HOUSE OF REPRESENTATIVES—*Wednesday, June 29, 1994*

The House met at 10 a.m.

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

May Your spirit, O God, that renews us in body and mind, and whose power is the strength of all who believe, be with every person who turns to You for blessing. Where there is illness, give healing; where there is hesitation, grant courage; where there is doubt, grant faith; where there is anxiety or apprehension, grant peace. And may we, in all things, live and act as those who are created in Your image and trust in Your eternal grace. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentlewoman from Connecticut [Ms. DELAURO] come forward and lead the House in the Pledge of Allegiance.

Ms. DELAURO led the Pledge of Allegiance as follows:

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

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 4581. An act to provide for the imposition of temporary fees in connection with the handling of complaints of violations of the Perishable Agricultural Commodities Act, 1930.

APPOINTMENT AS MEMBER OF BOARD OF REGENTS OF SMITHSONIAN INSTITUTE

The SPEAKER. Pursuant to the provisions of sections 5580 and 5581 of the revised statutes—title 20, United States Code, sections 42–43—the Chair appoints as a member of the Board of Regents of the Smithsonian Institution the following Member of the House to fill the existing vacancy thereon:

Mr. FOLEY of Washington.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will receive 10 requests from each side for 1-minute speeches.

UNIVERSAL HEALTH CARE COVERAGE NECESSARY FOR ALL AMERICANS

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

Ms. DELAURO. Mr. Speaker, last week President Clinton reiterated his pledge to veto any health care legislation that does not include universal coverage. We need universal coverage, not simply to cover the 40 million uninsured Americans who are without insurance today, but to cover the millions of insured Americans who could be without coverage tomorrow.

Too many working Americans are one accident or one illness away from having their health benefits terminated. Too many working families are watching their insurance premiums go through the roof, and too many Americans are running into lifetime limits and preexisting conditions.

Without comprehensive reform, more than 22 million working Americans will be denied health care coverage and more than 7 million American children will be left out in the cold. Without comprehensive reform, American businesses will continue to pay the hidden costs for the uninsured, and American workers will lose an estimated $46 billion in wages. Without comprehensive reform, even working Americans who have health coverage at work will pay an estimated $28 billion more for that same coverage.

If we do not pass a plan that includes universal coverage, working Americans will continue to face these uncertainties. We owe it to them to pass comprehensive reform. We owe it to the 40 million Americans without health care today, and we owe it to the millions of working Americans who could lose their health care tomorrow.

PARTISAN DELAY

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

Mr. MICHEL. Mr. Speaker, who wants to be partisan, and who wants to find a bipartisan solution to health care? Who wants action now, and who wants to delay action?

Apparently Chairman JOHN DINGELL has given up on getting a commonsense health care bill out of his committee because he cannot find enough Democrats to support the President's bill. Sadly, he has decided to blame Republicans for his own failure.

I suggest to the chairman that he look in the mirror if he wants to find the real reason why he could not get a health care plan through the committee. After all, Republicans were willing to support the Rowland-Bilirakis bill, the only bipartisan proposal that could have served as a starting point. But the chairman rejected it out of hand. And, worse, I understand the Democrats have been working feverishly overnight to retreat from the first step to health care now that we adopted yesterday in the Committee of the Whole on the Health and Human Services appropriation bill.

We passed the Porter amendment, which greatly expanded community health centers in rural areas. Now the Democratic leadership wants to revote this amendment to kill this first step to health care reform. I think that is absolutely outrageous. I want to commend those 53 Democrats who joined with us in that positive vote yesterday. And to have the pressure applied to reverse yourselves when we go back into the House I think is outrageous.

Mr. Speaker, it is quite obvious who wants to be partisan and who wants to delay commonsense health care reform. I suggest maybe the Democratic leadership ought to be ashamed of itself.

THE MIDDLE CLASS AND HEALTH CARE

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

Mr. DERRICK. Mr. Speaker, there has been an explosion of health care proposals before Congress. Of all the options, one is completely unacceptable: no action at all.

The Wall Street Journal reports that if the status quo continues, more Americans are likely to be without health insurance and Government spending will likely rise to cover the cost.

The number of uninsured workers rose from 15.3 percent in 1988 to 17.5 percent in 1992. That trend is likely to continue, especially since our fastest growing industries often do not offer health insurance.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

The middle class will fill these new jobs. If Congress does not act, the middle class will suffer. Americans know what is at stake. Yesterday, the Washington Post reported that 78 percent of Americans favor universal coverage, and 72 percent feel employers should provide health insurance to their employees.

Americans want and need health care reform. Congress can provide it. The middle class deserves better than partisan efforts to blockade reform: they deserve action.

THREE SHOCKING DEVELOPMENTS

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

Mr. GINGRICH. Mr. Speaker, we have had three shocking developments in health care in the last few hours. First, Chairman DINGELL's letter simply misinforms the House. He says, "The House Republican leadership actively opposed efforts to craft a bipartisan bill."

That is plain not true. We reached out to Democrat after Democrat. We offered to support the Rowland-Bilirakis bill, which is a bipartisan bill, which has 35 Democrats, 35 Republicans. We are committed to a bipartisan plan.

Chairman DINGELL was afraid to bring his committee together because a bipartisan bill would have had a majority and the President would have lost.

Second, Chairman DINGELL's letter says that he has already been promised by the Speaker and Majority Leader GEPHARDT that the Energy and Commerce leadership, which has failed, will now be in some kind of secret meeting writing a health bill, even though they failed. I hope that is not true.

Third, we have been told that the Clinton administration is trying to break up the bipartisan coalition Democrats and Republicans which last night passed the Porter amendment. I would hope that there are no Clinton clones who can be turned around in 24 hours on a policy vote that was real, to create more community health centers to help more people with health care.

□ 1010

HEALTH CARE REFORM

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

Mr. ROWLAND. Mr. Speaker, yesterday, an amendment by JOHN PORTER transferred some money from the increases in administrative accounts of the Departments of Labor, HHS, and Education to develop additional community health centers in rural and intercity areas, giving access to health care to tens of thousands of people who do not now have access. This amendment passed. Today, I understand, we may vote in the House to reverse this.

My question to my colleagues is this. If you are for health care reform, how will you explain to the people back home who sent you here that you voted against money for increasing community health centers, that is taken from administrative costs in Federal departments, but would vote for cuts in Medicare to finance health reform. That will not be easy to explain, to the senior citizens in your districts.

EQUAL HEALTH CARE COVERAGE FOR AMERICANS

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

Mr. LINDER. Mr. Speaker, for the last couple of weeks the President and Mrs. Clinton have repeatedly said that they just want to give the same health coverage to the American people that Members of Congress have.

Now, setting aside the fact that the Clintons have the same coverage as Members of Congress, it is worth noting that there is presently a bill before each House that would do precisely what the Clintons say they seek to do.

The Nickles-Stearns bill would expand the Federal employee plan for those who are not insured. It also has a funding mechanism for the working poor.

Why has no Democrat signed onto this proposal? Why has Mrs. Clinton not applauded it?

Could it be that the Nickles-Stearns bill empowers individuals rather than enlarging the bureaucracy, or are they simply being disingenuous and misleading Americans again, something that they have elevated to an art form?

ATTENTION, DEFENDERS OF PRIVATE PROPERTY RIGHTS

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

Mr. TAUZIN. Mr. Speaker, over 100 Members of this House have now signed up as defenders of private property in America. Over 150 Members have signed onto House bill 3875, the private property owners bill of rights.

Today we launch a discharge petition drive to bring that measure on the floor of the House. It is not because the committee system has failed it. It is because the Committee on Rules consistently refuses to allow the issue of compensation for private property takings to reach the floor of this House.

Today Discharge Petition 23 has been filed. I urge Members of this body to sign up. As defenders of private property in America, we ought to make sure for every citizen of this country who owns property that when our Government takes that property from them, for whatever good purpose, be it an environmental purpose or otherwise, that they get the same kind of justice that large landowners can get when they can take a trip to the Supreme Court. That justice ought to be for compensation, for taking their property, for full payment by the U.S. Government as the fifth amendment to the U.S. Constitution reads.

Last week on Friday, the Supreme Court upheld the sanctity of that fifth amendment protection as sacred as free speech in the bill of rights. I urge fellow Members to sign up as a defender of private property rights. Sign up Discharge Petition 23; sign up on House bill 3875.

THE PRESIDENT'S POLICY ON HAITI

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

Mr. MCCOLLUM. Mr. Speaker, it is said that if one does not study history, one is condemned to repeat it. Judging from the President's policy on Haiti; he appears not only to have not studied history, but quite evidently was too busy running for office between 1990 and 1992 to even read the newspapers.

Had the President paid any attention to the situation in Haiti before he became President, other than to take cheap political shots at his opponent, he would have realized that announcing aboard-ship asylum processing was an announcement for every Haitian to take to the open sea.

And that is what has happened.

Does the President forget that just 2 years ago, the United States was processing, at its peak, 13,000 Haitians a month under a policy similar to the one he has just reinstated?

And what next? Rumors of a U.S. military invasion are rife in Washington. Does the President forget what happened the last time we invaded and occupied Haiti? We ended up occupying Haiti for 14 years and earned their enmity for many decades.

How will troops tied down in an occupation of Haiti be able to respond to a real crisis on the Korean peninsula?

Mr. President, read the papers and read history. Maybe we'll find a coherent foreign policy someday.

REPUBLICANS NOT PARTISAN

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

Mr. ARMEY. Mr. Speaker, in a recent memo to his committee, the gentleman from Michigan, Chairman JOHN DINGELL made reference to what he considered to be the partisan resistance of the Republicans to a bipartisan bill.

Let us take a look at the history of partisanship on health care. On June 4, 1992, the House Republican leader introduced a health care bill on behalf of President Bush. On July 24, according to the Washington Post, the Democrats met under the direction of their leader the gentleman from Missouri, RICHARD GEPHARDT, as a part of an ongoing effort to reach agreement on a health care bill as a counter to President Bush's proposal.

The gentleman from Illinois [Mr. ROSTENKOWSKI], according to the Post, worried that health legislation might somehow backfire and hurt Democrat candidates, according to the Post. The gentleman from Illinois [Mr. ROSTENKNOWSI said, "I would hate like heck at this point in time to do something that would derail the upward swing that we feel with GORE and Clinton doing such an outstanding job."

Energy Chairman, the gentleman from Michigan, JOHN DINGELL said, to 50 or so Members, according to the Post, "What we are trying to do here is a political exercise to first of all work out our own program and, second, screw the Republicans."

Now, the gentleman from Michigan [Mr. DINGELL] calls us partisan. Let me suggest to the gentleman from Michigan [Mr. DINGELL] that he listen to the lyrics of that great tune by Jerry Jeff Walker, "the pot can't call the kettle black."

CATERPILLAR

(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, 14,000 workers at Caterpillar are on strike. They are not striking because of pensions, health care, food stamps, welfare. They are striking because they are afraid to lose their jobs. And is it any wonder? A company spokesperson said, "We don't think we can compete in the global marketplace with our work force."

Unbelievable. This is not the same old song and dance strike, folks. It is a dance all right, but it is dirty dancing and it is dirty dancing right on the face of the American workers.

Congress is allowing our jobs to go overseas; workers are turning over their shoulders so hard, they are performing pirouettes right before our eyes. Congress sits here and rearranges the deck chairs and ships jobs overseas. Better wise up before we do not have a damn job left.

SPACE STATION ALPHA

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

Mr. GRAMS. Mr. Speaker, July marks the 25th anniversary of the Apollo 11 moon landing—the culmination of one of the most significant undertakings this Nation has ever known. Yet on the eve of this historic event, the House is debating termination of the Space Station.

The United States has always been the leading economic and military power. By investing in futuristic research and exploring the unknown, we expanded the envelope of technology and created millions of jobs.

While some argue that Space Station doesn't impact their constituents, I disagree. Since its inception, the space program has resulted in countless spin-off technologies that positively impact our everyday lives.

The development of life-saving technologies such as programmable pacemakers and bioreactors for culturing ovarian and breast cancer cells have dramatically improved medical care. And environmental technologies such as water purification systems help us improve our world.

Some in this body have used the budget as an excuse to scuttle the Space Station. Yet, if the Space Station were terminated, these same members would turn around and waste these dollars on the Great Society programs that have failed. From a cost-benefit perspective, eliminating the Space Station would be "penny wise and pound foolish."

Today, let us recall the vision of President Kennedy and ask ourselves whether its time to return America from a nation of failed social programs to a nation of pioneers. America cannot afford one small step for man and one giant leap backward.

IN SUPPORT OF 85–15

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

Ms. WATERS. Mr. Speaker, in a few minutes the Labor, HHS, Education appropriations bill will be before us. The first order of business will be an amendment that is known as the 85–15 rule retention amendment.)

□ 1020

Simply put, Mr. Speaker, I am trying to stop the hemorrhaging of over $4 billion that is being ripped off by the private post-secondary schools. They are taking the money from our Pell grants and our student loans.

