developments relating to securities matters, development and implementation of cooperation agreements concerning securities matters and provision of technical assistance for the development of foreign securities markets, such expenses to include necessary logistic and administrative expenses and the expenses of Commission staff and foreign invitees in attendance at such consultations and meetings including: (i) such incidental expenses as meals taken in the course of such attendance, (ii) any travel or transportation to or from such meetings, and (iii) any other related lodging or subsistence: *Provided*, That immediately upon enactment of this Act, the rate of fees under section 6(b) of the Securities Act of 1933 (15 U.S.C. 77f(b)) shall increase from one-fiftieth of 1 per centum to one twenty-ninth of 1 per centum and such increase shall be deposited as an offsetting collection to this appropriation, to remain available until expended, to recover costs of services of the securities registration process: *Provided further*, That the sum herein appropriated shall be reduced as such offsetting collections are received during fiscal year 1995, so as to result in a final fiscal year 1995 appropriation estimated at \$0: *Provided further*, That any section 6(b) offsetting fee collections received in excess of \$238,131,000 in fiscal year 1995 shall remain available until expended, but shall not be available for obligation until October 1, 1995: *Provided further*, That of the budgetary resources available in fiscal year 1995 in this account, \$902,000 are permanently canceled: *Provided further*, That amounts available for procurement and procurement-related expenses in this account are reduced by such amount: *Provided further*, That as used herein, "procurement" includes all stages of the process of acquiring property or services, beginning with the process of determining a need for a product or services and ending with contract completion and closeout, as specified in 41 U.S.C. 403(2).

POINT OF ORDER

Mr. FIELDS of Texas. Mr. Chairman, I have a point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. FIELDS of Texas. Mr. Chairman, I am making a point of order to the fee provisions in this paragraph for lack of authorization.

The CHAIRMAN. Would the gentleman specify the page and line?

Mr. FIELDS of Texas. Mr. Chairman, I make a point of order against the series of provisions commencing on page 36, line 16 and continuing through page 37, line 6 on the ground these provisions violate rule XXI, clause 2 on the ground of legislating in an appropriations bill.

The CHAIRMAN. Does the gentleman from West Virginia [Mr. MOLLOHAN] desire to be heard on the point of order?

Mr. MOLLOHAN. Yes, Mr. Chairman, I concede the point of order.

The CHAIRMAN. The gentleman from West Virginia concedes the point of order and the point of order is sustained. The provisions specified will be stricken.

AMENDMENT OFFERED BY MR. MOLLOHAN

Mr. MOLLOHAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MOLLOHAN: On page 35, line 23, strike "\$238,131,000" and insert "\$900,000".

Mr. MOLLOHAN. Mr. Chairman, as a result of the point of order just offered and sustained by the Chair, the amounts in the bill now exceed the subcommittee 602(b) allocation for discretionary budget authority by \$237,591,000. The provision stricken by the point of order, identical to the one that was included in the 1994 Appropriations Act, would have offset the appropriation for the Securities and Exchange Commission through collection of additional fees. This amendment reduces that budget authority for the SEC to \$900,000 in order to conform the bill to the 602(b) allocation.

Mr. ROGERS. Mr. Chairman, I move to strike the last word.

Very briefly, Mr. Chairman, as the gentleman has indicated, this amendment is necessary now that the moneys have been stricken as has just been done. This amendment is necessary in order to bridge the bill back under 602(b) allocation due to the previous point of order. I regret that we have to do this, but we will continue to work in conference hopefully to try and resolve the issue.

The CHAIRMAN. The question is on the amendment offered by the gentleman from West Virginia [Mr. MOLLOHAN].

The amendment was agreed to.

The CHAIRMAN. The Clerk will read: The Clerk read as follows:

In addition, upon enactment of legislation amending the Investment Advisers Act of 1940 (15 U.S.C. 80b-1 et seq.), and subject to the schedule of fees contained in such legislation, such fees may be collected and shall be deposited as an offsetting collection to this appropriation to recover the cost of registration, supervision, and regulation of investment advisers and their activities: *Provided*, That such fees shall remain available until expended: *Provided further*, That any such fees collected in excess of \$8,595,000 shall not be available for obligation until October 1, 1995.

STATE JUSTICE INSTITUTE  
SALARIES AND EXPENSES

For necessary expenses of the State Justice Institute, as authorized by The State Justice Institute Authorization Act of 1992 (Public Law 102-572 (106 Stat. 4515-4516)), \$13,550,000 to remain available until expended: *Provided*, That not to exceed \$2,500 shall be available for official reception and representation expenses.

This title may be cited as the "Department of Justice and Related Agencies Appropriations Act, 1995".

TITLE II—DEPARTMENT OF COMMERCE  
NATIONAL INSTITUTE OF STANDARDS AND  
TECHNOLOGY  
SCIENTIFIC AND TECHNICAL RESEARCH AND  
SERVICES

For necessary expenses of the National Institute of Standards and Technology, \$279,420,000, to remain available until expended, of which not to exceed \$8,500,000 may be transferred to the "Working Capital Fund."

INDUSTRIAL TECHNOLOGY SERVICES

For necessary expenses of the Manufacturing Extension Partnership, the Advanced Technology Program and the Quality Program of the National Institute of Standards and Technology, \$495,960,000, to remain available until expended, of which \$315,000,000 shall not be available for obligation until May 1, 1995; and of which not to exceed \$1,600,000 may be transferred to the "Working Capital Fund".

CONSTRUCTION OF RESEARCH FACILITIES

For construction of new research facilities, including architectural and engineering design, not otherwise provided for the National Institute of Standards and Technology, as authorized by 15 U.S.C. 278c-278e, \$64,686,000, to remain available until expended.

NATIONAL OCEANIC AND ATMOSPHERIC  
ADMINISTRATION

OPERATIONS, RESEARCH, AND FACILITIES  
(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of activities authorized by law for the National Oceanic and Atmospheric Administration, including acquisition, maintenance, operation, and hire of aircraft; not to exceed 439 commissioned officers on the active list; as authorized by 31 U.S.C. 1343 and 1344; construction of facilities, including initial equipment as authorized by 33 U.S.C. 883i; grants, contracts, or other payments to nonprofit organizations for the purposes of conducting activities pursuant to cooperative agreements; and alteration, modernization, and relocation of facilities as authorized by 33 U.S.C. 883i; \$1,792,978,000, to remain available until expended: *Provided*, That notwithstanding 31 U.S.C. 3302 but consistent with other existing law, in addition to fees currently being assessed and collected, additional fees shall be assessed, collected, and credited to this appropriation as offsetting collections to be available until expended, to recover the costs of administering living marine resources, marine sanctuary, and aeronautical charting programs: *Provided further*, That the sum herein appropriated from the general fund shall be reduced as such additional fees are received during fiscal year 1995, so as to result in a final general fund appropriation estimated at not more than \$1,751,978,000: *Provided further*, That any such additional fees received in excess of \$41,000,000 in fiscal year 1995 shall not be available for obligation until October 1, 1995: *Provided further*, That in addition, \$55,500,000 shall be derived by transfer from the fund entitled "Promote and Develop Fishery Products and Research Pertaining to American Fisheries": *Provided further*, That hereafter all receipts received from the sale of aeronautical charts that result from an increase in the price of individual charts above the level in effect for such charts on September 30, 1993, shall be deposited in this account as an offsetting collection and shall be available for obligation: *Provided further*, That of the offsetting collections credited to this account, \$123,000 are permanently canceled.

AMENDMENT OFFERED BY MR. FIELDS OF TEXAS

Mr. FIELDS of Texas. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FIELDS of Texas:

Page 39, line 24, strike "\$1,792,978,000" and insert "\$1,785,978,000".

Page 40, line 10, strike "\$1,751,978,000" and insert "\$1,744,978,000".

Mr. FIELDS of Texas. Mr. Chairman, the simple explanation for this amendment is that it reduces the appropriation for NOAA by \$7 million. That is the simple explanation. It is very important for this House to understand why \$7 million. For me to answer the question, what is this amendment directed toward? This amendment is directed toward a program that goes by the acronym GLOBE. I have great respect and friendship with our Vice President, AL GORE. However, I disagree with a program that is a result of something that Mr. GORE wants us to enact today. It is a program that would be hosted by NOAA. It is a new inter-agency program which is designed to enhance the collective awareness of individuals throughout the world concerning the environment and the impacts of human activities on the environment. Second, it is to increase scientific understanding of the Earth by using the dense worldwide network of schools to collect environmental observations.

On its face, there appears to be nothing wrong with those particular goals until we get into the specifics and until we look at not only what is being requested this year in terms of appropriations but what will be requested in the following years.

Mr. Chairman, this program proposes to have school children around the world monitor the entire Earth daily by collecting observations of global climate change of dubious scientific value. For example, seventh graders will be taking air chemistry measurements. The majority of the measurements will be taken in foreign countries. In fiscal year 1995, NOAA projects that 30 schools in 20 countries will be involved. Although they cannot tell us exactly which particular schools or which particular countries, we do have an idea of who some of these countries are.

Mr. Chairman, a question for all of us sitting here today is why should the United States be funding foreign countries to participate in this particular project? Funds will be used to buy solar-powered television sets, to train foreign teachers, to buy satellite time, computers and software according to a White House briefing. The Vice President even suggests in his book an annual tree census. I think we have a better use for this particular money.

Mr. Chairman, let me give some examples:

In NOAA the money could be used for nautical charting, for fisheries enhancements, for fleet repair. For that

matter, we could use the money for other existing programs such as national drug interdiction which has been cut by \$95 million.

□ 1200

The boat safety account, which the administration has zeroed out, to keep open 14 Coast Guard search and rescue stations around the country, and to provide funds for U.S. shipbuilding; the projected expenditures for the GLOBE Program are frightening, as much as \$100 million in the year 2000 with 100,000 schools participating, and in 2010, the goal is to have over 2 million schools participating in every nation. This means the United States investment, if you extrapolate, could be as much as \$2 billion.

NOAA's GLOBE Program authorizes an initial 8 staff positions in fiscal year 1995 at a time when the agency is asked to reduce personnel to meet budget targets. The program's financial needs almost double in fiscal year 1996, because NOAA is estimating \$12 million. And we have to ask, will those personnel requirements double also.

Some White House personnel have suggested corporate sponsorships with a 20-to-one matching ratio could be used to fund some of the programs, but as of this date, no names have been supplied.

NOAA is not proposing to reduce its budget for global climate change research or to cut back on its own observations in light of this new program. NOAA this year reprogrammed \$500,000 in fiscal year 1994, to start this program without any notice to Congress until just a few days ago. We now have received notice after the fact and after objection has been raised.

But we also found that GLOBE already has an office, already has a director at NOAA. Other agencies are also expected to chip in, EPA, NASA, but it is unclear if the funds are included in the fiscal year 1995 budget for these agencies.

The countries that we think are interested in GLOBE and which would have the program directed toward them, countries like the Bahamas, Benin, Croatia, El Salvador, Gambia, Kurdistan, Latvia, Mauritania, and I just have to ask myself, Mr. Chairman, at a time when we have limited financial resources at our disposal, should we start a brandnew program, a foreign aid expenditure that has dubious value. I think the compelling answer is that we should not, and there is no question in this gentleman's mind that this \$7 million should be reduced from NOAA. And that is what I am asking this House to do today.

The CHAIRMAN. The time of the gentleman from Texas [Mr. FIELDS] has expired.

(At the request of Mr. ROGERS and by unanimous consent, Mr. FIELDS of Texas was allowed to proceed for 5 additional minutes.)

Mr. ROGERS. Mr. Chairman, will the gentleman yield?

Mr. FIELDS of Texas. I yield to the gentleman from Kentucky.

Mr. ROGERS. Mr. Chairman, I assume, this being a brandnew and potentially a large entitlement program, surely there have been hearings on this and we have aired out all of the pros and cons of this matter? Is that correct or not?

Mr. FIELDS of Texas. There have not been hearings. We had a markup but we have not completed the authorization process.

Mr. ROGERS. You mean there have been no hearings on this matter before any committee of the Congress?

Mr. FIELDS of Texas. No.

Mr. ROGERS. Has it been authorized by any of the authorizing committees of the House?

Mr. FIELDS of Texas. The Committee on Merchant Marine and Fisheries has voted on this particular program.

Mr. ROGERS. That was the authorization?

Mr. FIELDS of Texas. We have not gone through the House of Representatives and completed the authorization process.

Mr. ROGERS. So at this stage of the game, the House has not been allowed to act on whether or not we want to authorize such a program?

Mr. FIELDS of Texas. The gentleman is absolutely correct. Again, I want to state I have a great friendship for our Vice President, who has been very proactive on environmental matters. We have had discussions on this particular program. We certainly have a disagreement, not only as to process, but also as to Federal expenditures. I think in concept the idea is noble, but I think this is a perfect example where the private sector, if there is a good scientific value, should step forward and participate. We should not ask the taxpayers to shoulder this burden.

Mr. ROGERS. If the gentleman would yield further, this is basically an education program of sorts, is it not?