Members have heard them on television. They know who they are, the Joe Blow School of Computer Training. They have no computers. They train for something called medical assistance and truck drivers and security guards. They are ripping off the system.

Mr. Speaker, our students are not getting trained, they are not getting jobs, they lose their earned income tax credit because they default on these loans. If they get a little job, their checks are garnisheed. They cannot get any housing assistance through the Federal Government.

To simply put it, I am trying to use the rule when we found veterans were getting ripped off with the GI bill. It is the 85–15 rule. It says you must get at least 15 percent of your business from paying clients. If you have to have 100 percent, something is wrong.

Mr. Speaker, I am going to see who the real budget cutters are today. I am going to see who is going to support 85–15.

BACK ROOM HEALTH CARE REFORM

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

Mr. WALKER. Mr. Speaker, on the floor yesterday I expressed concern that when the deal gets done on the health bill, that it will be done in back rooms and it will be done in a way that the American people will not be able to have a look at what is happening in health care reform.

We have a letter now written by Chairman JOHN DINGELL to the Speaker that indicates that that is exactly what is about to take place. In his letter to the Speaker, DINGELL says:

> I appreciate your and Majority Leader Gephardt's assurances that the Energy and Commerce Committee will continue to play a key role as we bring health care reform legislation before the House Rules Committee and to the floor.

That is an admission that this is going to be done in the back rooms, because the House Committee on Energy and Commerce has not passed out a bill, yet they are going to be involved in the Rules Committee process and developing the package that comes to the floor. That is very worrisome.

Mr. Speaker, then we put that together with what the Democrats are about to do here today. They are going to try to reverse a health care vote that took place on the House floor yesterday out in the open.

When Member were asked to vote on whether or not community health care centers should be refunded rather than funding labor bureaucracy, Members of Congress decided to do health reform. Now they are being asked by the Clinton administration to reverse that vote.

Let us see how many people decide that health reform is not as important as they thought it was yesterday.

AMERICA MUST HAVE UNIVERSAL HEALTH CARE COVERAGE

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

Mr. ROMERO-BARCELÓ. Mr. Speaker, for nearly a century, Americans have discussed and debated how best to reform our national health care system. In the next couple of months, we have the opportunity to accomplish something that our Nation has never done before: provide health security to every American.

The debate over health care reform that will unfold in this Chamber over the next months will touch all of our lives and the lives of our parents, our children, and generations to come.

But no one will be more affected by the outcome of this debate than the millions of working and uninsured families in this country. If we fail to enact universal health care reform this year, more than 22 million Americans who work for a living will continue to be denied health care protection. That figure represents 85 percent of the uninsured people in this Nation.

As a recent Wall Street Journal article correctly stated: "The social and economic consequences of once again retreating from far-reaching reform are clear: more uninsured Americans and higher costs for Government."

Mr. Speaker, the cost of inaction is too high. America cannot wait any longer.

URGING MEMBERS TO VOTE FOR THE ROEMER-ZIMMER AMENDMENT

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

Mr. ZIMMER. Mr. Speaker, today the House will vote on whether to continue funding the space station. Last year when the gentleman from Indiana [Mr. ROEMER] and I proposed a straight cutting amendment, proponents of the space station argued that it would not cut the deficit. They said the money would be redistributed to other programs in conference.

This year, Mr. Speaker, we are proposing an amendment that will explicitly reallocate the $2.1 billion from space station funds to more cost-effective programs within NASA. Now our opponents are complaining that we did not offer the same kind of amendment that they criticized last year.

The truth is, Mr. Speaker, that killing the space station will cut spending by more than $60 billion over the next 18 years. Both the National Taxpayers Union and Citizens Against Government Waste understand this fact, and that is why they are including the Roemer-Zimmer amendment in their score cards.

Mr. Speaker, this may be the biggest single budget cut the House has an opportunity to vote on this year. Vote for the Roemer-Zimmer amendment.

AMERICA MUST HAVE HEALTH CARE REFORM WITH UNIVERSAL COVERAGE

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

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to address an issue on the minds of many here and in my district—health care reform.

The real solution which health care reform must find is the protection of the working class. Remember, 85 percent of the uninsured in America are in working families. The middle class of America will once again be left to shoulder the burden for rising medical costs if health care reform without universal coverage is enacted.

If we do nothing, some may say we will do no harm, but the facts say otherwise. For the people of Texas, our lack of action will mean over 2 million Texans who work for a living will be denied health care protection.

If we do nothing, Texas will lose about $2,5 billion in uncompensated care each year. If we do nothing, over 9 million Texans will be denied mental health and substance abuse benefits.

Texas and all of America needs health care reform with universal coverage as the central feature of the package.

As the Wall Street Journal noted, the lack of universal coverage will mean more uninsured and higher costs to the Government, which means higher costs to the taxpayer. We must make the smart choice and enact reform with universal coverage.

THE FAILED ADMINISTRATION POLICY ON HAITI

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

Mr. CANADY. Mr. Speaker, the failure of the Clinton administration policy on Haiti is becoming more and more obvious each day. The current exodus of Haitians from their troubled country is the wholly predictable consequence of an ill-conceived and mismanaged policy. If the administration stays on its present course, a disaster is likely to ensue.

To get off on the right track, Mr. Speaker, the administration should act to end the embargo of the Haitian people without further delay. The embargo is causing terrible suffering to the Haitian people, and it is driving them to seek refuge from the economic chaos caused by the embargo. There is no denying that the exodus of Haitians we have seen in recent days is the direct result of the ill-conceived embargo.

The administration should also end its support for Mr. Aristide, who has demonstrated that he is unlikely to ever be the unifying force needed to bring peace and prosperity to the Haitian people.

The administration's current policy is failing to protect not only the interests of the United States, but also the interests of the Haitian people themselves. It needs to be changed.

A DISRESPECTFUL ATTITUDE TOWARD THE MILITARY

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

Mr. BURTON of Indiana. Mr. Speaker, when I was a boy, one of the things I was taught to respect was the flag and the people who serve in the military and defend our Nation. Those people, many of them, lie resting in Arlington Cemetery because they have given the last full measure of devotion in serving this Nation.

The White House, however, Mr. Speaker, has a different attitude toward the military. Not long ago a two-star general visited the White House. One of the top staff people said, "I don't talk to people in uniform." Then a few weeks ago, we saw that a U.S. Marine helicopter was used by the White House to go on a golfing trip. Then last week they had a Democrat fundraiser at the White House and they asked four of those sterling officers of the U.S. military to serve as waiters to serve those people tea and crumpets.

It is an absolute shame, Mr. Speaker, the attitude this administration has toward the military in this country.

BASE CONVERSION IS A VICTORY FOR AMERICA

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

Mr. FARR of California. Mr. Speaker, a year ago the President of the United States laid out a plan to return closed military bases to the community. In 10 days, the President's plan becomes a reality.

Next week Secretary of Defense William Perry will come to my district in Monterey, CA, to turn Fort Ord, the largest military base that is closed in the United States, into civilian control. The base conversion will not just be a victory for the base, it will be a victory for America, as we learn new ways of using our resources for economic recovery and for investment.

We will have the 21st campus of California State University built for the 21st century. Those unemployed will be reemployed. The development will spur Fort Ord into new economic recovery. Three thousand acres will be available for private land investment. The conversion of Fort Ord is a testimony to the President and this administration

for their concern for the communities and for the effectiveness of base closures to be a catalyst for economic recovery.

CALLING FOR AN END TO SANCTIONS AND ANY PLANS OF MILITARY INVASION OF HAITI

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

Mr. DUNCAN. Mr. Speaker, There have been many reports in the New York Times and other places, that the administration is planning a military invasion of Haiti.

Lending credence to these reports is the fact that the Democrats in this body have just voted down requiring the President to get the approval of Congress before such an invasion.

The American people do not want a military invasion of Haiti.

There is no threat to our national security there.

There is no vital U.S. national interest there.

If we invade Haiti, it will be for the very worst of reasons—simply to satisfy domestic political considerations.

Aristide, who some say is not even a stable person, is not worth one American life.

We cannot afford the hundreds of millions a long occupation would require.

According to Senator GRAHAM, of the President's own party, our sanctions against Haiti are not hurting the rich, but they are starving the poor.

For the sake of poor people in Haiti, we should end United States sanctions immediately.

For the sake of poor and middle income taxpayers here, we should cancel all plans for an expensive, unnecessary, and unjustified, invasion of Haiti.

□ 1030

MARYLANDERS WHO HAVE DIED BECAUSE OF DOMESTIC VIOLENCE

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

Mrs. MORELLA. Mr. Speaker, every year, on a night that is always bitterly cold, a memorial service is held in Annapolis, MD, for the women and children who have died during the year at the hands of their loved ones. In February, the names of 73 Marylanders—women, boys, and girls—were read and remembered.

Forty-one were killed with guns, 18 with knives, 5 were strangled, 6 were burned to death, and 1 was scalded; 1 was killed with a carving fork, another was beaten to death.

Mr. Speaker, I have the names of those people which I will insert in the RECORD. Let us urge our conferees to act promptly to bring back this crime bill which includes the Violence Against Women Act. We can do no less.

The names referred to are as follows:

Deborah Sears, Randolph Robinson, Darlene Oliver, Elizabeth Lunenfeld, Pamela Ware, Victoria Hill, Ryan Gesner, Cecilian Ayala, Edith Hood, Cheryl Resch, Francine Stalkner, Billy Ward, Maxine Jackson, Margaret Jones, Stanley Braxton, Hosie Matlock, Daniel Blue, Daries Talley, Edward Taylor, Jeana Skates, William Glover, Eugene Baker, Gary Stevens, David Williams, Myisha Hall, Linda Pearson, and Curtis Bellamy.

Delphinia Edmond, Thomas Smith, Ruth Roberts, Calvin Smith, Sylvia Antezana, Angela Berry, Henry Young, Loretta Shifflett, Theresa Champigny, Jeffrey Larkin, Linda Oxidene, Stacey Platt, Donna Hudgins, Hattie Pratt, Lillian Dupont, Ivy Jones, Everett Jones, Cherise Smith, Gregory Murray, Afton Teal, Richard Williams, Jet Smith, Barbara Forbes, and Darnette Patterson.

John Richardson, Christopher Delauder, Frances Earp, Janet Hampton, Susan Gasiorek, Cynthia Hetterman, James Corkell, Melissa Pratz, Carrie Bolling, Penney Hanby, Deanna Hanby, Margaret Weigel, Harry Zellman, Theresa Hutson, Antoine Lucas, Russell Williams, Gregory Cook, Damien Cook, Takia Cook, and Dion Cook.

ADMINISTRATION DEFINITION OF UNIVERSAL COVERAGE

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

Mr. GOSS. Mr. Speaker, I guess we are hearing that we are going to go back and revisit the Community Health Care Center vote amendment by the gentleman from Illinois [Mr. PORTER], which passed yesterday. Last time we did that in the House and reversed ourselves on a policy matter it was Haiti. Today, sadly enough, we are seeing the tragic results play themselves out as a result of our extra stupid foreign policy on Haiti that resulted from a turnaround vote.

But let us go to health care. There has been lots of talk about universal access. We were told each and every American will have health care and a plastic card. But now the White House spokesperson says that does not necessarily mean all Americans. Each and every American does not mean all Americans. Well, what does that mean?

Maybe it means that the President's veto pen has no ink in it because maybe it means there are not enough members of the President's party who are willing to support the Clinton health care plan because we already know that the employer mandate side of that is going to cost Americans more than 1 million jobs. We know that is not what Americans want. We do not want to be losing jobs in this country. We want to be providing jobs and providing good health.

There is a way. There is a solution. We should embrace and focus on the Rowland-Bilirakis health care bill.

DEPARTMENT OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 1995

Mr. SMITH of Iowa. 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. 4606) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies, for the fiscal year ending September 30, 1995, and for other purposes.

The SPEAKER pro tempore (Mr. DARDEN). The question is on the motion offered by the gentleman from Iowa [Mr. SMITH].

The motion was agreed to.

□ 1034

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 further consideration of the bill, H.R. 4606, with Mr. SHARP in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose on Tuesday, June 28, 1994, the bill had been read through page 65, line 16, and open for amendment from page 57, line 1 through page 65, line 16.

Pursuant to the order of the House of Tuesday, June 28, all debate on the bill and amendments thereto will close in 1 hour.

Are there any further amendments?

AMENDMENT OFFERED BY MR. TRAFICANT

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

The Clerk read as follows:

Amendment offered by Mr. TRAFICANT: Page 64, strike lines 9 through 14 and insert the following:

SEC. 507. (a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—It is the sense of the Congress that, to the greatest extent practicable, all equipment and products purchased with funds made available in this Act should be American-made.

(b) NOTICE REQUIREMENT.—In providing financial assistance, or entering into any contract with, any entity using funds made available in this Act, the head of each Federal agency, to the greatest extent practicable, shall provide to such entity a notice describing the statement made in subsection (a) by the Congress.

Mr. TRAFICANT (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

Mr. TRAFICANT. Mr. Chairman, this is the Buy American amendment.

I yield to the gentleman from Iowa [Mr. SMITH].

Mr. SMITH of Iowa. Mr. Chairman, as I understand it, all the gentleman is

doing is restating the provisions the gentleman already has in the bill but in the same manner that it is in other bills. If that is the case, I have no objection.

Mr. TRAFICANT. Mr. Chairman, I yield to the distinguished gentleman from Illinois [Mr. PORTER], the ranking member on the subcommittee.

Mr. PORTER. Mr. Chairman, we have no objection.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. TRAFICANT].

The amendment was agreed to.

AMENDMENT OFFERED BY MS. WATERS

Ms. WATERS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Ms. WATERS: Page 65, delete Section 510 (lines 9–12).

Ms. WATERS. Mr. Chairman, this amendment would delete a delay in the so-called 85–15 rule, which is designed to keep abusive proprietary schools from wasting scarce Federal student loan dollars.

There has been a lot of misinformation about the 85–15 rule. Many people claim that quality schools will close if we comply with the Department of Education timetable for implementing 85–15. This is false.

Since 85–15 became law nearly 2 years ago, both the Bush and Clinton administrations have held extensive public comment periods—to solicit the views of those affected—and to prepare schools for implementation. Thus, all schools will have had nearly 2 years to be sure that 15 percent of their revenues came from non-Federal student aid sources.

Let me underscore this point. There has been extensive discussion on scoring funding for participating schools, however, the fundamental point of the 85–15 rule remains the same—no school which relies on title IV student loans for more than 85 percent of its revenue should continue to qualify for loans.

There has been some discussion that private contracting funds would not be counted toward a school's 15-percent revenue requirement. This is also false. Any funds from a private business which enrolls students in the regular training program of any school counts toward the school's 15 percent.

Mr. Chairman—people ask why cannot we just delay this for 1 year. First of all, we cannot afford delay. The New York Times has documented that up to one-fifth of the $20 billion in Federal student loan funds is hemorrhaging from the system each year because of abuse and fraud. The 85–15 rule would root out much of this abuse.

The delay proposed in this bill is the latest attempt to thwart reform. The fact is, the special interests representing bad proprietary institutions have always opposed the 85–15 rule. They have fought this rule every step of the way. The lobbying campaign to delay the 85–15 rule is merely a continuation of the misleading and heavy-handed tactics employed to stop our efforts.

The 85–15 has been used for 40 years to stop abuse of veterans under the GI bill. If it is good enough to protect veterans, why is 85–15 not good enough to stop scam artists from preying on low-income individuals?

There is a scandal brewing in America today. It is the scandal of unscrupulous private, post-secondary schools enlisting poor people into their schools, with no intention of training or educating them—filling out their student loan forms—and leaving the students with no education and no ability to pay back their loans. Students default on their loans—setting up a vicious cycle for the students.

□ 1040

Once a student defaults on a loan, they disqualify for public housing assistance, their future wages are garnisheed, their credit rating is shot, they cannot get earned income tax credit.

This system abuses poor people and costs the Federal Government billions of dollars.

Mr. Chairman, schools are being sued around the United States for these abusive practices. Schools are robbing the Federal Treasury and saddling unsuspecting students with debt. Schools are preying on low-income and minority individuals.

My amendment is supported by those who see firsthand the abuse in our communities. The Waters-Roukema amendment is supported by the National Consumer Law Center, by Consumers' Union, and the National Association of Consumer Agency Administrators. In addition, the amendment is supported by the Association of Independent Colleges and Universities, as well as the New York Times.

Delay will do nothing to stop the abuse. If we delay now, it will be longer than a year before the Education Department can implement the 85–15 rule. The language in this bill now prohibits the use of any funds to implement 85–15 before July 1, 1995.

We beat them on the rulemaking, and they came back into the Committee on Appropriations at the last minute. Anybody should suspect those who come at the last minute to try and thwart the efforts of a rule that has been worked on, that has been made such as this one.

That means the Department will not be able to collect the data which will be used to determine the applicability of 85–15 until July of next year. Final implementation will be some period of time after that.

We cannot continue to wait, Mr. Chairman. We have waited long enough. The 85–15 rule was passed in 1992. If we delay now, the soonest implementation will be 4 years after the date it was passed.

I ask for an "aye" vote on the Waters amendment to keep 85–15 in law.

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

Mr. Chairman, I rise to oppose this amendment, and I would like to point out, to start out, that the education of many people in this country, hundreds of thousands of them, hangs in the balance with the vote we are about to cast. They are counting on us to cast a "no" vote on this amendment.

With the overwhelming support of the full Committee on Appropriations last week, I attached this provision that the gentlewoman from California is now attempting to strike.

First of all, I would like to thank the chairman, the gentleman from Iowa [Mr. SMITH], for working with me on this issue. I offered this amendment in subcommittee and full committee, and he has shown nothing but fairness each step of the way in the legislative process.

During the 1992 reauthorization of the Higher Education Act, this floor amendment was adopted without any prior authorization, no hearings were held at all on this issue, which requires at least 15 percent of the trade school's revenue to come from sources other than title IV funds. I agree with this concept, because its intent was good, but the effect it is now having on the students and schools is bad.

This final regulation is much more restrictive than it was originally anticipated.

On the national level it is estimated that about 50 to 60 percent of the proprietary institutions serving over 800,000 students annually will have a real hard time in meeting or will not be able to meet this new definition. These are students that I would classify as your nontraditional students. They fall somewhere in between the high school graduate and the person who can afford to go to college, people who are trying to learn a special trade or skill in a private trade school that are oftentimes single parents, from low-income neighborhoods, that are just trying to advance themselves in the work force.

I do not think there has ever been an issue this controversial this year that has received such bipartisan support. I have a letter signed and dated June 9 from the Hispanic Caucus signed by every member of the caucus to Secretary Riley that supports postponing this rule. I have a letter dated June 10 from 20 Committee on Education and Labor members to Chairman SMITH requesting Chairman SMITH's help in delaying implementation of the rule as well. Another letter is dated June 13 from the chairman, the gentleman from Michigan [Mr. FORD], to the chairman, the gentleman from Iowa [Mr. SMITH], saying because of the potential for serious dislocation in these communities, the Committee on Appropriations may be presented with

this proposal to delay, and such an approach would provide the community time to prepare for enforcement and allow for a more rational implementation of this regulation. I also have a letter dated June 16 from 103 Members of Congress, including the chairman of the Black Caucus, the gentleman from Maryland [Mr. MFUME], to Secretary RILEY that supports this delay.

Finally, I have a letter dated June 17 from 20 members of the Committee on Education and Labor to the chairman, the gentleman from Wisconsin [Mr. OBEY], requesting their assistance in this matter; 20 of 28 Democrats, 10 of 15 Republicans on the committee. I would say that that is strong bipartisan support.

Whatever the merits of 85–15, the process of bringing in the regulation is what is at issue, retroactivity and the definitions for revenue.

The Department of Education has had over 21 months to develop definitions of revenue and other relevant pieces to implement the 85–15 section. During that period, several of the factors chosen by the Department to determine compliance have changed several times. This is not a simple equation.

And remember, the Congress at the subcommittee level or full committee level has never had a hearing on this amendment and how it would affect the schools and students that would be affected by this rule.

If you go back and look at the debate on the House floor, it takes up less than one page of the CONGRESSIONAL RECORD, including the printing of the amendment. I just do not think that anyone could have anticipated ramifications of this provision.

The education community was given the minimum statutory time of 30 days to respond to the notice of proposed rulemaking. The final regulation was only published this spring in late April, and becomes effective this Friday. The regulation has a lookback component, a perspective, which requires postsecondary institutions covered under the rule to meet the regulation for their last fiscal year completed after October of 1993. That is retroactive. That is something the schools and students could not have anticipated.

Not only has the Department allowed no time to comply with the regulations, the Department has used definitions of revenue which ignore its own assumptions in the refund regulation which assumes the first dollar into an institution is a private dollar.

Another thing we must consider is if many of these students are forced out of school, their loans under this rule will be forgiven. We in turn are going to have to pick up and cover those loans to the tune of over $1.3 billion, and we all know that we cannot afford that.

I am asking Members—I am appealing to their compassion and concern for the students who would be affected by this vote today—to vote "no" on this amendment. People out there that have a dream that they are pursuing, many times holding down a job at night with a young child, are working—had to pursue that dream.

Vote "no" today to preserve that American dream.

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

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

First of all, I want to say I commend the gentlewoman from California for pursuing this issue. It is an important issue to take on, and there is a lot of merit in it.

As a matter of fact, when we took it up in subcommittee, I thought at first that I was going to be wholeheartedly on her side. I do not care if it is 20 percent or it is 10 percent, any school that is getting this money that is not training somebody for a job is one school too many.

We need the money for those schools that are training people for jobs.

However, by the time we got to the full committee, 22 of the 24 members of the authorizing committee said, "Give us this amendment and delay this new rule so we can have an opportunity to work on this some more."

The regulations had just come out, and they wanted to change them. And so we worked with the authorizing committees, and so at that point the full committee went along with the authorizing committee, and we put this amendment in the bill, because we cooperate with the authorizing committees.

I want to make it clear, however, that I think that there is no excuse for coming on the floor again next year with the same kind of an amendment. One year ought to be plenty of time to work this out. Some way or another you have got to get rid of those schools that are getting money that are not training kids for jobs.

Ms. WATERS. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Iowa. I yield to the gentlewoman from California.

Ms. WATERS. I think it is important to clarify something that was just said, not by you, Mr. Chairman, but by the gentleman from Texas, who indicated that he had a letter from Secretary Riley, and I do not know if he left the impression that that was a letter of support. The Department of Education does not take any position.

As a matter of fact, their letter indicates, "With respect to the regulations we promulgated on April 29, 1994, to implement the 85–15 rule," they say, "we believe these regulations are fair and reasonable and that they faithfully carry out the law." So the Department of Education has no position, and the Secretary does not support eliminating the 85–15 rule.

I wanted to make that clear.

Mr. SMITH of Iowa. Anyway, under all the circumstances, I support the provision that is in the bill that does delay the implementation of this rule so we can work with the authorizing committee.

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

Chairman, I oppose the amendment.

It is difficult for me to do so, because I support the 85–15 concept; 85–15 was designed to eliminate the Federal student aid mills, which are robbing taxpayers and shortchanging students. But here is what has happened: The Department has taken almost 2 years to issue its regulations.

□ 1050

There has been great anticipation of them. They finally issued them on April 29. They defined revenue in those regulations in a very unexpected way, and then applied that regulation retroactively. Many good schools will be kicked out of the title IV student aid programs as a result. For instance, schools which provide offsite training to employees of large businesses will not be able to include these programs in their base revenue unless the training that they provide offsite is exactly the same as the training they provide at the school. That would effectively prohibit trade schools from customizing offsite training programs to employer needs. That does not, to me, make any sense that these revenues would be excluded.

In addition, I have to say, Mr. Chairman, we have $30 million in the bill for State Postsecondary Review Programs [SPREE], and that is designed to root out waste, fraud, and abuse and define schools that are not providing real training to people which ought to be excluded from the title IV program.

So, Mr. Chairman, under these circumstances, I think that the provision in the bill that Mr. BONILLA offered as an amendment in the full committee that would delay implementation of 85–15 is reasonable. I therefore urge the Members to reject the Waters amendment.

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

Mr. Chairman, I rise in strong support of the amendment offered by the gentlewoman from California [Ms. WATERS] and the gentlewoman from New Jersey [Mrs. ROUKEMA].

Mr. Chairman, let me put this in perspective for a moment and tell you what we are talking about. We are talking about young people coming out of high schools desperate to find a job, who walk into one of these trade schools and sign a contract to be trained to become a cosmetologist, a beautician, a computer operator, you name it, and as a result of signing that

contract, they are also in the process of applying for Federal assistance. We are talking about scholarships paid for by Federal taxpayers for these schools. Do you know what they charge some of these kids? $8,000 to $12,000 a year—$8,000 to $12,000. And these young people get enrolled in courses and find out they are not worth much at all. They may finish them and find out there is no job at the end of it. And what is left? You are left with a student who has a financial obligation, no job, and the taxpayers holding the bag. That is what this is all about.

And if you think Ms. WATERS and Mrs. ROUKEMA are making this up, the inspector general for the Office of Education has told us point blank that as long as these schools rely on Federal funding, they will kite the tuition fees as high as they possibly can and we taxpayers will pay for training that does not lead to a job. This is disgraceful.

That we would lose $4 billion a year that should be invested in good education for our young people and instead go to trade schools that are ripping them off and ripping us off as taxpayers. The inspector general says you can find community colleges in many of these same areas that charge a fraction of the cost and give better training.

But, no, the scam is the trade schools know where the money is. By capitalizing all this Federal money, they are exploiting the kids and the taxpayers.

Make no mistake, there are good trade schools, there are good business colleges. I am sure you are going to hear about them. But they cannot only survive, they are going to prosper because they are successful, good institutions. They should be in the front lines supporting the Waters amendment to get the people who are ripping off the kids and ripping off the taxpayers out of the trade school business.