Mr. FIELDS of Texas. That is absolutely true, the way I understand it. The gentleman has to understand there are a lot of questions that have not been answered, that have not been fleshed out.

Mr. ROGERS. Has the Education Committee of the House had a chance to hold hearings on this and to flesh out whether or not it is a good expenditure of dollars?

Mr. FIELDS of Texas. My understanding is the Education Committee has not had hearings on this, and the Department of Education is not involved.

Mr. ROGERS. So the Merchant Marine Committee, which is the authorizing committee for NOAA, although it may have passed out a bill, it has not been acted on on the floor?

Mr. FIELDS of Texas. That is absolutely correct.

Mr. ROGERS. Authorizing or not authorizing this program? The Education Committee of the House has not had hearings and has made no recommendation on it?

Mr. FIELDS of Texas. This is the first floor activity for this particular program, the appropriation, but it is also important to point out to the gentleman that \$500,000 has already been spent out of NOAA's budget in creating an office that has a director. Now, we just in the past several days have received that reprogramming notice after the fact and after we had raised objection.

Mr. ROGERS. If the gentleman will continue to yield, do I understand you that the projections are this program could cost up to \$100 million a year in just a few short years?

Mr. FIELDS of Texas. That is absolutely correct.

Mr. ROGERS. Where would this money come from, from the NOAA budget?

Mr. FIELDS of Texas. It would be, I assume, additional appropriations, because NOAA is not planning to cut its functions for this particular program.

Mr. ROGERS. The gentleman has indicated that he has been in touch with the administration about this program. Is that correct?

Mr. FIELDS of Texas. I have talked with the Vice President.

Mr. ROGERS. Have you tried to work something out?

Mr. FIELDS of Texas. I told the Vice President I would be amenable if we could find some cost effective way to implement this particular program, and I will share with the gentleman the first response that we got was that this program would cost \$7 million in fiscal year 1995, \$25 million in fiscal year 1996, and \$40 million per year thereafter. That was the first suggestion. The second suggestion was \$7 million, in fiscal year 1995, \$15 million in 1996, and \$25 million in 1997. So I have to ask myself, is this one of those programs that is the bottomless pit where expenditures are going to continue, and again you have to come back and ask, is this a viable, productive program.

It is thought that much of what would be done would have dubious, questionable scientific value.

Mr. ROGERS. If the gentleman will yield further now, we have had to cut funds for everything from the FBI to the courts to U.S. attorneys to the State Department in our bill, and we have not done a lot of things we would have loved to have done in hundreds of agencies.

Is the gentleman saying here that we are being asked to appropriate some of those hard-saved dollars so that kids in Europe can go out and count trees?

Mr. FIELDS of Texas. Not just Europe. I gave a list of the countries just a moment ago, the 40 countries that we think would most likely have an interest in participating in the program, but

it is important to point out to the gentleman we are not suggesting cutting some of the vital functions of NOAA. We are talking about reducing the level of funding for this brand-new program that had not gone through the authorization process.

Mr. ROGERS. I thank the gentleman. Mr. MOLLOHAN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I do rise in opposition to the amendment offered by the gentleman from Texas [Mr. FIELDS].

I think that he strikes funding for a program that has great merit and really looks in a couple of different directions.

We might look at this funding as having a couple of advantages; in one direction, this funding will provide a program to educate young people as to the importance of the environment, to make them concerned and aware about their environment. On the other hand, the program will provide very useful scientific information for our scientists and for agencies that are monitoring and evaluating global and climate change. This program, I think, conceptually is very useful.

We are providing funds that will establish a worldwide system where young people all around the globe will be able to go out and collect environmental information and feed it back into a system electronically through computers, and thus contribute to a global initiative.

Now there are some concerns being raised about why the United States should fund such a program around the world. Well, indeed, very little funding will come from the United States. Foreign governments, who have signed up for this program, will pay for their own country's participation to the extent that they are able. There may be in this program some U.S. Government funding used to pay for a small number of pilot sites overseas to demonstrate and to test the technologies, but it is not anticipated that we would fund the global initiative. We anticipate that countries around the world would fund their own participation.

The scientific data that is to be collected will be extremely useful. The student-acquired information will be used for environmental research activities globally. It will complement information which is retrieved with remote sensing by our satellites and aircraft data gathering mechanisms.

□ 1210

And it will provide a detailed complement to that remote data by an on-the-ground, if you will, and probably very cheap and inexpensive way. For the purpose of involving scientists at the beginning—and scientists are going to be involved at the beginning of the program—is to make the program substantive, to insure that it is not simply an information-field-trip kind of exer-

cise for youngsters. It will be designed with scientists involved in the beginning to insure that the kind of measurements made are meaningful, accurate, and that they will indeed be useful for scientific purposes.

The program involves youngsters from kindergarten up through graduation and high school. I think that is a marvelous concept that we involve these young people at an early age and involve them increasingly, as they mature and become increasingly sophisticated, the information they are allowed to retrieve and participate in and manipulate will be increasingly sophisticated.

Mr. Chairman, there are a number of countries already expressing an interest in GLOBE, some 40 countries I am advised. There are at least 200 schools and maybe as many as 500 that will participate in GLOBE in 1995 with the implementation of the program and the support of this funding.

Now it is important to ensure that individuals throughout the world understand the concern for our environment. I can think of no better way than to begin educating young people through this kind of program that makes them technologically and computer literate, that allows them to participate in a worldwide effort that they know other young people around the world are participating in and allows them to gather good quality information.

There is some concern expressed about the agencies which are involved in this program. I would advise the committee that the National Science Foundation is actively involved with this program as is the Department of Education, the Department of State, NASA, and NOAA.

So I would hope that this amendment would be defeated, Mr. Chairman, and that this very worthy program would receive this funding.

I might add that in the future the amount of funding requested for the program will always be reviewed by this committee and to the extent that funding is unreasonable it certainly will not be approved.

Mr. BATEMAN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman and Members of the House, I rise in support of my colleague Mr. FIELDS' amendment to strike funding for the GLOBE Program. I do so reluctantly, but I think here we have a classic case of where good intentions take us on a path that leads to some very undesirable consequences which I am not sure are being adequately foreseen.

To spend \$7 million to have schoolchildren around the world taking environmental measurements is to my mind something that would only occur to people inside the beltway. If this is a valid educational program we do not

need to spend \$7 million in fiscal year 1995 to accomplish it; we certainly do not need to spend the projected \$100 million by the year 2000 to achieve it. All it takes is for the people in charge of the educational systems of this country and other countries to determine that this is a valid educational exercise that students and their school systems should go through. And almost without funds you have created it, if it is a valid educational exercise.

If you are trying to argue the case that these expenditures and this program are necessary or desirable because of its scientific and technical merit I would question the judgment that says if you want scientific technical data to enlarge the scope of human knowledge and our ability to deal with problems, do you really think you are going to get that data by sending kindergarten children or even seventh graders out to collect that data?

This is logic run amuck.

I know the good intentions which underlie it. I do not dispute the good intentions. But to the extent there are valid things to make our young people sensitive to environmental concerns you simply do not need the this program and these expenditures in order to do it.

It may be a bit in the way of hyperbole but I would suggest that during the Middle Ages zealots recruited and dispatched a Children's Crusade to make war on those they regarded as infidels in the Holy Land. Here again I think we are at risk of launching another Children's Crusade. I do not think this is a justifiable project. The budget and concerns of NOAA for other legitimate projects and activities are being stretched beyond the proper limit and we certainly should not distract from them by a new, untried, and to my mind unnecessary program whose lawful and proper objectives can be attained without the action of Congress in appropriating this kind of money now and the kinds of money that have been projected for the future.

Mr. Chairman, I urge a vote for the Fields amendment.

The account which is being diluted by the GLOBE appropriation provides funds for important regional research programs supported by many Members of the House. These programs have by and large not seen any increases in several years. The account also funds NOAA's mapping and charting efforts, an area where we are in some cases decades behind in work that needs to be updated. The Sea Grant Program which translates marine research into valuable real world applications is funded out of this account, as is long-term climate change research and oceanic observation and prediction work. All these programs are important in the here and now, and cannot afford to compete with a new education program that will consume \$100 million a year

by the year 2000. If you analyze the costs relative to the merits of this program, it is dramatically deficient. It is an idea whose time has not come.

Mr. SKAGGS. Mr. Chairman, I rise in opposition to the amendment and move to strike the requisite number of words.

Colleagues, if anyone thinks it is somehow a luxury to develop a worldwide understanding and appreciation of exactly what are the dimensions of the risk that this planet is in, I hope that they can be disabused of that notion because it is absolutely essential and important to this country, to our leadership in the world and to the planet as a whole that we be taking this kind of initiative.

I was visiting recently with some of this Nation's premier atmospheric scientists and they made a startling observation which was basically this: We do not know whether we may have already pushed the planet's ecosystems, its atmosphere, its other ecology past the point of no return. We do not know exactly what degree of peril the future of the planet may be in. It is clearly in the interests of the developed world with the United States in the leadership to induce, particularly, the underdeveloped world, the Third World, to get a stake in the solution to this problem. It is not going to be solved simply by the United States and Europe and those countries with high GDP doing their share. We have got to bring along the rest of the world.

So a program that deals with education in this area is critical. For us to sow the seeds around the world for schoolkids to start to get it, to start to understand their stake in the future of the planet and the measurements that inform judgments about what we do to make sure that we survive as a race and as a planet, could not be anything more profoundly in our national interest and in the international interest than helping move that process along.

So I hope that my colleagues, for all of the points on process and otherwise that have been raised in support of this amendment, I hope they will keep their eye on the ball, the GLOBE, and defeat this amendment.

Mr. STUDDS. Mr. Chairman, will the gentleman yield?

Mr. SKAGGS. I yield to the gentleman from Massachusetts.

Mr. STUDDS. I thank the gentleman for yielding to me.

Mr. Chairman, I want to associate myself with the gentleman's remarks. He I think very eloquently put his finger on what is at stake here. I of course am shocked at the distinguished gentleman from Texas [Mr. FIELDS] who is right an astonishing proportion of the time on these matters. This is most out of character for him. This is a very important, very inexpensive, very symbolic and I think very rewarding program. To raise consciousness around

the world and achieve some scientific benefits simultaneously for a relatively small price, to bring forth a generation, not just in our country but in all the countries of the world who are aware of and are committed to environmental progress, I think is a pretty sound investment.

So I commend the gentleman [Mr. SKAGGS] for his eloquent defense of the program. I think this is something which I think Members know is personally dear to the heart of the Vice President who I suspect has made that abundantly clear even to the gentleman from Texas, whose phone must have been out of order. I hope very much with all due respect and affection for my ranking member this amendment ought to be rejected.

I thank the gentleman for yielding.

Mr. MILLER of California. Mr. Chairman, will the gentleman yield?

Mr. SKAGGS. I yield to the gentleman from California [Mr. MILLER].

Mr. MILLER of California. I thank the gentleman for yielding.

Mr. Chairman, I want to associate myself with the gentleman's remarks and just say when we look at many of these Third World countries where we believe we still have an opportunity, if we can help them choose the right environmental path that they will be able to secure a future of great economic independence should they make that choice. But that choice is going to come through education.

What we now see, unfortunately, is because of the lack of data, because of the lack of education on these issues of environmental concern, of environmental sustainability, economic sustainability, many of these countries are headed down the same path that other countries have gone, that end up being very, very costly for them in the long term, and then coming back with remediation, with trying efforts at mitigation. We have an opportunity in this program to take young children, make them environmentally aware, have them participate in understanding not only the environment of their own country but the environments of the other countries of the world and the interconnectiveness of those environments.

□ 1220

We know, that as hard as we try in this country to clean up the air, to clean up the waters, to protect the oceans, that that can be swamped by what can take place in terms of environmental degradation in the Third World. If China does not choose the right path in terms of energy production, it can overwhelm everything we are doing here in terms of clean air. If other countries do not choose the right path in terms of ocean pollution, it can overwhelm what we are doing in this country. So, we can end up spending billions and billions of dollars, billions

of dollars for remediation in this country, to have it be for naught if other countries do not start to take and choose those paths.

The CHAIRMAN. The time of the gentleman from Colorado [Mr. SKAGGS] has expired.

(On request of Mr. FIELDS of Texas and by unanimous consent, Mr. SKAGGS was allowed to proceed for 3 additional minutes.)

Mr. MILLER of California. Mr. Chairman, will the gentleman yield?

Mr. SKAGGS. I yield to the gentleman from California.

Mr. MILLER of California. Mr. Chairman, I would just say that that is the option that this program provides us in some small way and to try to provide some seed money so we can encourage others to participate in this, and I would hope that we would reject the amendment offered by the gentleman from Texas [Mr. FIELDS] to the bill.

Mrs. FOWLER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the Fields amendment. This amendment would cut \$7 million from the Commerce appropriations bill. This money is earmarked for GLOBE, the Global Learning and Observation to Benefit the Environment Program. This program is part of Vice President GORE's book, "Earth in the Balance." The program calls for a worldwide system in which schoolchildren and their teachers would monitor the global environment.