I want to tell you many people are going to argue that a lot of kids from disadvantaged circumstances have no other place to turn but these trade schools. Well, I do not agree with that premise. But I do not think we are doing a favor to these kids from disadvantaged communities to put them in a school, saddle them with an obligation and dash their hopes again about any future, because they are going to be ripped off by this process.

Think about it: What we are saying is, if you are running a trade school and more than 85 percent of your funds are coming from this one program, frankly we are going to cut you off. We are not saying that they cannot have funds coming in from other Federal programs or other State programs, but that if they are just relying on this student assistance program we think they are taking advantage of the kids and taking advantage of the taxpayers.

I think that this is a critically important amendment. You will hear debate through this week, next week, and beyond about saving the taxpayers money. We are talking about $4 billion in waste, fraud and abuse.

Support the Waters-Roukema amendment.

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

Mr. Chairman, I am going to speak rapidly because to get all this said in 5 minutes will be difficult. But I think we need the facts now. We have a lot of rhetoric going on here. We have a lot of talk about what took place in years past, but nothing about the leadership that we have had with Chairman FORD to do something about this issue.

So I am going to try to very quickly point this out.

The committee was positively correct in delaying for a year the implementation of this recently published regulation, published on April 29, 1994, as a matter of fact.

The 85–15 rule was adopted on the House floor. I amended the gentlewoman's amendment in order to do that as part of the reauthorization of the Higher Education Act in 1992.

The rule simply requires proprietary institutions to have at least 15 percent of its revenues from sources that are not derived from funds provided under this title.

Although this sounds very simple, if you follow the regulatory process you know that it is anything but simple. After months of negotiations, and drafts and redrafts of the regulations, the final regulations were published on April 29, 1994, with a July 1, 1994 effective date. Unfortunately, the Department of Education's application of the effective date has created serious problems for the many quality proprietary institutions across the country. These regulations with the stated effective date of July 1, 1994, are being applied by the Department to the period beginning July 1, 1993, to June 30, 1994. Some people say that is not retroactive; I do not know how you read it any other way. If retroactivity means extending in scope or effect to a prior time or to conditions that existed in the past, then regulations effective as of July 1, 1994, applied to a period of time prior to that date are clearly retroactive.

Some have said that the proprietary institutions have known for a long time what the regulatory requirements would be with respect to 85–15. That is not true at all.

As recently as a brief period between proposed regulations and final regulations, February 10, 1994, to April 29, 1994, these particular regulations underwent significant change and for my colleagues who believe the calculation is a simple one I want to point out that it took 11 paragraphs of small print in the Federal Register to explain what goes into the numerator versus the denominator for purposes of performing the 85–15 calculation. That cannot be simple.

Here is one example of the problem schools are facing: Schools which provide training to a business at the location of the business and not the school cannot count income from training programs as revenue for purposes of 85–15. This provision has seriously impacted schools which provide such training and thought the revenue counted toward the 15 percent of non-Federal revenue. Considering that the statute does not define revenue at all, schools should not be accused of being unreasonable for not being prepared to deduct income earned from educational training programs from the revenue calculations. Who would have thought that income from educational training programs offered to businesses would not be counted as revenue merely because of where the training occurred?

Another problem I have with the effective date of the 85–15 regulation is the potentially devastating impact on the schools and the students we are all talking about. By September 30, 1994, schools must inform the department of their compliance with the 85–15 rule. If a school is not in compliance, the school is liable for all title IV funds disbursed to its students since July 1, 1994, and it loses its eligibility for the title IV programs. If the school is forced to close, students will be 3 months into their programs and they will be without a school to attend.

Does that make sense if you are trying to help students? If the school is unable to repay the funds, the Government will be out the funds since the students will not be responsible for these funds. Why do we want to create such a situation when it could be easily avoided?

Let me point out things that have been done: I would be standing here with the gentlewoman from California [Ms. WATERS] if we were talking about 1986, 1987, 1988, 1989, but we are talking about 1994. We are not talking about past history. Yes, we set up a program just as we did in many other programs where we threw out too much money without much control, and we were taken advantage of.

□ 1100

But, Mr. Chairman, as I indicated, the Chairman realized this, and we have been working on it. In 1986, for instance, the Consolidated Omnibus Budget Reconciliation Act of 1986 made three major changes to get at this issue. In 1986 the Higher Education Act Amendments made four major changes to get at this issue. In the Higher Education Act we also came up with three more ways to prevent this from happening. Delayed disbursement was one of those things that took place. The fortunate thing about the delayed disbursement is that we have eliminated

700 schools by doing this, and the people who are out in front are the proprietary schools, who are good schools, helping us to do that. We passed all sorts of things.

The CHAIRMAN. The time of the gentleman from Pennsylvania [Mr. GOODLING] has expired.

(On request of Mr. FORD of Michigan and by unanimous consent, Mr. GOODLING was allowed to proceed for 3 additional minutes.)

Mr. GOODLING. In 1989 we passed legislation in the Labor, Health and Human Services, and Education Appropriations Act requiring students to have a high school diploma or equivalency certificate to be eligible for title IV aid. In the Omnibus Reconciliation Act of 1989, Mr. Chairman, we passed one, two, three, four, five, six measures, to get at this problem so that we could save the proprietary schools that are good schools that we need, positively need, if we are going to be competitive in this world.

In the Omnibus Reconciliation Act of 1990, Mr. Chairman, again we passed four more things that would require these schools to be good schools and would not allow the schools to take advantage of students. In the Higher Education Act of 1992, we will not know exactly how much more improvement we have brought about by those amendments, because we disburse money, and then they go through the training, and we see what is going to happen. But again we passed three, six, seven, eight more specific things to make sure that we are getting the best proprietary schools.

Let me just tell my colleagues what happened already. Between 1989 and 1992 there has been a 20-percent decrease in the number of proprietary schools. Why? Because of the things we passed to make sure that the bad ones were pushed out, and, as I said, 700 have already gone by the wayside.

In 1989, Mr. Chairman, proprietary school students accounted for 32.7 percent of Stafford loans and 64.5 percent of SLS loans. By 1992 they dropped to 17.6 percent of Stafford and 27.7 of SLS respectively, almost a two-thirds drop in the loans going to these schools. In 1989, the loans to proprietary school students accounted for 27 percent of the total dollar value of Stafford loans, and 59 percent of SLS loans. In 1992, they only accounted for 13 percent of Stafford loans. We have gone from 27 percent already down to 13 percent and from 59 percent to 23 percent in relationship to SLS loans.

So, Mr. Chairman, my colleagues can see what is happening. Everything that our committee did in order to bring about a change in this whole operation so that students do not suffer and the taxpayers do not suffer is working. The number of proprietary school borrowers of SLS loans have been declining each year since 1989 when the number of borrowers was at a high of 415,000. It is now down to 158,000. The comparable dollars borrowed was $1.2 billion in 1989. We are now down to $500 million in this particular year. The number of proprietary school borrowers of Stafford loans has also been declining each year since 1989 when the number of borrowers were 960,000, and now we are down to 546,000. The comparable dollars borrowed are $2.6 billion, down to $1.5 billion.

Everything that has been put into effect is working to save the students, to give them the best education and to make very, very sure that taxpayers are not caught holding the bag.

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

Mr. Chairman, I rise in opposition to the amendment offered by the gentlewoman from California [Ms. WATERS]. In doing so, Mr. Chairman, I want to also take a moment, and in the same manner that the chairman of this committee has complimented her for bringing this matter to our attention, stressing the fact that this is a very serious matter, I want to concur in that respect.

However, Mr. Chairman, at this time I support the committee and the amendment which we adopted in the full committee which was sponsored by the gentleman from Texas [Mr. BONILLA]. I think it is important for the House to understand that at the subcommittee level and the full committee level we had extensive dialog and debate on this issue. When we left the full committee, when we left the subcommittee, we did so with the understanding that in the interim period between the subcommittee meeting and the full committee meeting that I would consult with members of the Committee on Education and Labor, and in particular the chairman of that committee, with reference to how they felt about this particular amendment. In talking with the gentleman from Michigan [Mr. FORD] and also the ranking majority member, the gentleman from Missouri [Mr. CLAY], Mr. Chairman, both of them were emphatic in the fact that they supported the delay of the implementation of this regulation as was being supported and sponsored by the gentleman from Texas [Mr. BONILLA].

One of the most persuasive issues or points that came to fore was the fact that we had in our possession at the full committee level a letter from the gentleman from Michigan [Mr. FORD]. I would like to refer to that letter because I think the committee was strongly persuaded in its action at the full committee level in adopting the amendment offered by the gentleman from Texas [Mr. BONILLA] by this language in Chairman FORD's letter. He said to us:

On its face the 8515 rule is well intentioned and a seemingly simple attempt to ensure that proprietary school programs are sound enough to attract students who are willing to expend their own resources, as well as those of the Federal Government. However the authors of the amendment could not have foreseen the level of complexity surrounding this issue, which is due to a number of variable factors such as student demographics and income levels, local economies and particular institutional programs. Because of this complexity, the 8515 rule appears likely to force the closure of schools that have successfully trained and placed large percentages of their enrollees and may eliminate vital job training resources from low income communities. These issues only now are being brought to light because of the absence of any hearings on the issue before the rule was adopted.

He then went on to say that we are now faced with serious questions as to the prudence of enforcing the 8515 rule on the basis of fiscal year 1993 as the Department of Education proposes.

I think that the letter of the gentleman from Michigan [Mr. FORD] was very persuasive in terms of our committee wanting to follow the dictates of the authorizing committee. All the amendment of the gentleman from Texas [Mr. BONILLA] does is to delay for 1 year the implementation of this rule. It provides an opportunity in the interim period for the authorizing committees to look into this very complicated and very serious matter. There is no question but that at the time that the gentlewoman from California [Ms. WATERS] imposed this amendment, that there was a serious problem. There are good proprietary schools, and there are bad ones. All of us have seen them in our congressional districts. But that is not the point here. The point here today is the simple matter of delaying for 1 year the implementation of this regulation imposed by the Department of Education.

I think that the amendment we have adopted in the full Appropriations Committee is a good amendment. I think that the amendment offered by the gentleman from Texas [Mr. BONILLA] is thoughtful, it is incisive, it makes sense, and I support that amendment. I would urge the defeat of the amendment offered by the gentlewoman from California [Ms. WATERS].

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

Mr. Chairman, colleagues, I have been an educator since 1969. I have seen this growing scandal since that time as president of a university and as the chairman of a national association of 373 universities. Congress made a fundamental mistake when it permitted a group of schools to access Federal student loan funds that might have many qualified schools, but also has many unqualified schools in their midst, and that is the proprietary schools of the country.

There is no doubt that some proprietary schools do fine training. Many of their students do learn something and secure a job. That is not the question.

The question here is postponing for 1 more year a sensible regulation that requires these schools to have at least 15 percent of their revenue from other than Federal loan funds. Those who want to continue procrastination in this area will stand accused of billions of dollars in defaulted loans being added to the national debt. When students learn nothing and cannot get a job to repay the loan, they default.

Now, if there is something wrong with the regulation, do not postpone it for a year. Support the gentlewoman from California [Ms. WATERS] and the gentlewoman from New Jersey [Mrs. ROUKEMA] amendment and rewrite it in the conference with the Senate. But we need action. We do not need more procrastination.

In my humble opinion as an educator who has watched with great upset this trend, those who vote against the amendment are simply adding to the national deficit, and we should regard that as gross irresponsibility.

Mr. FORD of Michigan. Mr. Chairman, will the gentleman yield?

Mr. HORN. I yield to the gentleman from Michigan.

Mr. FORD of Michigan. Mr. Chairman, the gentleman referred to his career before Congress. He and I became friends long before I met him here on the floor of the House.

I have been the chairman of the Committee on Education and Labor since 1977, and the gentleman called upon me numerous times as a very effective lobbyist for the type of institution he was employed by.

Now he is here and he is talking about another type of institution. Never did I ever hear from the gentleman any concern about the mistakes we were making. Just "We need more money."

There are institutions like yours, sir, that will be caught by these silly regulations, if they are permitted to go forward in the form they are in now. It is not just proprietary schools.

Just 3 weeks ago the House voted overwhelmingly to delay the impact of this on historically black colleges because we realized the majority of them would have been adversely impacted and they had no opportunity to prepare for it. We delayed that for 2 years.

This is not a 2-year delay. This is a delay until the end of this appropriations year. You will notice before this debate is over, the overwhelming majority of the members of the committee that writes this legislation and who wrote all of the integrity provisions that the gentleman from Pennsylvania [Mr. GOODLING] referred to, believed that what we did is working.

We have no problem with 85–15 if it was intelligently applied. But the way these regulations would apply it makes absolutely no sense. As the gentleman from Pennsylvania [Mr. GOODLING] said, if you need 11 pages of fine print to explain the components of the denominator in trying to come up with a formula for what is 85 and what is 15, there is something wrong, because everybody who rushed to judgment out here and voted for the gentlewoman's amendment thought they understood what 85–15 was.

You have got to get at least 15 percent of your money from some source other than the Federal Government. Not so by the regulation. That is the problem. Not so by the regulation. And that is why the Department of Education is working with us to go back to the drawing board. We will put 85–15 in effect before I leave here, but we will put it in effect in a sensible way, so it does not throw the baby out with the bath water.

Mr. Chairman, in preparation for the 1992 reauthorization of the Higher Education Act of 1965, the Education and Labor Committee reviewed and debated virtually every aspect of the act with the objective of improving the quality and integrity of Federal higher education programs. As a result, the committee reported out a bill that recommended substantial increases in the level of scrutiny over these programs and rigorous fiscal integrity provisions to protect American taxpayer dollars. The Higher Education Act reauthorization adopted by the 102d Congress includes new programs that are now enabling the Department of Education to eliminate the problem schools and weed out the unscrupulous actors who have sought to gain at the expense of American taxpayers and students.

During the floor debate of the 1992 reauthorization, this body also adopted an amendment now known as the 85–15 rule, which states that proprietary institutions with more than 85 percent of their revenues from title IV of the Higher Education Act are ineligible for title IV funds. The 85–15 rule is a well-intentioned and seemingly simple attempt to ensure that proprietary schools are sound enough to attract students willing to spend their own funds to attend. However, the rule is not simple, and, despite its good intentions, will not have the desired effect of eliminating inferior institutions while retaining only those that are sound and worthy of Federal support.

Because the 85–15 rule was offered on the floor, the authorizing committee had no opportunity to review its effects or implications. Had the issue been properly raised before the Education and Labor Committee's consideration of the Higher Education Act reauthorization, the committee would have summoned witnesses and consulted the Department of Education, which would have allowed it to assess the impact of the 85–15 rule. The committee would then have advised the Congress as to how this rule would affect schools in Members' districts, described the characteristics and relative successes of the schools likely to be affected by this rule, and presented the Congress with an analysis of how this rule would affect the students attending these institutions. However, because the amendment was offered on the floor, thereby preempting the Education and Labor Committee's analysis and review, the Congress did not have the benefit of all the information relevant to the effects of the 85–15 rule.

Some of that information is now becoming available, and early reports indicate that serious problems may result from the Education Department's proposed imminent implementation of this rule. For example, it appears as if all of the proprietary schools in Puerto Rico will be closed. Many schools in economically distressed areas that are now training hard-to-serve populations and placing them in steady jobs with good futures will be closed. Other schools with unacceptably low placement rates will be completely unaffected by this rule. On the other hand, some schools that are presently providing highly valued services to companies on a contractual basis will be closed since those contracts are to be excluded from the Department's calculation of revenues. Since the authorizing committee did not have a chance to build a record on this issue among others, the Department of Education had little guidance as to whether to include these funds in the definition of revenues.

There are other problematic issues relating to the enforcement of this rule. For example, schools that become ineligible in the coming year will be required to return all title IV, HEA funds expended after July 1. But because a school will begin awarding Federal aid to students before they can be certain as to the percentage of non-Federal funds, some of those schools will not know whether they are in compliance until they have spent the Federal money. Schools will be forced to make high-stakes wagers on whether they will qualify, since decisions will have to be made after Federal aid has been spent on their programs.

A reasonable delay of the enforcement of this rule will give schools an opportunity to prepare and make appropriate changes in their programs to comply with the rule. This does not mean that bad schools get a reprieve from meeting Federal standards. The 1992 reauthorization is now eliminating institutions that do not meet Federal fiscal integrity standards and will continue to do so as many of the regulations implemented pursuant to the 1992 reauthorization of the Higher Education Act take effect. However, a delay, such as that recommended by the Appropriations Committee, may be a prudent way to avoid closing good schools and would prevent the unnecessary disruption and dislocation in the communities these institutions serve.

Mr. HORN. Mr. Chairman, reclaiming my time, I think the gentleman, who has a very good memory, will recall that I importuned him, as I did the 1970 White House Conference on Youth, that we should be collecting student loans through our income tax system. I regret that Congress has not acted earlier on that proposal.

Mr. FORD of Michigan. But the gentleman acknowledges we have acted.

Mr. HORN. I acknowledge you acted. We acted a decade after we should have.

Mr. FORD of Michigan. We finally have an administration that is willing to use the Treasury Department to collect the loans.

Mr. HORN. As I recall the Reagan administration arranged for the loan payments of those who had defaulted to be collected against any refund due to the

individual from the Internal Revenue Service. Since 1970, I have advocated that all individual loans owed to the Federal Government be collected by IRS based on an ability to pay. By the way, not one institution of the American Association of State Colleges and Universities would fail to qualify under the 85–15 rule.

Mr. Chairman, I include as part of my remarks, the relevant concerns on this subject expressed by the American Association of State Colleges and Universities [AASCU].

AASCU RESOLUTION OF 1975: PROPOSED LEGISLATION AND REGULATIONS ON ACCREDITATION

Whereas, the U.S. Office of Education is considering legislation and regulations which (1) would broaden the language of the Educational Amendment of 1972 to make private and proprietary postsecondary vocational institutions eligible for student assistance funds by way of State approval and (2) revise existing regulations to require that accrediting agencies agree to provide monitoring services in areas other than the academic quality of postsecondary institutions; and

Whereas, the proposed legislation raises the specter of repetition of the poor performance of some state level agencies with the G.I. Bill in the post World War II era; and

Whereas, AASCU believes that education and the public interest are best served when the determination of eligibility for Federal funding involves the appropriate and mutually reinforcing role of Federal government, state government, and voluntary, non-government accreditation and when the role of voluntary, non-governmental accreditation is properly recognized as being that of evaluating and promoting educational quality;* * *

Mr. HORN. Mr. Chairman, I note in particular the reference to some of the awards made during the Second World War. Congress changed the ground rules for GI bill awards made to Korean veterans.

AASCU RESOLUTION OF 1979: IV. PUBLIC FUNDS FOR PRIVATE AND PROPRIETARY INSTITUTIONS

Today, over 40 states provide some form of aid to the private sector. State student aid (sometimes limited to "independent" colleges) is most common, but an increasing number of states also have institutional aid, on a per student or per degree awarded basis. Some now have "tuition offset" or "tuition equalization" programs which are intended to reduce tuition to make it possible for more students to attend private colleges, and some also include proprietary school students in their state student aid programs.

AASCU believes the state's first priority should be to insure the quality of public higher education. While we strongly support the American concept of pluralism in higher education, we stand by the position that no state aid to the private or proprietary sector should be at the expense of public college students, either in terms of reduced appropriations for the public sector or increased tuition and student charges at the state colleges and universities.

AASCU RESOLUTION OF 1994–1995

Support radical legislative and regulatory remedies to the morass of fraud, waste and abuse the besets student aid especially in the for-profit sector.

Mr. HORN. Mr. Chairman, the National Consumer Law Center, Inc. has made an excellent statement answering the most common arguments against the 85–15 rule. I ask that the statement be included at this point in my remarks.

NATIONAL CONSUMER LAW CENTER INC.,
Washington, DC.

ANSWERS TO THE MOST COMMON ARGUMENTS AGAINST THE 85–15 RULE

Will most trade schools, including both good and bad schools, be forced to close if the 85–15 regulation becomes effective July 1, 1994?

No! Most good trade school are able to attract non-Title IV revenue. The biggest impact of 85–15 will be on shoddy Title IV mills which exclusively solicit low-income students eligible for the maximum federal loans and Pell grants. If the school provides meaningful training for decent paying jobs for which there are openings, students will spread the word, and others will enroll, and pay or have their families pay toward their tuition.

Trade schools say that minorities and poor people will be hurt by the Department of Education's 85–15 regulation. Is that so?

No. To the contrary, the 85–15 Rule will *help* poor and minority students by protecting them from shoddy programs at schools set up primarily to receive federal Title IV aid. It will shield them from the consequences of loan default which will most certainly follow from inadequate education or training including: being barred from future educational opportunities (which require grants or loans); having their Earned Income Tax Credits or income tax refunds seized to satisfy defaulted loans; being unable to get a car loan, mortgage, or subsidized housing due to a bad credit report.

Schools say that the 85–15 regulation operates retroactively. Is that so?

Absolutely not. The effective date of the law was October 1, 1992. It has not yet been implemented. Under the Department's regulation, no revenue from before October 2, 1992 would be counted. The trade schools also argue that the definition of revenue adopted in the final rule is different from the proposed rule in that the final rule only allows counting of revenue generated by Title IV-eligible programs. But most schools have only Title IV-eligible programs so counting only that revenue would be the same whether one applied the proposed or final regulation. Consequently, the Title IV revenue limitation would have no effect on most schools.

What's the harm of a one year delay in the 85–15 regulation?

Scarce Title IV dollars will be lost to unscrupulous schools and low-income students will be harmed. They will have incurred loan liability for inadequate training and suffer the many adverse consequences of loan default.

Is the 85/15 regulation beyond the statutory authority?

No. The regulation closely tracks the statute and reasonably defines the formula by which compliance with the rule is determined.

Weren't trade schools part of the process that negotiated the regulations with the Department?

Yes. The industry participated in an extensive negotiating process to develop the regulations, along with colleges and student and consumer groups, from January through September 1993.

Trade schools claim that the 85/15 regulation prevents them from counting as part of their total revenue funds obtained through training contracts with companies to train their employees. Is that so?

No. The revenue can clearly be counted so long as the school's program is eligible for Title IV aid.

Is there any precedent for the 85/15 Rule in other federal programs?

Yes. Training programs funded through the GI Bill for veterans contain a similar 85/15 limitation, also meant to curb abuses perpetrated by trade schools set up primarily to garner federal aid.

Is cash from students or their families the only way to satisfy the 15% requirement of the 85/15 Rule?

No. Other forms of state, local and federal government dollars, such as Job Training Partnership Act (JTPA) funds, federal Perkins Act funds and state grant monies, may also be used to meet the 15%.

Is the Department's definition of revenue in the 85/15 regulation unfair to trade schools?

No. The definition is the result of compromise through the negotiated rulemaking process required by Congress. Just as trade schools believe the final regulation is too harsh, consumer advocates believe that it is too loose since it allows schools to count as revenue certain monies from non-training activities.

Mr. HORN. Mr. Chairman, the inspector general of the U.S. Department of Education, the Honorable James B. Thomas, Jr. has appropriately expressed his "concern about H.R. 4606 * * * which would delay the effective date of the 85–15 rule." He is correctly concerned about the fraud, waste, and abuse which will occur if we do not support the Waters-Roukena amendment.

OFFICE OF INSPECTOR GENERAL,
U.S. DEPARTMENT OF EDUCATION,
Washington, DC, June 24, 1994.

Hon. CLAIBORNE PELL,
Chairman, Subcommittee on Education and Humanities, U.S. Senate, Washington, DC.

DEAR SENATOR PELL: I am writing to express my concern about H.R. 4606, a bill approved this week by the House Appropriations Committee, which would delay the effective date of the "85/15" rule. That rule was enacted as part of the Higher Education Amendments of 1992, 20 U.S.C. §1088, and became law on July 23, 1992. It requires that proprietary trade schools derive at least 15 percent of their revenues from non-Title IV sources. In my view, this is an important anti-fraud, waste and abuse provision that should not be delayed.

The Office of Inspector General has done extensive work on the student financial assistance programs under Title IV of the Higher Education Act for many years, and we have identified the proprietary trade school section as a major contributor to the fraud, waste and abuse in the programs. One such abuse is that such schools set tuition prices that bear little or no relation to the quality of the training, the prospect for employment in the field of the training and the prospect for a salary that will allow students to pay their federally insured loans and support themselves. Instead, our observations reflect that the tuition price is often set based upon the maximum federal student financial assistance that is available, leading in many cases to inflated prices that the federal taxpayer and student are being asked to bear. Our studies have documented instances where community colleges and other public institutions offer training in the same field sufficient to allow students to gain entry-

level jobs for a fraction of the price charged by proprietary trade schools.

Before the 85/15 rule, there was no provision of law to ensure that tuition prices were reasonable. On the contrary, the availability of Title IV money actually interfered with free market forces that would otherwise control prices, because no one was required to pay his own money for the training or find non-Title IV sources (e.g., private, state or other federal program sources). By ensuring that a modest amount of such schools' revenue come from non-Title IV sources, the 85-15 rule will re-introduce a measure of free market control and force prices to reasonable levels relative to the value of the training offered, without direct federal price controls.