Included in this is a tree census to monitor the worldwide tree population. In addition to the \$7 million appropriation in this legislation, EPA and NASA are expected to contribute another \$6 million for a total of \$13 million in fiscal year 1995 funds. Mr. Chairman, I oppose funding this program for several reasons.

First, the program has never been authorized. In fact there have never even been hearings on this proposal. While we can think of many questions to ask of this program, there has never been an opportunity to do so.

Second, we simply cannot afford to begin funding yet another new program. Appropriations for the GLOBE program for fiscal year 1995 total \$13 million. These costs soar to \$100 million in the year 2000. This is money we could be using on drug interdiction, U.S. shipbuilding, crime, or welfare reform. Instead, the GLOBE program will force us to spend these funds on tree counting.

Finally, I oppose the program because it puts the United States in a position of funding schools and teachers in foreign countries to participate in this program. Given our Federal deficit and the need to wisely use Federal resources, it makes no sense to send our limited Federal tax dollars to unnamed foreign countries to use on their educational systems.

I urge my colleagues to support the Fields amendment and eliminate funding for the GLOBE Program.

Mr. FIELDS of Texas. Mr. Chairman, will the gentlewoman yield?

Mrs. FOWLER. I yield to the gentleman from Texas.

Mr. FIELDS of Texas. Mr. Chairman, I would like to respond for just a moment to some of the thoughtful statements that have been made by my friends from West Virginia, Colorado, Massachusetts, and California.

Conceptually we think this has much merit. We have a real problem, however, with process, that we did not complete the authorization process. We have heard some very good statements today. As my colleagues know, it would be nice to hear these statements at the subcommittees, the full committee level, and then finally here on the floor, before we rush to an appropriation. So, there is a process problem.

Second, Mr. Chairman, we have a real concern about the amount of Federal tax dollars that will not only be spent in this fiscal year, but that will be spent in years in the future. We are getting conflicting numbers from a number of different people. We know what it is this year, but we also have to remind the House that \$500,000 was reprogrammed without any notice to this body until after the fact. That is a great concern to the minority.

Mr. Chairman, those are the reasons that we are standing here today saying that this is a program that should not be funded, it is a program that should be zeroed out, and this the opportunity.

Mrs. UNSOELD. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise to associate myself with the remarks of the chairman, and the gentleman from Colorado, and the gentleman from Massachusetts in opposition to this amendment.

We adults tend to overlook the real value that children and students can bring, not only to their own learning, but to the contribution they can make to the world's knowledge. In my own community we have a businessman, the Saturn dealer to be exact, who has had such a program as this where students are gathering information on the water quality, on fish-spawning habitat, supplying it to the Department of Natural Resources, actually doing the valuable work toward the improvement of the quality of the environment in their community and in the State. It not only entices them for what needs to be done and makes them potentially so much more likely to be leaders in their communities when they are adults in addressing some of these issues, but it translates also into greater action and involvement by their parents. This is an opportunity with a very small United States match to spread that concept around the globe and to give young

people real opportunity to contribute to scientific knowledge and to contribute to benefiting this globe on which we share.

As the gentleman from California [Mr. MILLER] mentioned earlier, if we take inordinate measures to protect the environment in this country, if some other country has a totally different standard because the people are not enthusiastic about the protection, our efforts are in vain. The expenditures that our businesses and our people will make will be in vain. So, involving these young people while they are students, while they can become world citizens for the protection of the globe, now is the time to do it, and I oppose this amendment.

Mr. POMBO. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise today to support the amendment offered by the gentleman from Texas [Mr. FIELDS] to remove the funding for the GLOBE Program.

This appropriation bill appropriates \$7 million for GLOBE—an unauthorized new Federal foreign aid program. I am very concerned about the projection that this new program may cost the American taxpayer as much as \$2 billion by the year 2010.

Though I believe it is important that we should all work to take steps to preserve and protect the environment, this project is clearly the wrong approach.

The information gathered by these untrained foreign students will have dubious scientific value. In addition, the National Oceanic and Atmospheric Administration [NOAA] has indicated to the Merchant Marine and Fisheries Committee, in which I serve, that they are not sure how they are going to use this information that was collected.

Mr. Chairman, it is clear this program is a highly questionable expenditure of our scarce Federal dollars.

In these tight fiscal times—choice is the key word. NOAA is facing a reduced budget and could better use the money for such things as nautical charting or fleet repair. Or even better, my fellow colleagues can support the Fields amendment which will allow this Congress to direct the savings to job creation or fighting crime, a much higher priority for the American people.

Mr. DELAY. Mr. Chairman, will the gentleman yield?

Mr. POMBO. I yield to the gentleman from Texas.

Mr. DELAY. Mr. Chairman, I appreciate the gentleman's remarks, and I think the gentleman is right on in supporting the amendment offered by the gentleman from Texas [Mr. FIELDS]. I would just like to add a few things to what the gentleman from California has said.

As my colleagues know, the Democrats have the President and the White

House and all that that implies, and I know that the Democrats have a vast majority in the House, and they have a majority in the Senate. But I just think it is really unfortunate that we now have a new process of government. If the Vice President of the United States wants a new program, we just slide it into a bill and kick it off, no hearings, nothing. We are just going to do it. No accountability is there, no real airing of what is going on here.

□ 1230

I take one issue with the gentlewoman from Washington, who has seemed to be very enthusiastic, and I think laudable, in the fact she wants to create world citizens to do this kind of work using school children.

I might tell the gentlewoman that I have a degree, a bachelor of science degree in biology. I have had a lot of work in sampling programs and sampling courses, and I have got to admit to the gentlewoman that college students that have been taught to do sampling and use sampling methods provide terrible data. College students, people over the age of 18. Yet what this proposal is is to have seventh graders out there collecting data.

Now, what that suggests to me is that you do not care what the data says. In fact, NOAA does not know how to use the data if you did collect it correctly.

But you do not care what the data says, and that has been shown to me time and time again in the Clean Air Act. I can remember vividly that we had a \$100 million program that spent 10 years investigating acid rain. Yet we made sure that we passed the Clean Air Act before they published the conclusions on acid rain. And the conclusion was, by good scientists, Ph.D's out there collecting data, that acid rain was not the crisis that people on this floor wanted to portray.

I even asked Carol Browner, the Administrator of EPA, in our subcommittee, if she saw that science got in the way of her agenda on policy, what would she do? She virtually, and I am paraphrasing, said, that if science gets in the way, we will push it aside, because good policy is more important than good science.

That is what is happening here. And I think Members really ought to understand. We are going to spend millions of dollars collecting faulty data that will be assimilated so that we can prove a conclusion that has already been written in a book called "Earth In The Balance." That is the book that Vice President GORE wrote as a campaign piece. That is what is happening here, using taxpayer money, paying for a program that has not even been looked at and authorized by this House, to substantiate a conclusion written in a campaign book. That is what is happening here.

If you vote against the Fields amendment, you are supporting such nonsense.

Mr. POMBO. Mr. Chairman, reclaiming my time, in conclusion I would just like to say I am personally offended that we would use this process to further the unproven-by-scientists agenda of the Vice President, and try not only to inject that into the schools of America, but to inject that into schools worldwide, in order to further an agenda that scientists cannot even reach consensus on.

Mr. CUNNINGHAM. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, it is important to stress a worldwide awareness that the ecosystems of the planet are being destroyed. Our oceans are being polluted, our rain forests are being destroyed, and I would think that foreign countries need to put an emphasis on our protecting those areas.

But to take \$700 million away from NOAA, \$6 million from NASA, with EPA contributing an amount of up to \$2 billion, for kids to collect scientific data, we have got to draw the line.

Let us let NOAA and the scientists that have the responsibilities for doing these things do it. It is also important, I think I would rather have \$7 million go for a tax cut for middle-class Americans.

We are trying to find a lot of dollars right now to fund a health care bill. We cannot do that right now. We have got a health care bill coming on the floor shortly that is underfunded. But yet we are going to spend up to \$2 billion on this. We are going to spend over 5 years, \$1 billion on the National Endowment for the Arts. We are going to have a California desert plan that is going to cost us billions of dollars. There is 336,000 acres. We do not have the money to pay for it, but it is OK, we will put it on the national debt, we will increase the deficit.

My constituents are telling me, "DUKE, do not raise my taxes and cut spending." Yet we continually find new ways to spend money. Nearly \$5 trillion, that equates to \$1.3 billion a day we pay on the national debt. That is just for the interest. That does not even include the principal.

Let us blame defense. We have cut defense \$177 billion, but we still increase the national deficit, through programs like I just have spoken about.

\$700 million, \$6 million request from NASA, the EPA contributing, for kids collecting scientific data.

Mr. Chairman, if we are going to be serious in Congress about reducing spending, the President said he wants to reduce the deficit, we are not going to do it by adding and adding and adding for all these different programs for new spending. We have environmental programs. One of the good things that

the President has done is focused on the environment.

A lot of our military bases today have dumped fuel oil and polluted the Earth, and a large part of it is companies that did not look ahead, and now it is costing us millions and millions of dollars to clean it up. Let us take the \$700 million or the \$2 billion and put it in something worthwhile, that is, a tax reduction, that is, for something that will help the environment. But to have foreign kids collect scientific data is not good for the American people.

Mr. GOODLATTE. Mr. Chairman, I rise to strike the requisite number of words.

Mr. Chairman, today I rise in support of Mr. Fields' amendment and urge my colleagues to join me.

The Fields amendment strikes \$7 million from the National Oceanic and Atmospheric Administration appropriations for fiscal year 1995. This amount is equivalent to the funding level proposed for the GLOBE, the Global Learning and Observations to Benefit the Environment Program.

GLOBE was proposed by Vice President AL GORE in his book, "Earth in the Balance." NOAA would run the program to enhance the awareness of individuals throughout the world concerning humanity's impact on the environment.

Under this program, the United States would pay for schoolchildren around the world to take temperature, wind, and air chemistry measurements as well as to conduct an annual tree census.

But, one thing is certain—no matter how many trees are counted, the Vice President's program will not locate an oak, pine, or bamboo tree that has dollar bills as foliage. Money simply does not grow on trees.

While the concept of encouraging schoolchildren to take part in scientific experiments may be meritorious, this program is a highly questionable expenditure of our scarce Federal dollars.

In fact, GLOBE is so questionable that it has not been authorized by this Congress. Once again, however, the Appropriations Committee has adopted an elitist attitude and disregarded the decisions of the authorizing committee. This is an outrageous disregard for the rules of this body.

The authorizing committee is clearly in the best position to weigh the merits of the program and decide if it is worthy of Federal funding. I am confident that they had very good reasons for denying this program authorization.

For example, this year's requested funding for GLOBE is only \$7 million in fiscal year 1995, but projections indicate that spending will skyrocket to \$100 million in the year 2000. This means that the U.S. cumulative investment could total more than \$2 billion.

Not only is this program an enormous expense, most of this money will

be spent on other nations to train foreign teachers, buy satellite time, computers, and solar TV's.

With a ballooning national debt, Congress can hardly justify spending hard-working American taxpayers dollars on foreign schools.

Despite the expensive data to be collected by GLOBE, NOAA does not intend to reduce its budget for global climate research. This is a clear indication that the data obtained through GLOBE will be of dubious scientific value and that it is duplicative of other NOAA observations. In either case, it is obviously not worth the expenditure in a time when we should be pinching pennies.

Mr. Chairman, in addition to eliminating the \$7 million, the Fields amendment prohibits the use of any dollars appropriated to NOAA for the GLOBE Program. This is clearly necessary because last year NOAA blatantly ignored and violated Public Law 102-567, which requires that notice be given to the Committee on Merchant Marine and Fisheries before the agency reprogrammed \$500,000 of its fiscal year 1994 funds to start this program.

This is another example of the Congress disregarding its own rules of procedure. The GLOBE Program is unnecessary and wasteful and was denied authorization by the appropriate committee for very good reasons. I urge my colleagues to vote "yes" on the Fields amendment.

□ 1240

Mr. ROGERS. Mr. Chairman, I move to strike the requisite number of words.

I have to rise in support of this amendment. There have been no hearings on this potentially very large project that eventually is supposed to reach every nation on Earth. This program has not been authorized by the House. The Committee on Education and Labor has not had hearings on the matter and by and large this is, if anything, an educational program. But the Committee on Education and Labor has had no hearings and has certainly not authorized this very new project.

No. 2, the money is being taken from the NOAA account.

NOAA is very precise in their mission. That is to make very scientific measurements of the environment, of research matters that are precise and that people depend upon even with their very lives in the case of the National Weather Service. No one is saying that the data to be collected worldwide by children will be anything near reliable scientific and research quality items. And yet, the money to be taken by this dubious project from the NOAA account would take money that we had to skimp to find from such things as the Modernization Program and the National Weather Service. We are underfunding that account by less than

the money in this bill. We are underfunding the polar spacecraft and the geostationary spacecraft that the National Weather Service has to have for the safety of every single American. If we want to find the money from some other agency, go to the Education bill, go to the Committee on Education and Labor, that is where this belongs, if anywhere. It does not belong in the NOAA account, Mr. Chairman, because we are underfunding critical programs in the NOAA account to fund this very dubious tree-counting mission in Argentina.