Because I believe this very valuable purpose is served by the 85-15 rule, I am not convinced that it should be delayed based on arguments by the proprietary trade schools that some percentage of such schools will close if the rule takes effect on schedule. First, as I have previously testified before the Senate Appropriations Committee, the acronym "SFA Programs" stands for "Student" Financial Assistance Programs and not "School" Financial Assistance Programs. We must be concerned first and foremost about the students who are victimized by inflated tuition prices for training for generally low-wage jobs, and end up defaulting on their student loans. Second, we have not seen data supporting the statistics for potential school closures cited by the proprietary trade schools. Third, we do not know whether schools that maintain they cannot comply with the 85-15 rule have made any serious efforts to do so in the two years since the law became effective. Finally, based upon this office's extensive experience auditing and investigating proprietary trade schools in the Title IV programs, we believe it is likely that most schools that cannot meet the 15-percent rule have other serious programmatic problems such as high default rates, late refunds and administrative capability problems. I do not believe that "good" schools—those providing valuable training for reasonable prices—will fall victim to the 85-15 rule.

I urge you to reject any attempt to delay or otherwise weaken the 85-15 rule.

Sincerely,

JAMES B. THOMAS, Jr.

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

Mr. Chairman, I rise in opposition to the Waters amendment. The gentleman from Texas [Mr. BONILLA] has done a good job, as has the gentleman from Michigan [Mr. FORD], the gentleman from Michigan [Mr. KILDEE], and the gentleman from Pennsylvania [Mr. GOODLING].

Does the amendment of the gentlewoman from California have some good merit? Yes, it does. Have there been fly-by-night schools? Yes, there have been. The committee and other sources have been working diligently to eliminate those schools.

Since 1989, over 20 percent of those fly-by-night schools have been closed. Can we do it better? I think even the chairman would agree, yes, we can. All we are asking for is to wait until the end of this year when the gentleman from Michigan [Mr. FORD] retires, to resolve the situation. The formula, the means in which to calculate this, is so monumental, that we are going to close a lot of good schools.

I do not have the primary schools in my district. They are down in South Bay. But I have been to 11 of those that are performing very, very well. What are those schools? A couple of them are beautician schools and cosmetology schools. I wanted to tell you, they are very effective.

By law, they are required to spend extra time in service at the school for practical application. And who do they help? They help the very, very poor, because they practice on someone that cannot afford to get a haircut. The gentlewoman would know this. I would invite the gentlewoman to come to San Diego, and I would be happy to take her down there.

This amendment is ill-advised. Congress could not have foreseen the devastating impact of provisions on students attending private career colleges.

Mr. Chairman, I envision education as if you take a look at the number of children who start college, it is a very low percentage. If you take a look at the number that finish college, that is a low number. If you take a look at those that drop out, that do not finish a college education with a skill that they can use in later life, it is a much higher percentage than those that finish college. So we need to educate and provide basic education for schools. Without some of these schools, that will not happen.

We need schools and trade schools for women. This fills that. There is very little of those in existence today. The department regulation is applied retroactively and includes language which prohibits institutions from counting all viable revenue in the formula itself. It is monumental. We are going to close a great majority of our good schools. That is going to equate to 1.2 million children that will not have vocational education training.

That is why I oppose the amendment. If the current regulation is implemented, over 50 percent of these quality proprietary institutions of higher education in the Nation will be forced to close their doors.

I take a look at what we need to do in education. I feel that the vocational education, the training, the things that we need to proceed with, are much more important than some of the things we are doing even for higher education.

Ms. WATERS. Mr. Chairman, will the gentleman yield?

Mr. CUNNINGHAM. I yield to the gentlewoman from California.

Ms. WATERS. Mr. Chairman, I thank the gentleman from California for yielding to me on this issue.

Mr. Chairman, I simply would like to say that certainly I would accept your invitation to come to San Diego to see poverty, but I really do not have to go very far. I represent a district that probably has a lot more poverty than the area that you are suggesting I visit.

Does it not strike you as strange that the so-called liberal lady from California is up here fighting, fighting to keep resources, as you would have described them, out of a district of poor people? I think I have a reputation for trying to get everything that I can get for poor people. When the liberal lady from California stands up and says no, I do not want it in my district, you better know something is wrong with it.

Mr. CUNNINGHAM. Mr. Chairman, reclaiming my time, I know the gentlewoman fights for poor people, and I support that. But I also see other liberals on the committee that are opposing her amendment, and for good reason. If the gentlewoman could run a business and see how you make it run, and write paychecks to keep it from closing, that is what we are talking about here. We are talking about closing businesses that provide a valuable education source to many thousands of students.

I would have the gentlewoman come to my district. It is not exclusively poor. But I would also like her to look at the good that these schools are doing. I say that sincerely to the gentlewoman from California.

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

Mr. Chairman, I rise in opposition to the Waters amendment. Now, why would I oppose the gentlewoman's amendment? We come from similar kinds of backgrounds and districts. I have taught school and worked in impoverished communities for 42 years. I have seen and served on education committees for the last 14 years. So why would I not support the Waters amendment? I wanted to tell you why.

The issue here is certainly not the 85-15. That is not the issue. If you listen to the impassioned remarks, you would feel that that is the issue.

□ 1120

That is not the issue. The issue here is one which the Committee on Appropriations had to face. It is one which the subcommittee from the Committee on Education and Labor and the entire full committee had to face.

No. 1, there is a problem. There has been one. It is not as much as it was, but it is much less, as we heard the gentleman from Pennsylvania [Mr. GOODLING] talk about. So that is not the issue. Do not be waivered by what we hear based on emotion.

No. 1, the fact is 85-15, the concept, is a meritorious concept. What we are arguing here today is the delay in this should be held. Why should we delay the implementation?

No. 1, it was suddenly put into effect. It was written and the regulations were

released on April 29. Now the Department of Education and the supporters of this amendment would say to us that it could be implemented without confusion, quickly, and it is going to hurt a lot of people.

I come from a district where there are women with small children. There are people who need jobs, who have been through a hurricane, who have been through four major riots. They have been through all kinds of devastating occurrences. But I can stand here and say to Members as an educator, we cannot do a quick fix to this problem. We need to go back to what the subcommittee or the Committee on Education and Labor has already come up with. It is called the Post Secondary Education Review Committee. They are the experts in this.

They are talking to industry throughout this country. We are speaking to people who come from neighborhoods like mine and from the gentlewoman. I want to help the same people that she does. I want to help the same people that the Committee on Education and Labor does. Look at this, give it a chance because we understand that most schools, like the ones that this amendment will affect, serve individuals who need help most in going up the education ladder.

Historically, these schools earn about 8 percent of their income from nonfinancial aid sources. Historically that is the case. But would it not make more sense to study these schools, to give the Committee on Education and Labor a chance to study these schools' income and patterns and compare their schools' performance in areas such as graduation and placement rates? All of these schools are not bad. All of these schools are not ripping off the students. Those that are left may not ever, the community college may not ever accept some of the students that go to some of the schools that are doing a good job in our neighborhoods.

So this amendment would be much better, also, the gentlewoman has compared it to the GI bill. But it is not just like the GI bill because the GI bill had a waiver in it, which would give the administrator a chance to waive these requirements of this subsection in whole or part if the administrator determines it to be in the interest of the eligible student and the Federal Government.

We are talking about putting all the emphasis on these schools. I want Members to think before they vote about these students who are also impacted negatively by this quick jump-start movement by the Department of Education. Vote against the Waters amendment, because it does not give us a chance to study this for the good of all concerned.

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

I urge support of the Waters-Roukema amendment. As a cosponsor of that amendment, I want to say here that our colleague from California, [Ms. WATERS]. deserves a lot of credit for what she is doing here. She does represent poor areas, but she understands that the kids are the victims here. They are not getting an education, and they and the taxpayers are being saddled with the cost. That is why I rise in proud support of our amendment.

I also like this legislation. I will probably vote for the bill in the end. But we are making a very, very serious error on this issue. I am astonished that the Committee on Appropriations went along with this. I am deeply concerned, as a Republican, about this and the fact that taxpayer accountability is going totally out the window. It is a giant step backward. In other words, waste, fraud, and abuse are winning right here if we do not adopt this amendment.

We have heard more rhetoric on this floor about eliminating waste, fraud, and abuse and being accountable to the taxpayers. If Members really mean it, they have to vote for the Waters amendment.

Now, I would like to separate some of the fact from the fiction that has been stated here today. I was one of the Members that fought, even before 1992, to get reform legislation into the law. After 2 or 3 years of active study on this subject, where everybody knew it was a scandal, we finally got it into the Higher Education Act of 1992. So we are talking about 2 years when all interested, effected parties knew this was coming along. We saw at that time that the default rate had grown to close to $4 billion a year. That was an absolute scandal. So we were forced to do something about it.

But now here we are, 2 years later, asking for yet more time. We have had 5 years that we have been working on it prior to the reform bill. Now they want more time.

The inspector general's report that was alluded to, and I hope it is put into the RECORD, and I will urge that it should be in the RECORD, because it tells the whole story there.

Let us understand, for the colleagues that do not know what we are talking about, what 85–15 rule is all about. First of all, we are not talking about all the vocational schools. We are talking about the proprietary schools, and what proprietary schools means is for-profit schools. It is not all the for-profit schools. It is only those that apply under the 85–15, which means that 85 percent of their funds are taxpayer money. So we ought to be keeping a close eye on this.

The rule change that the gentlewoman offered in the original legislation 2 years ago was a very modest change, and it was designed to separate the wheat from the chaff; in other words, to separate the scam schools from the genuine trade schools; or the diploma mills from the real schools that were doing their job; the solid citizens from the bad actors. That is all we are talking about here, those bad actors that have become diploma mills. They are scam schools and we all know it.

Over the past few years we have seen the evidence, overwhelming evidence of the abuses in these schools. And I think we can definitely summarize it by saying, these schools that are left—because many, as has already been documented, are already out of business—but the schools that are left are literally on the dole in the purest sense of the word. They are on the dole with 85 percent of their funds coming from taxpayers. They provide no worthwhile training, that is evident. They leave students with little or nothing to show except that they now have the bill. No job skills. No education. Only serious debt, and the taxpayer is being sent the bill.

That is what we are talking about. We are not talking about anything else.

Now, the other fiction here is that somehow we are springing something on these schools at the last minute. That is not true. They have had 2 years to prepare for this. And, indeed, in the past year they have been actively involved, invited in by the Department of Education to work on the rulemaking. And if they did not do their jobs over this past year, then I do not think the taxpayer should be told, sorry, folks, you have to wait yet another year so it will be 3 years from the time the reform was put in. I think this is a disgrace. I think voting against the Waters amendment literally, quite literally tells these schools, you can continue on the dole and the taxpayers will continue to pick up the bill.

I am afraid that, I have the feeling here that they are going to use this time to escape the reforms that we put into law. They are going to find another loophole. I am afraid that is the agenda here, a not so hidden agenda. Vote "yes." Cut the waste, fraud, and abuse. Save the taxpayers.

□ 1130

Mr. Speaker, I see no other reason for further delays, but that we should demand accountability now. It was well thought out. If they did not do their job over the past year during the rulemaking process, they that is their problem.

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

Chairman, I rise in opposition to the Waters amendment, not because I want to delay action on rooting out waste and fraud in student aid programs, but because I fervently want to get it right.

I commend and I am grateful to the gentlewoman from California [Ms. WATERS] for all her outstanding work on

this issue. We agree that this is a critical issue that we have to face head on.

I was part of those hearings with the Committee on Education and Labor where we saw fraudulent schools lure kids off the street and get them into these programs, but we cannot condemn all the schools just because of the truly, truly fraudulent schools that are not educating. We all know that there are groups that are doing the right thing with those same numerical numbers.

Mr. Chairman, I want us to get this situation right. It is far from clear to me what the impact will be of the 85–15 rule. There are those who warn that it will result in the closure of numerous quality job training programs, leaving students with nowhere to turn and the Federal Government liable for student loan debts. Others believe that 85–15 is the only way to target schools which exist solely to rip off the student aid system.

The fact is that no one can tell us with reasonable certainty what the impact of 85–15 will be. Therefore, that is why I support the delay in its implementation so that the Education Department can take a more careful look at its effects and make changes in the rules that are consistent with the authorizing legislation.

Mr. Chairman, there is not another member of this body who feels more strongly about the importance of eliminating waste and fraud in student aid. In 1992 I worked very closely with the chairman, the gentleman from Michigan [Mr. FORD] and other Members on the Committee on Education and Labor on this issue, and sponsored the legislation which established a State post-secondary review program, SPREE, the Federal-State partnership, designed to improve the quality and accountability of Federal student aid programs.

The integrity provisions to which I refer are beginning to work. States are putting in place a system where they can look at a whole school, not just numbers, but evaluate the whole school and get rid of those schools that are not doing a job, that are ripping off the system with our taxpayer dollars.

Mr. Speaker, in my judgment, 85–15 may not be and is not, until we have more specifics, the best way to root out these schools, to get rid of those bad programs. That is why we want in place a State integrity program to really look at the whole school. That is going to get to work by triggers. They are going to make them identify these schools.

This limited rule, in my judgment, Mr. Chairman is not nearly equal to the task of addressing a problem that wastes $4 billion per year.

My core concern is that the problems caused by 85–15 could undermine support for the larger task of establishing a comprehensive system of overseeing the use of Federal student aid. If we cannot predict the impact of this rule on schools and students, we should take the time to find out, to get it right.