Mr. FIELDS of Texas. Mr. Chairman, will the gentleman yield?

Mr. ROGERS. I yield to the gentleman from Texas.

Mr. FIELDS of Texas. Mr. Chairman, \$59 million has been cut from drug interdiction. Fourteen Coast Guard search and rescue stations around the country have been eliminated. The Boat Safety Act has been zeroed out, and we will be coming before this body, as we have already, asking for funds for U.S. shipbuilding which is a high priority.

Mr. ROGERS. Mr. Chairman, I wish that we would pass this over for the time being. Vote for the Fields amendment. Let us eliminate this money so we can put it back in the National Weather Service to complete the Modernization Program and be able to launch the weather satellites in an appropriate way to fund them as we have. And let us pass the Fields amendment and have the Committee on Education and Labor, the authorizing committee, where this belongs, hold a couple of days of hearings, maybe 1 day of hearings. Let us know what we are dealing with. We are buying a pig in a poke here. The poke has some holes in it, because we have had to cut the NOAA account in so many other ways. I urge a vote for the Fields amendment.

Mr. MOLLOHAN. Mr. Chairman, will the gentleman yield?

Mr. ROGERS. I yield to the gentleman from West Virginia.

Mr. MOLLOHAN. Mr. Chairman, I thank the distinguished ranking minority member for yielding to me.

I just wanted to clarify, I believe the gentleman from Virginia that preceded the distinguished ranking minority member, the gentleman from Virginia [Mr. GOODLATTE], probably misspoke and indicated that the authorization for this program had been denied. I am advised that the authorizing committee or one of the committees that would have jurisdiction, the Committee on Merchant Marine and Fisheries, has reported the bill and recommended an authorization of \$7 million. So there obviously has been very serious consideration by the authorizing committee.

Also I would like to point out that this program was the subject in one of our hearings in which Dr. Baker, who is head of NOAA, indicated that the

GLOBE Program, "is an opportunity for us to respond, to have a better educated public on environmental issues and also to engage our science and technology base in some educational activity." And then finally, "We see a real value-added activity here in terms of the data that will be produced."

So it obviously has the support of NOAA. It has had considerable consideration of the authorizing side while at the same time it has not gone completely through that process.

The CHAIRMAN. The time of the gentleman from Kentucky [Mr. ROGERS] has expired.

(By unanimous consent, Mr. ROGERS was allowed to proceed for 1 additional minute.)

Mr. FIELDS of Texas. Mr. Chairman, will the gentleman yield?

Mr. ROGERS. I yield to the gentleman from Texas.

Mr. FIELDS of Texas. Mr. Chairman, just to clarify very quickly, there were no hearings in the Committee on Merchant Marine and Fisheries. There was a subcommittee vote. There was a full committee vote.

Under a normal set of circumstances, this would now get to the Committee on Science, Space, and Technology.

That has not even taken up this particular piece of legislation. This is not completed, the normal authorization process wherein we have debate, wherein we can flush out issues and Members have an opportunity to act on a particular piece of legislation.

Mr. GOODLATTE. Mr. Chairman, will the gentleman yield?

Mr. ROGERS. I yield to the gentleman from Virginia.

Mr. GOODLATTE. Mr. Chairman, I thank the gentleman from Kentucky for yielding to me and to clarify my remarks, which were what I gave in the RECORD, I stated that this House had not authorized this program. I stand by those remarks.

Mrs. BENTLEY. I rise in support of the amendment offered by Mr. FIELDS which eliminates the \$7 million from the unauthorized GLOBE Program.

Under GLOBE, the American taxpayer soon will pay for a worldwide education program under which schoolchildren from 20 foreign countries will monitor the earth daily by taking air chemistry measurements and conduct an annual global tree census.

Further, the \$7 million will be used, in part, to purchase solar-powered television sets, buy satellite time so children around the planet can compare data, train foreign teachers, and establish a new office under NOAA.

Mr. Chairman, why should the U.S. taxpayer provide the funding for foreign schools to participate in such a program? I am sure the American people would much rather see this money used for schools and schoolchildren here in the United States.

During a time of skyrocketing debt and when illiteracy is running rampant among our school-age children, we should not be spending \$7 million on GLOBE.

GLOBE may be a good concept; however, the private sector should finance it, not the cash-strapped American Government.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. FIELDS].

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

## RECORDED VOTE

Mr. FIELDS of Texas. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 190, noes 192, not voting 57, as follows:

[Roll No. 277]

## AYES—190

Allard	Goodling	Morella
Andrews (NJ)	Goss	Myers
Applegate	Grandy	Neal (NC)
Archer	Greenwood	Nussle
Armey	Gunderson	Orton
Bachus (AL)	Hall (TX)	Oxley
Baesler	Hamilton	Packard
Baker (CA)	Hancock	Parker
Baker (LA)	Hansen	Paxon
Ballenger	Harman	Payne (VA)
Barca	Hastert	Penny
Barrett (NE)	Hayes	Peterson (MN)
Bartlett	Hefley	Petri
Barton	Hergert	Pickett
Bateman	Hobson	Pombo
Bentley	Hoekstra	Pomeroy
Bereuter	Hoke	Porter
Billakis	Holden	Portman
Bliley	Horn	Pryce (OH)
Blute	Huffington	Quinn
Boehlert	Hunter	Ramstad
Boehner	Hutto	Regula
Bonilla	Hyde	Roberts
Brewster	Inglis	Roemer
Bunning	Inhofe	Rogers
Burton	Insee	Rohrabacher
Byrne	Istook	Roth
Callahan	Johnson, Sam	Santorum
Camp	Kasich	Saxton
Canady	Kim	Schiff
Castle	King	Sensenbrenner
Chapman	Kingston	Shaw
Clinger	Klug	Shays
Coble	Knollenberg	Shuster
Collins (GA)	Kyl	Sisisky
Combest	Lambert	Skeen
Condit	Laughlin	Skelton
Coppersmith	Lazio	Smith (MI)
Cox	Leach	Smith (NJ)
Crane	Lehman	Smith (TX)
Crapo	Levy	Snowe
Cunningham	Lewis (CA)	Spence
DeLay	Lewis (KY)	Spratt
Dickey	Linder	Stearns
Dooley	Livingston	Stenholm
Doolittle	Lucas	Stump
Dornan	Mann	Swett
Dreier	Manzullo	Talent
Duncan	Margolies-	Tauzin
Dunn	Mezvinsky	Taylor (NC)
Emerson	McCandless	Thomas (CA)
Everett	McCrery	Thomas (WY)
Ewing	McDade	Thurman
Fawell	McHugh	Torkildsen
Fields (TX)	McInnis	Trafficant
Fowler	McKeon	Upton
Franks (NJ)	McMillan	Volkmer
Gallo	Meyers	Vucanovich
Gekas	Mfume	Walsh
Geren	Miller (FL)	Wolf
Gilchrest	Minge	Young (AK)
Gillmor	Molinari	Young (FL)
Gingrich	Montgomery	Zimmer
Goodlatte	Moorhead	

## NOES—192

Abercrombie	Barlow	Bilbray
Andrews (ME)	Barrett (WI)	Bishop
Andrews (TX)	Becerra	Blackwell
Bacchus (FL)	Bellenson	Bonior
Barcia	Bevill	Borsari

Brooks	Hochbrueckner	Poshard
Browder	Houghton	Price (NC)
Brown (CA)	Hoyer	Rangel
Brown (FL)	Hughes	Ravenel
Brown (OH)	Jefferson	Reed
Bryant	Johnson (CT)	Richardson
Cantwell	Johnson (GA)	Romero-Barcelo
Cardin	Johnson (SD)	(PR)
Carr	Johnson, E.B.	Ros-Lehtinen
Clayton	Johnston	Rose
Clement	Kanjorski	Rostenkowski
Clyburn	Kaptur	Rowland
Coleman	Kennedy	Roybal-Allard
Collins (IL)	Kennelly	Rush
Conyers	Kildee	Sabo
Cooper	Klecza	Sanders
Coyne	Klein	Sangmeister
Cramer	Kopetski	Sarpalius
Danner	Kreidler	Sawyer
Darden	LaFalce	Schenk
de la Garza	Lancaster	Schroeder
de Lugo (VI)	Lantos	Scott
DeFazio	LaRocco	Serrano
DeLauro	Levin	Sharp
Dellums	Long	Shepherd
Derrick	Lowe	Skaggs
Deutsch	Maloney	Slaughter
Diaz-Balart	Manton	Smith (IA)
Dicks	Markey	Stark
Dixon	Martinez	Strickland
Durbin	Mazzoli	Studds
Edwards (CA)	McCloskey	Stupak
Edwards (TX)	McDermott	Swift
Engel	McHale	Synar
English	McKinney	Tanner
Eshoo	McNulty	Tejeda
Evans	Meehan	Thompson
Farr	Meek	Thornton
Fazio	Menendez	Torres
Fields (LA)	Miller (CA)	Torricelli
Filner	Mineta	Tucker
Fingerhut	Mink	Underwood (GU)
Fish	Moakley	Unsold
Foglietta	Mollohan	Valentine
Ford (TN)	Moran	Velazquez
Frank (MA)	Murphy	Vento
Frost	Murtha	Visclosky
Furse	Nadler	Walker
Gejdenson	Neal (MA)	Watt
Gibbons	Oberstar	Weldon
Gilman	Obey	Whitten
Glickman	Olver	Williams
Gonzalez	Ortiz	Wilson
Gordon	Owens	Wise
Green	Pallone	Woolsey
Hamburg	Pastor	Wyden
Hastings	Payne (NJ)	Wynn
Hefner	Pelosi	Yates
Hinchee	Peterson (FL)	
Hoagland	Pickle	

NOT VOTING—57

Ackerman	Hall (OH)	Reynolds
Berman	Hilliard	Ridge
Boucher	Hutchinson	Roukema
Buyer	Jacobs	Royce
Calvert	Klink	Schaefer
Clay	Kolbe	Schumer
Collins (MI)	Lewis (FL)	Slattery
Costello	Lewis (GA)	Smith (OR)
Deal	Lightfoot	Solomon
Dingell	Lipinski	Stokes
Ehlers	Lloyd	Sundquist
Faleomavaega	Machtley	Taylor (MS)
(AS)	Matsui	Towns
Flake	McCollum	Washington
Ford (MI)	McCurdy	Waters
Franks (CT)	Mica	Waxman
Gallegly	Michel	Wheat
Gephardt	Norton (DC)	Zeliff
Grams	Quillen	
Gutierrez	Rahall	

□ 1310

Messrs. GLICKMAN, EDWARDS of Texas, and STRICKLAND changed their vote from "aye" to "no."

Messrs. GOODLING, SPRATT, POMEROY, and WALSH changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

PARLIAMENTARY INQUIRY

Mr. ROGERS. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. ROGERS. Mr. Chairman, did the Delegates to this body make the difference in this vote in the Committee?

The CHAIRMAN. The gentleman is correct.

The Chair was just about to address that matter.

Mr. ROGERS. I thank the Chairman.

The CHAIRMAN. Pursuant to clause 2(d) of rule XXIII the Committee rises.

Pursuant to clause 2(d) of rule XXIII the Committee rose; and the Speaker pro tempore (Mr. HUTTO) having assumed the chair, Mr. BROWN of California, Chairman of the Committee of the Whole House on the State of the Union, reported that the Committee, having had under consideration the bill (H.R. 4603) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies programs for the fiscal year ending September 30, 1995, and making supplemental appropriations for these departments and agencies for the fiscal year ending September 30, 1994, and for other purposes, directs him to report that on a recorded vote on an amendment the votes of the Delegates and of the Resident Commissioner from Puerto Rico were decisive.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. FIELDS of Texas: Page 39, line 24, strike "\$1,792,978,000" and insert "\$1,785,978,000".

Page 40, line 10, strike "\$1,751,978,000" and insert "\$1,744,978,000".

The SPEAKER pro tempore. Pursuant to clause 2(d) of rule XXIII, the Chair will now put the question de novo on the amendment offered by the gentleman from Texas [Mr. FIELDS].

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

RECORDED VOTE

Mr. FIELDS of Texas. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 184, noes 184 not voting 66, as follows:

[Roll No. 278]

AYES—184

Allard	Blute	Combest
Andrews (NJ)	Boehlert	Condit
Applegate	Boehner	Coppersmith
Archer	Bonilla	Cox
Armey	Brewster	Crane
Bachus (AL)	Bunning	Crapo
Baker (CA)	Burton	Cunningham
Baker (NE)	Byrne	DeLay
Barca	Callahan	Diaz-Balart
Barrett (NE)	Camp	Dickey
Bartlett	Canady	Dooley
Barton	Castle	Doolittle
Bateman	Chapman	Dornan
Bentley	Clinger	Drier
Bereuter	Coble	Duncan
Bliley	Collins (GA)	Dunn

Emerson	Klug	Porter
Everett	Knollenberg	Portman
Ewing	Kyl	Pryce (OH)
Fawell	Laughlin	Quinn
Fields (TX)	Lazio	Ramstad
Fish	Leach	Ravenel
Fowler	Lehman	Regula
Franks (NJ)	Levy	Roberts
Gallo	Lewis (CA)	Roemer
Geren	Lewis (KY)	Rogers
Gilchrest	Linder	Rohrabacher
Gillmor	Livingston	Ros-Lehtinen
Gingrich	Lucas	Roth
Goodlatte	Mann	Royce
Goodling	Manzullo	Santorum
Goss	Margolies-Schiff	Saxton
Grandy	Mezvinsky	Schiff
Greenwood	McCandless	Sensenbrenner
Gunderson	McCrary	Shaw
Hall (TX)	McDade	Shays
Hamilton	McHugh	Shuster
Hancock	McInnis	Sisisky
Hansen	McKeon	Skeen
Harman	Meyers	Skelton
Hastert	Mfume	Smith (MI)
Hayes	Miller (FL)	Smith (NJ)
Hefley	Minge	Smith (TX)
Heger	Molinari	Snowe
Hobson	Montgomery	Stenholm
Hoekstra	Moorhead	Stump
Hoke	Morella	Swett
Holden	Myers	Talent
Horn	Neal (NC)	Tauzin
Huffington	Nussle	Taylor (NC)
Hunter	Orton	Thomas (CA)
Hutto	Oxley	Thomas (WY)
Hyde	Packard	Thurman
Inglis	Parker	Torkildsen
Inhofe	Paxon	Trafficant
Insole	Payne (VA)	Upton
Istook	Penny	Vucanovich
Johnson, Sam	Peterson (MN)	Walsh
Kasich	Petri	Wolf
Kim	Pickett	Young (AK)
King	Pombo	Zimmer
Kingston	Pomeroy	

NOES—184

Abercrombie	English	LaRocco
Andrews (ME)	Eshoo	Levin
Andrews (TX)	Evans	Long
Bacchus (FL)	Farr	Lowe
Baessler	Fazio	Maloney
Barcia	Fields (LA)	Manton
Barlow	Filner	Markey
Barrett (WI)	Fingerhut	Martinez
Becerra	Flake	Mazzoli
Bellenson	Foglietta	McCloskey
Bevill	Ford (TN)	McDermott
Bilbray	Frank (MA)	McHale
Bishop	Furse	McKinney
Blackwell	Gejdenson	McNulty
Bonior	Gekas	Meehan
Borski	Gibbons	Meek
Brooks	Gilman	Menendez
Browder	Glickman	Miller (CA)
Brown (CA)	Gonzalez	Mineta
Brown (OH)	Gordon	Mink
Bryant	Green	Moakley
Cantwell	Hall (OH)	Mollohan
Cardin	Hamburg	Moran
Carr	Hefner	Murphy
Clayton	Hinchee	Murtha
Clement	Hoagland	Nadler
Clyburn	Hochbrueckner	Neal (MA)
Coleman	Houghton	Oberstar
Collins (IL)	Hughes	Obey
Conyers	Jefferson	Olver
Cooper	Johnson (CT)	Ortiz
Coyne	Johnson (GA)	Pallone
Cramer	Johnson (SD)	Pastor
Danner	Johnson, E.B.	Payne (NJ)
Darden	Johnston	Pelosi
de la Garza	Kanjorski	Peterson (FL)
DeFazio	Kaptur	Pickle
DeLauro	Kennedy	Poshard
Dellums	Kennelly	Price (NC)
Derrick	Kildee	Rangel
Deutsch	Klecza	Reed
Dicks	Klein	Richardson
Dixon	Kopetski	Rose
Durbin	Kreidler	Rostenkowski
Edwards (CA)	LaFalce	Rowland
Edwards (TX)	Lancaster	Roybal-Allard
Engel	Lantos	Rush

Sabo	Stark	Vento
Sanders	Strickland	Visclosky
Sangmeister	Studds	Volkmer
Sarpalius	Stupak	Walker
Sawyer	Swift	Waters
Schenk	Synar	Watt
Schroeder	Tanner	Whitten
Scott	Tejeda	Williams
Serrano	Thompson	Wilson
Sharp	Torres	Wise
Shepherd	Torricelli	Wyden
Skaggs	Tucker	Wynn
Slaughter	Unsoeld	Yates
Smith (IA)	Valentine	
Spratt	Velazquez	

## NOT VOTING—66

Ackerman	Hilliard	Reynolds
Ballenger	Hoyer	Ridge
Berman	Hutchinson	Roukema
Bilirakis	Jacobs	Schaefer
Boucher	Klink	Schumer
Brown (FL)	Kolbe	Slattery
Buyer	Lambert	Smith (OR)
Calvert	Lewis (FL)	Solomon
Clay	Lewis (GA)	Spence
Collins (MI)	Lightfoot	Stearns
Costello	Lipinski	Stokes
Deal	Lloyd	Sundquist
Dingell	Machtley	Taylor (MS)
Ehlers	Matsui	Thornton
Ford (MI)	McCollum	Towns
Franks (CT)	McCurdy	Washington
Frost	McMillan	Waxman
Gallely	Mica	Weldon
Gephardt	Michel	Wheat
Grams	Owens	Woolsey
Gutierrez	Quillen	Young (FL)
Hastings	Rahall	Zeliff

□ 1332

The Clerk announced the following pairs:

On this vote:

Mr. Deal for, with Mr. Ackerman against.  
McCollum for, with Mr. Berman against.  
Mr. Calvert for, with Miss Collins of Michigan against.

Mr. Grams for, with Mr. Dingell against.  
Mrs. Roukema for, with Mr. Hilliard against.

Mr. Schaefer for, with Mr. Mica against.

Mr. VOLKMER and Mr. GEKAS changed their vote from "aye" to "no."  
So the amendment was rejected.

The result of the vote was announced as above recorded.

## PERSONAL EXPLANATION

Mr. MICA. Mr. Speaker, I would like the RECORD to reflect that I was unavoidably detained for rollcall Nos. 277 and 278.

## PERSONAL EXPLANATION

Mr. BALLENGER. Mr. Speaker, I was absent for rollcall vote No. 278. I would have voted "aye" on rollcall vote No. 278.

The SPEAKER pro tempore (Mr. HOYER). Pursuant to clause 2(d), rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 4603.

□ 1333

## IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 4603) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies programs for the fiscal year ending

September 30, 1995, and making supplemental appropriations for these departments and agencies for the fiscal year ending September 30, 1994, and for other purposes, with Mr. BROWN of California in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose earlier today, the amendment offered by the gentleman from Texas [Mr. FIELDS] had been rejected on a recorded vote on which the votes cast by the Delegates and the Resident Commissioner were decisive. That result has since been affirmed by the House. Accordingly, the amendment offered by the gentleman from Texas [Mr. FIELDS] was rejected.

Mr. OBEY. Mr. Chairman, I move to strike the last word.

The CHAIRMAN. The Chair recognizes the gentleman from Wisconsin [Mr. OBEY] for 5 minutes.

Mr. OBEY. Mr. Chairman. I would just like to take this time to discuss the time situation that we are in. I know that the gentleman from West Virginia [Mr. MOLLOHAN] has been asked to rise because of the natural gas situation at National Airport. Evidently a large traffic jam is developing because of that problem out there, and it is the Committee's intention to rise. But before that happens, Mr. Chairman, I simply want to make this point:

Before we adjourn in July for the July 4th recess, we have to finish this and all remaining appropriations bills, and that is going to mean that we are going to need the utmost cooperation of the membership with respect to limiting the time taken to discuss each of the amendments on each of the bills before us, and it is also going to mean that we are going to have to be here until midnight virtually every night next week.

So, Mr. Chairman, I simply take this time to bring to the attention of the House the fact that we are going to need that cooperation or we are going to be here substantially later than midnight every night next week.

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

Mr. ORTON. Mr. Chairman, I rise today for the purpose of stressing the importance of fully funding for the National Instant Criminal Background Check System [NICBCS] and to support the passage of this legislation. While this bill does not appropriate as much funding for the background check system as I would have liked, it is a step in the right direction. What we all have to realize is that in our efforts to reduce our Nation's enormous budget deficit, the amount of available funding sources are becoming more and more scarce. I also recognize the extraordinary pressures that members of this subcommittee, and every appropriations subcommittee for that matter, are facing when trying to craft a specific appropriations act.

This year's Commerce-Justice-State Appropriations Act, as reported to the House, provides a \$6 million appropriation for the FBI to

complete their NICBCS efforts. More importantly, however, is the expansion of the traditional Byrne law enforcement grants that will now allow States to use this funding source to upgrade criminal history records in their respective States. I view this as a major victory for every State across the Nation, since Congress is actually getting around to appropriating the funds that are needed to carry out the mandate that was incorporated as a part of the Brady bill. Unfunded Federal mandates have probably caused more friction between the U.S. Congress and our individual States than almost any other specific issue. This appropriations act will send a strong message to our State governments that Congress is starting to get serious about unfunded Federal mandates.

However, my overriding goal in obtaining full funding for the NICBCS is to sunset the 5-day waiting period before the 5-year moratorium on the waiting period is reached. I believe this goal is good public policy for two distinct reasons. First of all, it will accomplish what the Brady bill set out to do—to check the criminal background histories of potential gun buyers. Under the current law, before the NICBCS is fully operational, the local and State governments are not even mandated to check the criminal background records of every gun buyer—they are only required to make a good faith effort to run the background check within 5 days, and if it is not completed within the 5 day timeframe the gun sale may still go through. This is very different from the provisions of the current law which mandates that once the NICBCS is on-line, a criminal background check must take place before the sale can be completed. Second, the NICBCS will not infringe on the rights of law-abiding gun owners in the same onerous way that the Brady bill does.

Again, I thank the subcommittee and acting Chairman MOLLOHAN for their efforts and hard work on this legislation.

Mr. BROWN of California. Mr. Chairman, I rise in support of this Commerce, Justice, and State, the Judiciary, and related agencies appropriations bill and I commend the gentleman from West Virginia and the committee for their efforts.

I am pleased with the substance of the bill as it pertains to programs in the jurisdiction of the Committee on Science, Space, and Technology. I am pleased that it is relatively free of the kind of legislative language that should be left to the proper authorizing committees—but that nevertheless appears all too often in appropriations bills. I wish I could say that I am pleased that the bill is free of earmarks, but I cannot—a point I will return to later.

With respect to the substance of the bill, I am extremely pleased that the committee has produced a bill consistent with the administration's requests for substantial increases in technology investment programs. Increasingly, economists and other public policy analysts have come to recognize that arguments for Government support of research and development activities apply not only to basic research but also farther down the R&D scale toward commercial development. R&D investments like those in the Advanced Technology Program, for example, are critical to raising the Nation's productivity and standard of living,

yet they all too often are singled out for reduction or elimination by zealous deficit cutters who overlook their longer term payoffs in order to achieve short-term budget savings. I am also pleased that the committee was able to increase funding for NOAA operations, research, and facilities above the fiscal year 1994 level in a tight budget environment.

Mr. Chairman, the Committee on Science, Space, and Technology has been investigating the practice of academic earmarking of appropriations bills for some time now. We have achieved some successes and we have run into some roadblocks in trying to keep this practice under control. This bill provides a good illustration of what has been happening. First, the good news. Last year we identified almost \$80 million in 63 earmarks in the Commerce, Justice, State conference report. This year, many of those earmarks are missing from the House report, and I commend Mr. MOLLOHAN for his efforts to keep academic earmarking under control. Unfortunately, this is a bill that is prone to earmarking by the other body and in conference. Also, some report language funds programs that have been authorized in House bills but not enacted into law.

As my colleagues may be aware, I do not count as earmarks those projects which have been requested by the President or have been authorized and signed into law. It is with some regret that I include the National Undersea Research programs five regional centers as an earmark. These centers, which are funded at \$16 million out of NOAA, have been authorized by the House in the past. The Merchant Marine and Fisheries Committee has finished their markup of a new authorization and that bill is ready for floor consideration. I fully expect the House to deal with that bill in the near future. However, we often cannot get the other body to act on NOAA authorizations and rarely have our authorizations become law. So long as that is the case, I must continue to report NURP as an earmark. I hope that my good friend from West Virginia recognizes that no blame accrues to him for funding this program. The House does the responsible thing. I want to commend my colleagues on the Merchant Marine and Fisheries Committee who moved the authorization this year and my colleagues on the Appropriations Subcommittee who are funding the program for their actions. However, I also ask that my friend from West Virginia point out to his counterparts from the other body that we in the House expect them to move these authorizations. Until that happens, I will continue to count such programs as earmarks and continue to complain about a process which effectively denies our authorizing committees and the members of those committees a voice in legislation.