Therefore, I urge my colleagues to oppose the Waters amendment, so the Education Department and the authorizing committee, as agreed to by our chairman, the gentleman from Michigan [Mr. FORD], and he is committed to getting this in place by the end of the year, can get this right, so we can truly get rid of those schools that are ripping off our kids, ripping off the taxpayers.

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

Mr. Chairman, I think we have to be very, very careful with what we may think we may be doing today by approving this amendment. The fact of the matter is that there is not a single person here in this House who does not recognize the fact that there is a serious problem with many of these schools. That is why all of us together have gone out to try to do something about this problem.

However, Mr. Speaker, as has been said by so many speakers today, this particular problem deals with the fact that this regulation as imposed now runs the risk of closing down so many schools that it would create a problem throughout this Nation; so many good schools that it would create a problem throughout this Nation.

Before I came to this House, I spent 15½ years in the New York State Assembly, and many of those years were spent as chairman of its Education Committee. As chairman of that committee, I spent a lot of time going after these schools, and in fact, being involved in closing down many of them.

However, it was never our intent to close down the good schools. It was certainly not our intent to create a situation that there may be in New York State, in California, in places like Puerto Rico, which Members will hear about later, where you would probably close down every single school, and students who attend these schools for the most part are people who have been failed by the regular school system, people who are trying to get a second shot at an education. Please take into consideration this kind of information you have heard today when Members take this vote.

I never thought that I would rise on this floor in opposition to anything the gentlewoman from California [Ms. WATERS] says. Our voting records are identical. She is correct, and I stand with her. However, the regulations being imposed, based on her genuine desire, are not correct and they must be stopped. They must be stopped now.

Mr. FORD of Michigan. Mr. Chairman, will the gentleman yield?

Mr. SERRANO. I yield to the gentleman from Michigan.

Mr. Chairman, I simply want to say very briefly, if we look at what the gentleman from Pennsylvania [Mr. GOODLING] gave, he gave a pretty complete list of integrity provisions.

I am surprised to see the gentlewoman from New Jersey [Mrs. ROUKEMA] saying that she talked and talked and nobody did anything, because we let her introduce a good many of those resolutions, those amendments, including on the floor. When I mentioned a little while ago the relief we had to give to the historically black colleges, it was to one of the gentlewoman's amendments.

When I referred to the gentlewoman, I meant the gentlewoman from New Jersey [Mrs. ROUKEMA], not the gentlewoman from Los Angeles [Ms. WATERS]. The gentlewoman from New Jersey [Mrs. ROUKEMA] was willingly given credit for passing a number of the integrity provisions that we worked out.

When Members see the gentleman from Pennsylvania [Mr. GOODLING] and the gentleman from Michigan [Mr. FORD] out here on the same side of an issue, there has to be a reason. The reason is that we both have invested too many years of our lives trying to take care of the integrity of these programs, but trying to do it in a sensible way.

Mr. Chairman, I can assure this House that we have already been negotiating with the administration. They took over a job that was started by their predecessors. They ran too fast and did a pretty poor job with it.

Do not be fooled by this "They have had ever since 1992 to get ready for it." The regulations were only published in late April, to be effectively July 1. There has been very little time.

As soon as we saw, we realized there was a problem, but we have not been able to turn it around. If Members give us this delay, we promise on our committee that we will work with the department, and if necessary, we will bring in a piece of separate legislation, not to repeal 85–15, we do not have any objection to 85–15, but to do what people thought they were voting for with 85–15, not what the regulations would have us do.

Our quarrel, as the gentleman from New York [Mr. SERRANO] says, is not with the 85–15. That fight is over a long time ago. Our quarrel is with the regulations that were written to implement 85–15. They go much further than I am sure anybody who voted for 85–15 intended.

I am sure Members thought that if the school got at least 15 percent of its money from a source other than the Federal Government, it would qualify. Not so. Under the regulations, if they are training students for General Motors or IT&T or somebody else, that money does not help because it does not come out of the students' pockets. That is crazy.

The General Motors Institute, which primarily trains people for promotion

and employment with General Motors, takes students in and it is eligible for Title IV programs. That would say that the money that they spend on training their own employees and upgrading their employees does not count against the Federal contribution. That is not what people who voted for 85–15 thought they were voting for.

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

The CHAIRMAN. The Chair would ask the gentleman to withhold. There are only 3 remaining minutes for the entire debate on this bill and on this amendment.

The Chair is going to exercise the Chair's discretion to divide the last 3 minutes, since proponents of the amendment do not get opportunities under the current rule.

The gentleman from Minnesota will be recognized for 1½ minutes, and the gentleman from California [Mr. TORRES] will be recognized for 1½ minutes, of the 3 remaining minutes.

The Chair recognizes the gentleman from California [Mr. TORRES] for 1½ minutes.

Mr. TORRES. I yield to the gentleman from Virginia [Mr. SCOTT].

Mr. Chairman, I rise in opposition to the amendment offered by my friend from California, who fights as hard to make educational opportunities available to deserving students as any member of the House. I believe, however, that this amendment may inadvertently hurt both disadvantaged students, as well as the schools that serve them.

Mr. Chairman, we all know of the abuses of Federal student aid that have been committed in the past: some fly-by-night proprietary schools which participate in the Pell Grant Program have become Pell mills, preying on low-income individuals to enroll them as students, take their money, and abandon them before offering sufficient training or job placement. However, since the Department of Education began closer monitoring of proprietary schools and implementing stiffer regulations regarding title IV funds, many of these schools have been forced to shut down. I am confident that with the Department's commitment and vigilance, we will continue to be able close the doors of schools that rip off students.

The 85–15 rule was one of several legislative means established to help curtail the activities of unscrupulous trade schools. Certainly, we would agree that no school should draw all of its revenue from title IV programs. An unintended side effect of implementing the 85–15 rule at this time, however, is that many of those legitimate institutions serving lower income students may be irreparably harmed. Although this rule was passed with the Higher Education Act reauthorization in 1992, it took until late April of this year for the Department to publish final regulations for 85–15. It is therefore only fair to allow schools time to comply prospectively, rather than force schools to take drastic action in the short run to comply with the new regulations.

The low-income students we are trying to help will likely to be the very ones hurt if this rule is applied retroactively. Given that poor students are more dependent on student aid than others, schools will be forced to make admissions decisions based upon who has the ability to pay for tuition. This redlining of poor students and poor communities is almost inevitable unless we allow schools additional time to come into compliance with this rule.

Mr. Chairman, over 75 percent of the jobs of the future will require some kind of training or education beyond high school; and even those with jobs now may need to be retrained, because many districts such as mine will face significant job losses if we cannot convert our defense-based industries to civilian applications. Proprietary schools will play a key role in helping to meet these goals. I therefore urge my colleagues to keep the best interests of students in mind, and vote "no" on this amendment.

Mr. TORRES. I yield to the gentleman from Michigan [Mr. KILDEE].

Mr. KILDEE. Mr. Chairman, I oppose the amendment, and urge my colleagues to oppose this amendment.

As a member of the Education and Labor Committee, I am deeply concerned that this amendment will negatively impact the ability of many low-income students to pursue a quality education. When the Congress passed the Higher Education Act amendments 2 years ago, I supported many of the integrity issues to weed-out unscrupulous proprietary schools. But the current 85–15 regulation, applied in a retroactive manner, is unfair, and unworkable to many of the good schools that provide a sound education to it's students.

Some have suggested that the 85–15 provision is 2 years old, and that schools should have adapted to this rule. But let me say that this provision went through negotiated rulemaking, which, by definition, is a negotiation process. There have been several different drafts of the 85–15 rule, and the department should not retroactively apply this rule. I believe it is fair to give these schools 1 year to meet these new requirements, and I urge my colleagues to vote against this amendment.

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Mr. TORRES. I yield such time as he may consume to the gentleman from Missouri [Mr. CLAY].

Mr. CLAY. Mr. Chairman, I oppose the amendment.

Mr. Chairman, I rise to support the provisions in H.R. 4606, the 1995 Labor, Health and Human Services, Education appropriations legislation which delay the implementation of the 85–15 regulations as they relate to proprietary schools.

This delay is necessary so that the schools affected by these regulations will have time to carefully study what is expected of them in order that they can implement the regulations in an effective manner.

The amendment requiring that proprietary schools (private career schools) receive 15 percent of their income from non-Federal student aid sources was enacted in the higher education amendments of 1992.

In early 1994, a notice of proposed rulemaking was published setting forth what could be considered as revenue for the 15 percent. On April 19, 1994, the final regulations were published. The final regulations did not reflect any of the versions of the proposed formulas. Therefore, schools have only had since April 29, 1994, to examine how to calculate their revenue. The effective date of the regulations is July 1, 1994. It is very difficult for schools to meet this deadline date of July 1. Schools need time to make the necessary changes in their operational procedures in order to comply with these regulations. If these schools are forced to comply with this deadline, there will be many devastating consequences:

It is estimated that as many as 50 percent of all proprietary schools will fold under the new 85–15 rule as written. Other estimates range from 30 to 70 percent. However, using 30 percent, we are talking about 600,000 students each year with no way to complete their education. The social cost of this would be immense. A 1-year delay will help many of these schools.

In Missouri alone it will make 8,000 to 9,000 students ineligible overnight. In St. Louis alone almost 3,000 students will become ineligible. As applied, it will destroy the private degree programs offered by private career schools because a student in the second year of an associate or baccalaureate degree will loose his or her eligibility and have to drop out of the program. A 1-year delay will allow institutions to bring their organization into compliance with the Secretary's definition of revenue.

Let me cite for you some other examples of why this delay is needed for some proprietary schools in St. Louis. The Sanford-Brown School in St. Louis trains the majority of all 3-year registered nurses in the State of Missouri. Their completion rate for students exceeds 85 percent and their placement rate is over 90 percent—at hospitals such as Barnes and Washington University. Most of the students at Sanford-Brown have chosen not to attend a traditional school for reasons of cost, distance from home, and the alternative of successful training for a specific occupation.

The Missouri School for Doctors Assistants, also in St. Louis, is another example of a good school serving the community and students who would be impacted adversely. In this case, a disproportionate number of students are minorities, displaced homemakers, and single parents. Yet they complete diploma and associate degree programs at a rate over 80 percent and are placed in skilled medical jobs at a rate of nearly 100 percent.

In regard to another matter pertaining to the 85–15 rule, the authorizing committee never fully debated this issue. There is now legislation introduced by Representative PATSY MINK which addresses the formula and will provide the authorizing committee with an opportunity to fully examine this provision.

If 85–15 is put in place right now, we are telling students they have no choice, and we are taking away the most fragile and important part of their lives—hope and the fulfillment of their dreams.

I urge you to support the language contained in the bill addressing the delay of the 85–15 rule.

Mr. TORRES. Mr. Chairman, I yield our remaining time to the gentlewoman from Hawaii [Mrs. MINK].

Mrs. MINK of Hawaii. Mr. Chairman, I thank the gentleman for yielding the time.

Mr. Chairman, the issue here is not opposition to the principle of 85–15. No one wants to see that abrogated in any way.

What we are objecting to are the regulations. Here is a school who has written to me from Pittsburgh, Sawyer School. What happens in the regulations is that there is a definition of revenue which excludes the revenue that goes to this school which it has acquired in a joint venture with AT&T, the Communications Works of America, and the International Brotherhood of Electrical Workers under which some 400 persons are going to be trained by the Sawyer School. By some quirk of the definition they have ruled that the revenues that are to be obtained by this contract for retraining of 400 workers for new jobs, because the industry is closing down, will not qualify as revenue for this particular school.

So this school that has an outstanding record, acknowledged by the fact that it has this contract, is going to be shut down on July 1 unless this delay is put into effect.

I urge Members to vote down the Waters amendment.

The CHAIRMAN. The gentleman from Minnesota [Mr. PENNY] is recognized for the remaining 1½ minutes.

Mr. PENNY. Mr. Chairman, an earlier speaker referenced these for-profit trade schools as businesses. They are not businesses. They are parasites if they cannot obtain at least 15 percent of their funds from sources other than title IV student financial aid.

If we had a farmer that could not obtain at least 15 percent from the sale of his product and instead drew more than 85 percent of his income from Government subsidies, we would not call him a farmer, we would call him a failure. If we had a hospital that could not get at least 15 percent of their revenue from private pay patients and not strictly from Government payments we would wonder about the health of that hospital and the quality of its services. If we had law firms that were getting no more than 15 percent of all of their income from sources other than the Government, we would wonder whether they were ripping the Government off. If we had defense contractors that had no other line of work except Government contracts and some of them do not, we must acknowledge that they are in dire straits. Likewise, we should no longer prop up these for-profit trade schools if they rely on Federal Government moneys for more than 85 percent of their annual budget.