Notwithstanding these concerns, Mr. Chairman, this is a good bill and I urge all Members to support it.

Mr. MOLLOHAN. Mr. Chairman, I move that the Committee do now rise. The motion was agreed to.

Accordingly the Committee rose and the Speaker pro tempore (Mr. TORRES) having assumed the chair, Mr. BROWN of California, Chairman of the Committee of the Whole House on the State of the Union, reported that that Commit-

tee, having had under consideration the bill (H.R. 4603) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies programs for the fiscal year ending September 30, 1995, and making supplemental appropriations for these departments and agencies for the fiscal year ending September 30, 1994, and for other purposes, had come to no resolution thereon.

PERMISSION FOR COMMITTEE ON ENERGY AND COMMERCE TO FILE REPORTS ON H.R. 3636, NATIONAL COMMUNICATIONS COMPETITION AND INFORMATION INFRASTRUCTURE ACT OF 1993, AND H.R. 3626, COMMUNICATIONS REFORM ACT OF 1993

Mr. MARKEY, Mr. Speaker, I ask unanimous consent that the Committee on Energy and Commerce have until midnight tonight to file a report on the bill (H.R. 3636) to promote a national communications infrastructure to encourage deployment of advanced communications services through competition, and for other purposes, and on the bill (H.R. 3626) to supersede the modification of final judgment entered August 24, 1982, in the antitrust action styled *United States versus Western Electric*, civil action No. 82-0192, U.S. District Court for the District of Columbia; to amend the Communications Act of 1934 to regulate the manufacturing of Bell operating companies, and for other purposes.

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

Mr. FIELDS of Texas. Mr. Speaker, reserving the right to object, and I will not object, but I do so to yield to the gentleman from Massachusetts [Mr. MARKEY], my good friend, for further explanation.

Mr. MARKEY. Mr. Speaker, the Committee on Energy and Commerce intends to file the reports on H.R. 3636 and H.R. 3626 before the end of the day, but, because the House may not be in session at that time, we are affording the committee the opportunity to file the report today. It is our hope that these bills can be considered by the full House next week, and we want to give the Members the opportunity to review the report in a timely fashion.

Mr. FIELDS of Texas. Mr. Speaker, further reserving the right to object, and I am not going to object, but I want to inform the Members on this side that the minority has had the opportunity to review this and there is no objection.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

PERMISSION FOR COMMITTEE ON THE JUDICIARY TO FILE REPORTS ON S. 1458, GENERAL AVIATION REVITALIZATION ACT OF 1994, AND ON H.R. 3626, COMMUNICATIONS REFORM ACT OF 1993

Mr. BROOKS. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary have until 6 p.m. today to file a report on the Senate bill (S. 1458) to amend the Federal Aviation Act of 1958 to establish time limitations on certain civil actions against aircraft manufacturers, and for other purposes, and midnight tonight to file a report on the bill H.R. 3626 to supersede the Modification of Final Judgment entered August 24, 1982, in the antitrust action styled *United States v. Western Electric*, Civil Action No. 82-0192, United States District Court for the District of Columbia; to amend the Communications Act of 1934 to regulate the manufacturing of Bell operating companies, and for other purposes. I do not believe the other side has any objection to these requests.

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

There was no objection.

□ 1340

COMMUNICATION FROM THE HONORABLE TOM DELAY, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable TOM DELAY:

HOUSE OF REPRESENTATIVES,  
Washington, DC, June 23, 1994.

Hon. THOMAS S. FOLEY,  
Speaker, U.S. House of Representatives, Washington, DC.

DEAR MR. SPEAKER, This is to inform you pursuant to Rule L (50) of the Rules of the House that an employee in my office has been served with a subpoena issued by the United States District Court for the Eastern District of Virginia.

After consultation with the General Counsel, it was determined that compliance was consistent with the privileges and precedents of the House.

Sincerely,

TOM DELAY,  
Member of Congress.

LEGISLATIVE PROGRAM

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

Mr. DREIER. Mr. Speaker, I take this opportunity to address the House for 1 minute so that I might inquire of my very dear friend and Rules Committee colleague, the majority whip, the program for next week and our plans as we begin to head toward the July 4 district work period.

I yield to the gentleman from Michigan [Mr. BONIOR].

Mr. BONIOR. I thank my friend for yielding. I will read the schedule for next week.

We will meet at noon on Monday, after a restful and happy weekend. We will have suspensions, 11 of them, as follows:

S. 1458, General Aviation Revitalization Act;

H.R. 2238, Federal Acquisition Improvement Act;

H.R. 4635, to extend the Export Administration Act of 1979 until August 20, 1994;

H.R. 4595, Marian Oldham Post Office;

H.R. 4596, John L. Lawler, Jr., Post Office;

H.R. 4400, Postal Inspection Service and Inspector General Act;

H.R. 2559, to designate a Federal building located in Kansas City, MO, as the "Richard Bolling Federal Building";

H.R. 3567, the John F. Kennedy Center Act Amendments of 1994;

H.R. 4576, to designate a Federal building in Washington, DC, as the "Jamie L. Whitten Federal Building";

H.R. 4577, to designate a Federal building and U.S. courthouse in Bowling Green, KY, as the "William H. Natcher Federal Building"; and

S. 832, to designate the plaza on the Federal Triangle Property in Washington, DC, as the "Woodrow Wilson Plaza."

We expect to conclude debate on those somewhere in the neighborhood of 2 to 3 o'clock. If votes are asked on any of the 11, we will roll them until Tuesday.

At approximately 2 or 3 o'clock, whenever we get there, we will recommence the Commerce-Justice-State appropriations bill and complete that, successfully, and then we will move on to the Labor, HHS, and Education appropriation bill for fiscal year 1995.

On Tuesday, Members should expect we will be working late every day next week, with hopefully a reasonable hour on Thursday. But we want to complete all 13 appropriation bills before the recess.

Tuesday, June 28, and Wednesday, June 29, and Thursday, June 30, the House will meet at 10:30 in the morning on Tuesday for morning hour, and then on Wednesday and Thursday we will meet at 10 a.m. There will be on suspension two bills, H.R. 3626, the Antitrust Reform Act, and H.R. 3636, the National Communications Competition and Information Infrastructure Act.

Then we plan to move, if we are at that point, having finished the Labor, HHS, and Education appropriations bill, we plan to move to the VA, HUD, and independent agencies bill, subject to a rule, and, of course, then to finish the others, the District of Columbia appropriations bill, and the Defense appropriation bill. In addition to that, Expedited Rescissions Act of 1994, subject to a rule, the California Desert

Protection Act could continue, and there is some discussion of the Antiredding and Insurance Disclosure Act, subject to a rule, also being part of the week.

That is what we intend to do.

Mr. DREIER. If I could reclaim my time and ask my friend a couple of questions, for starters, will we not be holding the morning hour on Monday? Am I correct in assuming that, that the House will convene at noon, but without having gone through a morning hour on Monday?

Mr. BONIOR. That is my information.

Mr. DREIER. The schedule now calls for Tuesday evening our Oxford style debate on trade and human rights. I was wondering if that is still scheduled, as the plan calls for us to go late each night?

Mr. BONIOR. Well, given what we have before us and the schedule that I read, I really think that we have to have further discussions with the minority on that. It seems to me it would be very difficult to fit that in. Before that decision is finally made, we obviously want to consult with the minority on that.

Mr. DREIER. I would be happy to yield to my friend, the gentleman from Maryland [Mr. HOYER].

Mr. HOYER. I thank the gentleman for yielding. I have had discussions with the gentleman from Pennsylvania [Mr. WALKER], and as the distinguished majority whip has said, because of the schedule and because of the fact we do not want the debates to start, say, at 10 or 11 o'clock at night, it is a problem.

Mr. DREIER. Which would be prime time for California, I should say.

Mr. HOYER. I do not want to debate the gentleman's definition of prime time, of course. But notwithstanding that, in discussing it with the gentleman from Pennsylvania [Mr. WALKER] and others, I think we believe we will probably put it over until after we come back. The majority whip is correct that that is under consideration. But I think that will be the result.

Mr. DREIER. Also, that provides an opportunity for the two of us to hone our arguments in advance of that debate and keep us busy over the break.

I would like to further inquire of my friend from Michigan, as we look at the Expedited Rescissions Act of 1994, what kind of rule can we anticipate on that Expedited Rescissions Act?

Mr. BONIOR. Well, I do not know. I cannot tell my colleagues. The Committee on Rules will have to hear it. As you know, we have upstairs in the Committee on Rules, as members of that committee, original jurisdiction on that bill. Of course, we also have the ability to set the procedures by way of the rule. And that, I do not know what we will do. It will depend upon the will of the majority of the committee.

Mr. DREIER. Let me also inquire, if I might, the second suspension on the list, the Federal Acquisition Improvement Act, I understand there are a number of members of the Committee on Armed Services who are still making an attempt to work that issue out. Is that in fact going to be the number two item on the suspension calendar?

Mr. BONIOR. We understand there are still discussions ongoing between the ranking member and its chairman, and, of course, as always, if the committee asks us to pull that, we will pull it.

Mr. DREIER. I would also like to ask, as I look at the schedule, it states that the votes on the suspensions on Monday will take place at the end of debate on that. You have said that we would have those votes postponed until Tuesday.

Mr. BONIOR. The latter is correct. I will restate that for my friend. The suspensions, the votes if ordered, will be taken on Tuesday, and not at the end of the day on Monday.

Mr. DREIER. So on Monday we can anticipate beginning sometime after 3 o'clock?

Mr. BONIOR. We expect these 11 suspensions will run their total out at probably 2 to 3 o'clock. Then we will get into the amendment process. Of course, we do not know how long the debate will take on the first amendment. Three o'clock I think is probably a safe hour for Members to plan on.

Mr. DREIER. I have been told by some of my fellow California colleagues that we most likely will not see the California Desert Protection Act coming up next week. Is there any indication as to that?

Mr. BONIOR. As you can tell from the heavy schedule that I have outlined, it is going to be very difficult to get all this work and get back to California desert. But the Committee on Appropriations and its members and its leadership and its chairman are moving with good speed, and we may just finish early enough that we might want to consider that important environmental bill.

Mr. DREIER. Now, while we are planning to work late each night next week, what time could we anticipate completing our work on Thursday? A number of my colleagues on this side have been asking.

Mr. BONIOR. People should not count on an early finish on Thursday. It would be nice, that would be our goal, that is what we will aim for so people can travel for the 4th of July recess period. But we will stay, as of right now, to finish the important appropriation work, and that may take us late into the evening.

Mr. DREIER. Just one final question. We have discussed this issue before, but as we all know, in a bipartisan way, we spent calendar year 1993 and until the Joint Committee on the Organization

of the Congress and successfully marked up H.R. 3801 just before Thanksgiving and our adjournment of the first session of the 103d Congress. There have been plans for the reform package, H.R. 3801, to come to the floor on four or five different occasions, and I was wondering if my friend might give us any indication as to when we might have the measure, with the generous rule intact, so that the full House can take up the package that was worked on so diligently by Members of our joint committee?

Mr. BONIOR. Well, the description that my colleague has just given with respect to how it will reach the floor will obviously be altered by what type of rule we provide and where we go with the package in its aggregate or individually. Those decisions have not been made yet. We hope to get something to the floor by the August recess, as I told the gentleman when we discussed this last week in this very same exercise.

□ 1350

Mr. DREIER. Mr. Speaker, I thank the gentleman.

#### ADJOURNMENT TO MONDAY, JUNE 27, 1994

Mr. BONIOR. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at noon on Monday next.

The SPEAKER pro tempore (Mr. PENNY). Is there objection to the request of the gentleman from Michigan? There was no objection.

#### DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. BONIOR. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

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

There was no objection.

#### SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of February 11, 1994, and June 10, 1994, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

#### KEEPING FATHERS AT HOME

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia [Mr. KINGSTON] will be recognized for 5 minutes.

Mr. KINGSTON. Mr. Speaker, tonight 15 million children, about one-

third of the children in America, will go to bed in a house where no father lives. In many cases they do not even know who their father is. Yet 90 percent of the children on public assistance are in this situation. They live in fatherless homes.

The Journal of Research and Crime and Delinquency, which indicates and tracks the correlation between crime and family structure, has said that the real predictor of crime in a neighborhood is not income level and it is not education. But it is how many fathers live at home and how many do not.

Seventy percent of the children in long-term juvenile homes grew up in households without fathers. It goes on and on about the impact of what it is like to grow up in a family without a father.

One of the interesting cases is that of abused children—the odds that if the father abuses that child—it is 40 to 1 that that father is not the child's biological father. This is a tremendous problem, Mr. Speaker. It is something that I do not feel we as a body have done enough to address, because if you look at these statistics and you track along teenage pregnancy, drop-out rates, lower grades, crime problems, emotional problems and so forth, yes, there is a relationship between living in a household with a father and living without one.

We talk about welfare reform. We debate it over and over again. Yet we are missing the basic component of it, and that is getting the dad back at home.

Now, if you look at our society and what we have done to fathers, look at them on television. Fathers are depicted as being silly, superfluous buffoons. They are overgrown children and silly or, if not, they are the greedy, malicious person who is the protagonist in the story and one who is causing all the problems. That is the Hollywood depiction of a father.

Of course, then there is the politically correct depiction of a father, one who cries and whines, really, not just at proper times but incessantly as a way to diminish his masculinity. He will just show emotions at all costs and basically to try to run from what I would say would be his masculine role in the family structure.

But the government's view is the worst, Mr. Speaker, because what we say is that if a dad lives at home, the family welfare units, his income added to the total income is what causes the family to have to go back out on the streets, what causes the family not to be eligible for public assistance and what causes the family in most cases to break up, his income.

I believe that is, we are going to do something about crime, do something for education, something for teenage pregnancy and so forth, we have to start with the dad. We have to have the father at home.

If we do reform welfare and, based on some of the things around here, I do not know that we ever will get significant welfare reform done, but if we do, a chief component has to be getting dad's income in there. That father has to become part of the formula. He cannot act like an alley cat, get some woman pregnant or in some cases a girl, that is what they are, children, and then run off to the next conquest. We have to say to that young 17-year-old boy that, you are indeed on the hook, just as much as the 17-year-old mother is, and as long as that child is a member of the minority, until she becomes 21 years old, she is your responsibility. And regardless of where you are, a portion of your paycheck and energy is going to be going to raise that family.

But where he is, I hope, is at home under the same roof with the biological mother. Because, Mr. Speaker, statistics tell us that we have to do this if we are going to rebuild the family structure and bring down crime and the education dropout and so forth.

What I would like to see, as a Member of Congress, is a study on bringing the dad back in. Let us forget a traditional conservative view of welfare reform. Let us forget the traditional liberal view of welfare reform. Let us just talk about family reform and getting that father back at home, getting them under one roof.

I think the first thing we have to start with is rent reform that will allow the dad to live with the family and not have his income throw them out of public housing. There is a bill on that. I have cosponsored that. But that is only a step.

I think the second thing is saying that if you get someone pregnant and you are a man that you are on the hook for 21 years. We are going to track you down and so forth. We do not have a bill on that right now, but I want to look into it. And I am trying to separate this from a sweeping welfare reform and only target on where I believe the critical need is.

#### MFN FOR CHINA

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

Mr. DREIER. Mr. Speaker, I have taken this time to talk about a critically important foreign policy issue which is going to be debated in the next several weeks here in the Congress. I am talking about a decision that President Clinton made with which I agree, and that happens to be his very wise and thoughtful choice to proceed with the granting or renewal of most-favored-nation trading status for the People's Republic of China.

Let me, at the outset, say that it is extraordinarily surprising to me to see

the top leaders of the Democratic Party standing up and opposing their President on what is clearly a very important foreign policy question. I am referring, of course, to the majority leader of the U.S. Senate, Mr. MITCHELL, and to the leaders here in the House, the gentleman from Michigan [Mr. BONIOR] and the gentleman from Missouri [Mr. GEPHARDT] and others who have chose to, in fact, try to defeat President Clinton in his very wise decision to proceed with MFN for China. Obviously, every one of us are concerned about the human rights situation as it exists in China. I am one who has proudly said on many occasions that I joined with Democrats and Republicans alike in marching up to the Chinese Embassy 5 years ago this month and demonstrating, joined in demonstrating our concern and outrage over the Tiananmen Square massacre which took place on the 4th of June 1989.

□ 1400

Having done that, Mr. Speaker, I came to the conclusion that if we really want to deal effectively with the human rights problems that exist in China, and they are very serious, they have been and they continue to be, the best way for us to effectively address that, and President Clinton has decided the same thing, is to proceed with most-favored-nation trading status, basically strengthening, strengthening the exposure of Western values to the people of China. Most everyone has concluded that.

In fact, Mr. Speaker, if we look at a recent quote from Nicholas Christoff, who happens to be the Beijing bureau chief from the New York Times, he said it very clearly, having traveled throughout the country, of a country of between 1.2 and 1.3 billion people, he said "If you talk with the peasants, if you talk with workers in China, if you talk with the intellectuals, they all unite in one simple statement: Do not curb trade."

They know that as we look toward the future of the most populous country on the face on the earth, that we do not want to see an economically devastated country. We have to realize that \$8 billion a year is being exported from the United States to the People's Republic of China, so jobs are created here in this country, and at the same time the relationship that we have with China allows consumers here in the United States to have the chance to purchase goods at prices which are more affordable, basically enhancing the standard of living right here in the United States.

Of course, having referred to those benefits, one cannot say that we have those as priorities over human rights. I happen to believe that human rights are very important there, but as we look at the past decade in China, we

have seen improvements in human rights. After all, if we look at the statements that have been made by many Chinese dissidents, they have acknowledged that it has been the involvement of the United States which has improved the standard of living there.

Mr. Speaker, I have told this story before. When I was in China a couple of months ago, one of the people who was with us, a tour guide, when we were outside of Beijing, was reminded of how devastating the quality of life has been in the former Soviet Union, and he responded by saying, "That was the way things were in China 10 years ago."

If you look at the standard of living in the People's Republic of China, clearly it has seen improvements, steady improvements, and the elimination of most-favored-nation trading status I sincerely believe would not only reduce the standard of living for the 1.2 billion people in China, but in fact would exacerbate, rather than improve, the human rights situation there.

That is why, Mr. Speaker, I find it absolutely shocking that the leadership on the majority side, the Democrat leadership in both the House and Senate, have chosen to stand up to President Clinton in this decision. I hope that when we face what certainly will be a motion here of disapproval for the President's decision, that in a bipartisan way we will be able to come together in the name of improving human rights in the People's Republic of China and improving the standard of living for people in China, the United States, and other countries throughout the world.

#### SILLINESS ABOUT SOVEREIGNTY?

The SPEAKER pro tempore (Mr. PENNY). Under a previous order of the House, the gentlewoman from Maryland [Mrs. BENTLEY] is recognized for 5 minutes.

Mrs. BENTLEY. Mr. Speaker, President Clinton is urging the public to pressure Congress into passing the expanded General Agreement on Tariffs and Trade [GATT] this year, not next. That, despite estimates that tariff cuts negotiated in the treaty could cut \$12 to \$14 billion from Federal revenue over 5 years.

The loss of revenue is a major concern. However, what is more distressing is the loss of sovereignty of the United States under the agreement.

Individual States and American citizens are waking up to the truth about GATT. According to the North Carolina Winston-Salem Journal, the new GATT can be used to overturn tax laws that foreigners consider unfair.

American citizens understand this fact and also are loudly voicing concerns about the loss of sovereignty of the United States under the World

Trade Organization [WTO], one of the 200 agreements included in GATT. Those concerns are legitimate.

GATT supporters insist they will be able to make up the revenue loss through eventual economic growth. However, once you've lost your sovereignty, it is gone.

Countries assuming the right to reject GATT rulings as a sovereign prerogative were criticized by Peter Sutherland, director general of the GATT, in a June 16 Reuters story.

In his interview, Mr. Sutherland said countries assuming the right to reject GATT rulings as a sovereign prerogative "amounts to a country choosing to be above the law whenever it is inconvenient to observe the law and this option would not be open to countries under the WTO."

That means the United States of America is expected to abide by and live under the WTO law—laws made by international bureaucrats, trade lawyers and other approved representatives from 118 nations and not—I repeat—not your elected representatives.

Proof of this fact is in a Wall Street Journal story which reported on a letter written about the telecommunications bill by U.S. Trade Representative Mickey Kantor.

In his letter, Ambassador Kantor warned Members of Congress who sought to require jobs for Americans in the bill,

That the local manufacturing and local content requirements [in the telecommunications bill] would be inconsistent with existing U.S. obligations under the GATT.

When he was questioned about what the United States could do if it violated the WTO provision, Ambassador Kantor replied by citing both NAFTA and GATT that

If a dispute settlement panel found the provision [the U.S. law] to be inconsistent with the NAFTA, the United States would have the choice of either bringing the provision into conformity with the NAFTA, through congressional amendment or agreeing on alternative trade compensation.

In other words, the United States has no other choice but to adhere to regulations set up by an organization made up of 118 nations.

Under the new GATT, Congress will have limited power over trade. If passed, the WTO and GATT commission will supersede U.S. law. We cannot allow this to happen.

In criticizing opponent to the GATT, one newspaper headline read, "Silliness About Sovereignty."

I disagree heartily that protecting the rights of Americans is silly. To quote Thomas Jefferson in a March 1809 address to the citizens of Washington County, MD, "The care of human life and happiness, and not their destruction, is the first and only legitimate object of good government."

It seems to me that a sovereign nation is obligated to act to protect its

citizens. Not after the NAFTA and not under the WTO.

Florida found out what happens with the dumping of Mexican tomatoes into the State which is destroying the Florida farmers. Now, the fresh-cut flower industry is suffering because of the dumping of roses from South America at below market prices. Neither the State nor the Federal Government can act to protect those businesses.

Our Founding Fathers would turn over in their graves if they knew what is happening to this country under these international agreements.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. JACOBS (at the request of Mr. GEPHARDT), for today, after 12:15 p.m., on account of family problems.

Mr. DEAL (at the request of Mr. GEPHARDT), for today, after 12:30 p.m., on account of official business.

Ms. WATERS (at the request of Mr. GEPHARDT), for today, after 12 noon, on account of attending a funeral.

#### 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. DREIER) to revise and extend their remarks and include extraneous material:)

Mr. KINGSTON, for 5 minutes, today.

Mr. DREIER, for 5 minutes, today.

(The following Member (at the request of Mr. BONIOR) to revise and extend his remarks and include extraneous material:)

Mr. OWENS, for 5 minutes, today.

(The following Member (at her own request) to revise and extend her remarks and include extraneous material:)

Mrs. BENTLEY, 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. DREIER) and to include extraneous matter:)

Mr. CAMP.

Mr. SOLOMON.

(The following Members (at the request of Mr. BONIOR) and to include extraneous matter:)

Mr. TRAFICANT.

Mr. EDWARDS of Texas.

Mr. SHARP.

Mr. BOUCHER.

Mr. RUSH.

Mr. RICHARDSON.

Ms. WATERS.

Mr. RANGEL.

Mr. STARK.  
Mr. PAYNE of New Jersey.  
Mr. BONIOR.  
Mr. BARLOW.

#### ADJOURNMENT

Mrs. BENTLEY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 9 minutes p.m.), under its previous order, the House adjourned until Monday, June 27, 1994, at 12 noon.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

3419. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting the June 1994 semi-annual report on the tied aid credits, pursuant to Public Law 99-472, section 19 (100 Stat. 1207); to the Committee on Banking, Finance and Urban Affairs.

3420. A letter from the Assistant Secretary for Vocational and Adult Education, Department of Education, transmitting notice of final priority—Cooperative Demonstration Program (Manufacturing Technologies), pursuant to 20 U.S.C. 1232(d)(1); to the Committee on Education and Labor.

3421. A letter from the Secretary of Transportation, transmitting the semiannual report of the inspector general for the period October 1, 1993, through March 31, 1994, and management report, pursuant to Public Law 95-452, section 5(b) (102 Stat. 2526); to the Committee on Government Operations.

3422. A letter from the Public Printer, U.S. Government Printing Office, transmitting the Office's management report for the 6-month period ending March 31, 1994, pursuant to Public Law 101-576, section 306(a) (104 Stat. 2854); to the Committee on Government Operations.

3423. A letter from the Chairman, Federal Election Commission, transmitting proposed regulations governing nominating conventions, pursuant to 2 U.S.C. 438(d); to the Committee on House Administration.

3424. A letter from the Assistant Secretary of the Interior for Indian Affairs, transmitting a proposed plan for the use of the Pueblo of Nambe's judgment funds in Docket 358, before the U.S. Court of Federal Claims, pursuant to 25 U.S.C. 1402(a), 1404; to the Committee on Natural Resources.

3425. A letter from the Secretary of Commerce, transmitting the Department's report regarding bluefin tuna for the periods 1987-1988, 1989-1990, and 1991-1992, pursuant to 16 U.S.C. 971i; to the Committee on Merchant Marine and Fisheries.

3426. A letter from the Chairman, Competitiveness Policy Council, transmitting the Council's third report to the President and the Congress on the current state of U.S. competitiveness and recommendations for needed policy changes, pursuant to 15 U.S.C. 4803; jointly, to the Committees on Ways and Means, Energy and Commerce, Education and Labor, Science, Space, and Technology, and Banking, Finance and Urban Affairs.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BROOKS: Committee on the Judiciary. S. 1458. An act to amend the Federal Aviation Act of 1958 to establish time limitations on certain civil actions against aircraft manufacturers, and for other purposes; with an amendment (Rept. 103-525, Pt. 2). Referred to the Committee of the Whole House on the State of the Union.

Mr. DE LA GARZA: Committee on Agriculture. H.R. 8. A bill to amend the Child Nutrition Act of 1966 and the National School Lunch Act to extend certain authorities contained in such Acts through the fiscal year 1998; with amendments (Rept. 103-535, Pt. 2). Referred to the Committee of the Whole House on the State of the Union.

Mr. DIXON: Committee on Appropriations. H.R. 4649. A bill making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1995, and for other purposes (Rept. 103-558). Referred to the Committee of the Whole House on the State of the Union.

Mr. DINGELL: Committee on Energy and Commerce. H.R. 3626. A bill to supersede the modification of final judgment entered August 24, 1982, in the antitrust action styled U.S. versus Western Electric, Civil Action No. 82-01982, U.S. District Court for the District of Columbia; to amend the Communications Act of 1934 to regulate the manufacturing of Bell operating companies, and for other purposes; with an amendment (Rept. 103-559, Pt. 1). Referred to the Committee of the Whole House on the State of the Union.

Mr. BROOKS: Committee on the Judiciary. H.R. 3626. A bill to supersede the modification of final judgment entered August 24, 1982, in the antitrust action styled U.S. versus Western Electric, Civil Action No. 82-0192, U.S. District Court for the District of Columbia; to amend the Communications Act of 1934 to regulate the manufacturing of Bell operating companies, and for other purposes; with amendments (Rept. 103-559, Pt. 2). Referred to the Committee of the Whole House on the State of the Union.

Mr. DINGELL: Committee on Energy and Commerce. H.R. 3636. A bill to promote a national communications infrastructure to encourage deployment of advanced communications services through competition, and for other purposes; with an amendment (Rept. 103-560). Referred to the Committee of the Whole House on the State of the Union.

#### SUBSEQUENT ACTION ON A REPORTED BILL SEQUENTIALLY REFERRED

Under clause 5 of rule X the following action was taken by the Speaker:

The Committees on Armed Services and the Judiciary discharged from further consideration of H.R. 4299; H.R. 4299 referred to the Committee of the Whole House on the State of the Union.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BOUCHER (for himself, Mr. SHARP, Mr. MARKEY, and Mr. DINGELL):

H.R. 4645. A bill to amend the Federal Power Act to authorize the Federal Energy Regulatory Commission to disallow recovery of certain costs incurred by public utilities pursuant to transactions authorized under section 13(b) of the Public Utility Holding Company Act of 1935, and for other purposes; to the Committee on Energy and Commerce.

By Mr. DEAL (for himself, Mr. JOHNSON of Georgia, Mr. GENE GREEN of Texas, Mr. PARKER, and Mr. SANDERS):

H.R. 4646. A bill to amend title XIX of the Social Security Act to make optional the requirement that a State seek adjustment or recovery from an individual's estate of any medical assistance correctly paid on behalf of the individual under the State plan under such title, and to raise the minimum age of the individuals against whose estates the State is permitted to seek such adjustment or recovery; to the Committee on Energy and Commerce.

By Ms. SCHENK:

H.R. 4647. A bill to direct the Secretary of the Interior to convey to the city of Imperial Beach, CA, approximately 1 acre of land in the Tijuana Slough National Wildlife Refuge; to the Committee on Merchant Marine and Fisheries.

By Mr. VENTO:

H.R. 4648. A bill to amend the Internal Revenue Code of 1986 to provide an exclusion from gross income for that portion of a governmental pension received by an individual which does not exceed the maximum benefits payable under title II of the Social Security Act which could have been excluded from income for the taxable year; to the Committee on Ways and Means.

By Mr. BEREUTER:

H. Con. Res. 260. Concurrent resolution calling for the United States to propose and seek an international conservatorship in Haiti; to the Committee on Foreign Affairs.

By Mr. HALL of Texas (for himself, Mr. CRAMER, Mr. SAM JOHNSON, Mr. BACCHUS of Florida, Mr. DEAL, Mr. BOEHLERT, Mr. BOUCHER, and Mr. TANNER):

H. Con. Res. 261. Concurrent resolution to honor the U.S. astronauts who flew in space as part of the program of the National Aeronautics and Space Administration to reach and explore the Moon; to the Committee on Science, Space, and Technology.

## MEMORIALS

Under clause 4 of rule XXII,

432. The SPEAKER presented a memorial of the Legislature of the State of Missouri, relative to unfunded Federal mandates; jointly, to the Committees on Government Operations and the Judiciary.

## ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 65: Mr. MENENDEZ, Ms. ENGLISH of Arizona, and Mr. GEKAS.

H.R. 291: Mr. THOMAS of Wyoming, Mrs. LLOYD, Mr. APPELGATE, Mr. WELDON, Ms. DELAURO, Mr. STENHOLM, and Mr. JACOBS.

H.R. 1277: Mr. KNOLLENBERG.

H.R. 1500: Ms. VELAZQUEZ.

H.R. 1532: Mr. SCHAEFER and Mr. ALLARD.

H.R. 1671: Mr. GONZALEZ, Mr. APPELGATE, and Ms. ESHOO.

H.R. 1900: Mr. KENNEDY.

H.R. 2229: Ms. EDDIE BERNICE JOHNSON of Texas, Mr. OWENS, Mr. FRANK of Massachusetts, Mr. MARTINEZ, Mr. OLVER, Mr. LEWIS of Georgia, Mr. MINK of Hawaii, Mr. FOGLETTA, Mr. HOCHBRUECKNER, Mr. DEFazio, Mr. FLAKE, Mr. TOWNS, Mr. ABERCROMBIE, and Mr. DELLUMS.

H.R. 2420: Mrs. UNSOELD.

H.R. 2443: Mr. KYL, Ms. ENGLISH of Arizona, and Mr. HILLIARD.

H.R. 2672: Mr. WILLIAMS.

H.R. 3472: Mr. JOHNSTON of Florida.

H.R. 3507: Mr. BREWSTER, Mr. SPENCE, and Mr. CLYBURN.

H.R. 3523: Mrs. ROUKEMA.

H.R. 3594: Mr. ZELIFF.

H.R. 3626: Mr. FISH, Mr. MOORHEAD, Mr. MARKEY, and Mr. FIELDS of Texas.

H.R. 3835: Mr. CRANE and Mr. ORTON.

H.R. 3913: Mrs. MEYERS of Kansas.

H.R. 3940: Mrs. MEYERS of Kansas and Mr. SOLOMON.

H.R. 3967: Mr. FRANKS of Connecticut, Mr. ZELIFF, and Mr. FRANKS of New Jersey.

H.R. 3990: Mrs. BYRNE, Mrs. CLAYTON, Ms. LOWEY, and Mr. ROYCE.

H.R. 4068: Mr. HERGER and Mr. DOOLEY.

H.R. 4069: Ms. VELAZQUEZ, Mr. BRYANT, Mr. FROST, Mr. DELLUMS, and Mr. HILLIARD.

H.R. 4070: Ms. VELAZQUEZ, Mr. BRYANT, Mr. FROST, Mr. DELLUMS, and Mr. HILLIARD.

H.R. 4071: Ms. VELAZQUEZ, Mr. BRYANT, and Mr. DELLUMS.

H.R. 4188: Mr. KOPETSKI, Mr. RAHALL, and Mr. LEACH.

H.R. 4195: Mr. COLEMAN.

H.R. 4198: Mr. ARMEY, Mr. ARCHER, Mr. SAXTON, and Mr. DELAY.

H.R. 4315: Mr. FROST.

H.R. 4345: Mr. CANADY, Mr. ABERCROMBIE, and Mr. OXLEY.

H.R. 4347: Mr. SANDERS.

H.R. 4386: Mr. GILMAN.

H.R. 4399: Mr. MORAN.

H.R. 4404: Mr. HOUGHTON, Mr. DREIER, Ms. LONG, and Mr. MACHTLEY.

H.R. 4507: Mr. OWENS.

H.R. 4517: Mr. MURPHY.

H.R. 4527: Mrs. ROUKEMA, Mr. DICKEY, and Mr. CRAMER.

H.R. 4565: Mr. SCOTT, Mr. JACOBS, and Mr. ANDREWS of New Jersey.

H.R. 4582: Mr. SHAYS.

H.J. Res. 287: Mr. GENE GREEN of Texas, Mr. WOLF, Mr. BONIOR, Mr. MOLLOHAN, Mr. UPTON, Mr. KNOLLENBERG, Mr. FAWELL, Mr. MARTINEZ, Mr. LAFALCE, Mr. GORDON, Mr. KILDEE, Mr. PALLONE, and Mr. GRAMS.

H.J. Res. 326: Mr. HALL of Ohio and Mr. MARTINEZ.

H.J. Res. 332: Mr. PICKLE, Mr. GINGRICH, and Mr. HAYES.

H.J. Res. 353: Mrs. KENNELLY, Mr. BARCIA of Michigan, Mr. TORKILDSEN, Mr. SANGMEISTER, Mr. FAZIO, Ms. WOOLSEY, Mr. STARK, Mr. DIXON, Mr. BERMAN, Mr. DREIER, Mr. TORRES, Mr. BLACKWELL, Mr. BECERRA, Mr. HUTTO, Mr. SWETT, Mr. ZELIFF, Mr.

LAUGHLIN, Mr. SHARP, Mr. FORD of Tennessee, Mr. ANDREWS of New Jersey, Mr. HOCHBRUECKNER, Mr. MOAKLEY, Mr. HOLDEN, Mr. CONYERS, Mr. MONTGOMERY, Mr. EWING, Mr. EVANS, Mr. UNDERWOOD, Mr. DEFazio, Mr. GONZALEZ, Mr. MURTHA, Mr. QUILLEN, Mr. ROSE, Mr. DEUTSCH, Mr. HAYES, Mr. LIGHTFOOT, Mr. KLECZKA, Mr. MOORHEAD, Mr. LEWIS of California, Mr. SCOTT, Mr. COYNE, Mr. MURPHY, Mr. FORD of Michigan, Mr. COBLE, Mr. DEAL, Mr. DIAZ-BALART, Mr. FIELDS of Texas, Mr. GILCHREST, Mr. HUNTER, Mr. INHOFE, Mr. KIM, Mr. KREIDLER, Mr. LAROCCO, Mr. MACHTLEY, Mrs. MALONEY, Mr. MCINNIS, Mr. MICHEL, Mr. POMBO, Mr. RAVENEL, Miss COLLINS of Michigan, Mr. SPENCE, Mr. STUMP, Mr. TALENT, Mr. SAM JOHNSON, Mr. KINGSTON, Mr. PASTOR, Mr. PAYNE of Virginia, Mr. SLATTERY, Mr. TAUZIN, Mr. YOUNG of Alaska, Mr. MCDERMOTT, Mr. RIDGE, Mr. ORTON, Mr. OBEY, Mr. CLYBURN, Mr. DOOLITTLE, Mr. FALEOMAVAEGA, Mr. GALLO, Mr. REED, Mr. ROWLAND, Mr. GALLEGLY, Mr. SPRATT, Mr. MANTON, Mr. COSTELLO, Mr. HORN, Mr. TUCKER, Mr. PETERSON of Florida, Mr. JOHNSON of Georgia, Mr. STENHOLM, Mr. BEREUTER, Mr. BOEHLERT, and Mr. PORTER.

H.J. Res. 378: Mr. BALLENGER, Mr. LIGHTFOOT, Mr. MOORHEAD, Mr. JACOBS, Mr. CRAMER, and Mr. CLEMENT.

H. Con. Res. 84: Mr. SOLOMON and Mr. BARRETT of Wisconsin.

H. Res. 451: Ms. LONG, Mr. COOPER, Mr. MEEHAN, Mr. BARRETT of Wisconsin, Mr. SCOTT, Mr. JACOBS, and Mr. ANDREWS of New Jersey.

## DISCHARGE PETITIONS

Under clause 3 of rule XXVII, the following discharge petitions were filed:

Petition 22, June 21, 1994, by Mr. INHOFE on House Resolution 409, has been signed by the following Members: James M. Inhofe, Peter Hoekstra, Michael A. "Mac" Collins, Y. Tim Hutchinson, Bill Baker, Tillie K. Fowler, Peter Blute, Peter G. Torkildsen, Joe Knollenberg, Michael Huffington, Richard W. Pombo, Cass Ballenger, Lamar S. Smith, Dana Rohrabacher, Edward R. Royce, Ken Calvert, Howard P. "Buck" McKeon, Thomas W. Ewing, Jennifer Dunn, and Timothy J. Penny.

## DISCHARGE PETITIONS— ADDITIONS OR DELETIONS

The following Members added their names to the following discharge petitions:

Petition 12 by Mr. TRAFICANT on H.R. 3261: Frank D. Lucas.

Petition 15 by Mr. BILIRAKIS on House Resolution 382: Sam Johnson and Christopher H. Smith.

Petition 18 by Mr. HASTERT on House Resolution 402: Michael A. "Mac" Collins.

Petition 19 by Mr. EWING on House Resolution 415: Bill Paxon, Robert K. Dornan, Peter G. Torkildsen, Ernest J. Istook, Jr., Jim Lightfoot, Joe Barton, Richard K. Arney, and Henry Bonilla.