We have an inability to get rid of anything around here. It is evidenced today by the debate on this amendment as we are now being asked to delay the implementation of the 85–15 policy. Just a few weeks ago after deciding to downsize the Federal work force by 10 percent, we reversed our decision and exempted one of the largest departments from that work force reduction. We are now hearing talk about undoing the B–2 bomber decision of a few years back. We now hear talk about delaying the military base closing process. Delaying 85–15 would reverse a budget saving decision made as part of the 1992 Higher Education Act. Let's stick with that cost-saving decision. These for-profit trade schools have had 2 years to get ready. If they are not ready by now, it is time to cut them off. We can go a long way toward ending waste, fraud and abuse in our student financial aid programs by voting for the Waters amendment.

The CHAIRMAN. All time for debate has expired.

Mr. COLLINS of Georgia. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the gentlewoman from California's attempt this morning is directed toward prohibiting abusive trade schools from continuing to receive Federal dollars.

I agree with the goals of the gentlewoman, but in this situation, the new rules of the Department of Education will do more harm than good.

On April 29 of this year, the Secretary of Education published a number of new regulations crafted by the Department which will have a negative impact on some good vocational schools.

The topic of this amendment, 85–15, is just one of many such regulations. I rise here this evening to draw Members' attention to these regulations, because, together, they pose some very real problems for the very people this amendment is attempting to protect: Working folks who want to learn a trade and improve their lives.

Consider the effects of the Secretary's new regulations on the trucking industry. I use the example of the trucking industry because I have owned a trucking company for over 30 years, and I see firsthand the need of quality training schools for the industry.

In 1987, this Congress determined that all truck drivers were required to be commercially licensed. This regulation went into effect in 1992 nationally.

The effect of this legislation has been to sharply reduce the number of bad, incompetent drivers on the road, and I do not dispute the intent of such licensing. However, there is a tremendous shortage of well-qualified, well-trained drivers.

Mr. Chairman, I have heard from many company owners that they have more freight than drivers to move it. The industry needs more drivers, and it needs more quality vocational schools to train these drivers.

The 85–15 provision, along with several other regulations promulgated on April 29, will devastate these driver training schools. And, in most cases, legitimate schools.

Another example of one such April 29 regulation, a simple definition of an academic year.

The Secretary has newly defined an academic year according to weeks of instructional time that are comprised of at least 5 days of regularly scheduled instruction.

This single provision would completely prohibit vocational schools that train students on a part-time or weekend basis from serving and training many working, tax-paying contributors.

Consider this definition of academic year as it applies to one very legitimate driver training school in my district, a school with a placement rate year in and year out of 97 percent, a school where students, on average, see their yearly income double after graduation.

The students that attend this school are not predominantly recent high school graduates. They are, on average, 32 years of age, and in search of a career to better themselves. The students are heads of family whose average income when they enter this school is $250 per week. These prospective students support a family on $13,000 each year, a number well below the defined poverty line for a family. In order to continue to earn this meager income and support their families, these students must continue to work, in most cases full-time, while they attend the training school on weekends.

Consider now that the school must implement the Secretary's new definition of academic year to the school curriculum. The result is that the school must discontinue its program of weekend-only classes or 4-days-a-week part-time classes in order to be in compliance with the Secretary's new regulation. The student is forced with a choice: Do I continue school and quit my job—which means the student is no longer earning an income and he will be in greater need of financial assistance from the Federal Government—or do I quit training for a better career so that I can feed my family?

A very difficult question, Mr. Chairman, and meanwhile the economy is in need of more well-trained drivers.

The Secretary of Education has promulgated many regulations that will challenge the continued existence of many legitimate vocational schools.

Mr. Chairman, the Secretary has gone too far. He was given a charge to deal with those schools that prey on its students, but in fact these new regulations will prey on the students.

Oppose the Waters amendment. Not only should this rule be postponed but others should also be postponed.

Mr. WELDON. Mr. Chairman, I rise today to express my opposition to both the Waters and Gordon amendments. Although both these amendments seek to eliminate the abuse of Federal funds by ineffective or fraudulent career schools, they would also severely harm upstanding trade schools which are providing valuable opportunities for people to acquire skills necessary to make them productive members of the American economy.

The overwhelming bipartisan opposition of Education and Labor members to the Waters amendment demonstrates the severe negative impact this amendment would have. The Waters amendment will force 50 percent of the quality proprietary institutions of higher education to close. Mr. Chairman, the Appropriations Committee has corrected a potentially devastating error by the Federal Government. Passing the Waters amendment and allowing this error to proceed would be one of the most tragic actions this body would take.

This amendment is offered on the presumption that we would be letting schools off the hook in complying with the 85–15 regulation. This presumption is totally incorrect. Instead, we are taking action to correct a retroactive injustice. I was one of 103 Members to write Secretary Riley to stress in the strongest terms that this was not our intent when we passed the higher education amendments of 1992.

To make these regulations retroactive is simply unfair. The Appropriations Committee's one year postponement of this regulation gives career schools the ability to make a good faith effort to comply with the law and reestablishes Congress' original intent.

We heard the frustration of the American people in passing a retroactive tax in the President's tax bill last August. The action by the Appropriations Committee on this issue ensures we do not make similar mistake, but instead provides ample notification of new Government regulations. I applaud the action of the Appropriations Committee, and the efforts of Chairman FORD, Congressman BILL GOODLING and the other members of the Education and Labor Committee in addressing this issue.

Regarding the Gordon amendment, I want to commend the efforts of my colleague, Mr. GORDON, to pass legislation that would eradicate abuses of our education grant and loan programs. He is to be commended for his efforts. I am concerned, however, with the criteria Mr. GORDON is using for loan and grant eligibility. By using the student loan default rate to determine loan status, schools are at the mercy of the financial standing of their students. I believe it is ill-conceived to use this standard. This standard creates a disincentive for a school to serve low-income individuals. We are penalizing those most in need. Instead I believe we must move in the direction advocated by Congressman ROB ANDREWS. His legislation would base a school's eligibility for student loan and grant assistance on the school's effectiveness in placing students in jobs related to their educational training. This proposal would properly reflect the effectiveness of a career school.

In addition, I am concerned that this amendment restricts the choices of low-income individuals. If a student receives a Pell Grant, they should be able to attend any accredited school.

Again, I believe the intention of Mr. GORDON is admirable, but we need to pursue this goal by using a different approach. Therefore, I urge my colleagues to oppose the Waters and Gordon amendments, and support the Education Quality Index Act introduced by Congressman ROB ANDREWS.

Mr. BEREUTER. Mr. Chairman, this Member rises today to urge his colleagues to oppose the Waters amendment. The Waters amendment would delete the provision contained in this appropriations bill that delays the implementation of the 85–15 rule until July 1, 1995. As you know, the Department of Education recently issued regulations to implement the 1992 Higher Education Act. The 85–15 regulations were set to go into effect on July 1, 1994, and therefore would apply to the previous year's revenues. It is patently unfair to expect proprietary institutions to comply with an extremely complex formula that is applied retroactively.

Mr. Chairman, there is an excellent proprietary institution in the First Congressional District of Nebraska, the Lincoln School of Commerce. The school has been in existence for 110 years, has a 92–percent placement rate for graduates, and has had a default rate of 18 percent. This year, the college's default rate is expected to decrease to 14 percent. As one example, in order to prepare for the implementation of the 85–15 rule, the college decided to give students who purchased their books with cash a 10-percent discount. This move was made in order to provide an incentive for students to use cash and not their student loans to pay for books, thereby decreasing the percentage of funds coming into the institution from the Federal Government. The college implemented this program last fall. However, under the formula issued by the Department of Education on April 29, books are not considered part of the education program. So even though the Lincoln School of Commerce tried to comply in advance with these regulations, their efforts were in vain. Right now, they are within the 85–15 percentage division, but they are right on the edge.

Of course, the original intent of this provision in the 1992 Higher Education Act was to regulate those proprietary institutions that were abusing their students and the student loan system. Lincoln School of Commerce, for example, is clearly not one of those schools. In fact, generally, proprietary institutions in Nebraska are doing an excellent job and a majority of these schools will be adversely impacted by the retroactive application of these rules.

Mr. Chairman, this Member urges his colleagues to defeat the Waters amendment.

Mr. KLINK. Mr. Chairman, I rise in strong opposition to the Waters amendment.

I believe that the 85–15 rule, while perhaps well-intentioned, is a bad approach. In an effort to try and weed out bad schools, it says that if a proprietary school has more than 85 percent of its revenues from Federal student aid, that school loses its eligibility for student aid.

So, for the sole reason of having a great majority of students who are eligible for Federal student aid and who make use of that student aid, a school would lose its eligibility for Federal student aid and be forced to close its doors.

In some low-income areas, students will lose their only avenue for the job training they need to find good jobs. These same areas are the ones that have high utilization of Federal student aid and schools located in these areas will be judged as bad schools simply because of their location.

The 85–15 rule doesn't look at anything else: It doesn't consider student loan default rates, it doesn't take into account the job placement rates of these schools, it simply says if you have 85 percent of your revenue from Federal student loans, you close and your students are out in the street.

I say to my colleagues: Please pick your own cliche to describe the 85–15 rule—throwing the baby out with the bath water, biting off your nose to spite your face, burning down the house to fix the leak.

I think the 85–15 rule is just plain wrong. I think there are better ways to judge the quality of a school.

To make the 85–15 rule worse: It's retroactive. Schools will be judged on the just completed school year. They won't have any time to adjust their revenue or their mix of students. So on July 1, 30 to 75 percent of all career schools in the United States will be forced to close. That includes at least 12 in Pennsylvania, leaving 2,600 students in the lurch.

When those schools close, we are looking at a budgetary mess. Students will either default on their loans or need their loans forgiven, State tuition recovery funds will be depleted, dislocated workers will lose their training opportunities and end up relying more on unemployment or worse, welfare. Faculty and staff of the schools will be unemployed and in the same boat.

Finally, I believe the 85–15 rule is inconsistent with the goals of the school-to-work act, which this Congress has already approved, and the Reemployment Act, which the House has yet to consider. Those goals are training and educating students and workers in the skills they will need to obtain jobs in today's workplace.

The 85–15 rule could close many proprietary schools, some of the very same institutions that we will need to provide training under school-to-work and the Reemployment Act. High school graduates and dislocated workers will lose a prime source of job training.

The Appropriations Committee has not voted to repeal the 85–15 rule. What the committee has done is to delay the implementation of the 85–15 rule for 1 year. That year will give these schools a fair chance to come into compliance.

Mr. Chairman, I urge my colleagues to oppose the Waters amendment and support the Appropriations Committee so students and workers can continue to get the job training they need.

The following schools in Pennsylvania will be forced to close on July 1 because of the 85–15 Institutional Eligibility Rule developed by USDE.

School	No. students	Percent	
		Completion	Placement
Advanced Career Training	300	70	90
Delaware County Inst. of Training	140	81	72
South Hills Business School	330	85	93
Gateway Tech	150	70	80
Pittsburgh Beauty Academy: Charlerol, Greensburg, New Kensington, and Pittsburgh	600	72	100
PA Business Institute	700	80	95
York Tech. Institute	130	80	75
Craft Institute	272	68	56
Randy Rick Beauty Academy	85	74	90
Total	2,622		

Mr. ROMERO-BARCELÓ. Mr. Chairman, I rise in strong opposition to the amendment to eliminate the provision of this bill which prohibits the use of funds to implement the so-called 85–15 rule prior to July 1, 1995, and urge our colleagues to defeat this amendment.

The provision in the bill merely seeks to delay the implementation of these regulations for 1 year. Without such a delay, the regulations will be applied retroactively and will undoubtedly force many institutions to close.

At a time when many of this administration's initiatives center on meaningful employment—school-to-work, the Reemployment Act, and welfare reform—this seems particularly short-

sighted since such postsecondary career schools will be the most useful in helping us reach our employment goals. In simple fairness, a year's postponement would give these institutions an opportunity to comply with these very complex regulations.

In my congressional district of Puerto Rico, the impact of the 85–15 rule will be nothing short of catastrophic. There are 65 proprietary institutions with 60 branches for a total of 125 proprietary educational units dispersed around the island. These institutions serve more than 40 municipalities, most of which depend on them exclusively for vocational and technical education and training. Under the final 85–15 regulations, it is anticipated that almost all—not 4 or 5 schools, not half of them—but almost all of these institutions in Puerto Rico will be forced to close on July 1.

These institutions serve 75,000 students who will not have any other alternative to further their education in order to find employment. Unlike the mainland, there is no community college system in Puerto Rico with the capacity to absorb and serve these students. Total Federal financial aid received is almost 90 percent. Thus, it will be impossible for the Puerto Rican career schools to meet the 85–15 rule in the year which began on July 1, 1993, and ends on June 30, 1994.

The proprietary sector in Puerto Rico currently employs around 5,000 people and the payroll is estimated at $71 million. In addition, this sector is a solid contributor to the island's economy, paying about $3 million in income taxes. Therefore, the forced closing of these institutions would have a substantial impact on the chronic unemployment situation and already difficult economic conditions in Puerto Rico.

Despite a limited number of abuses in a few institutions which, of course, should be firmly dealt with, postsecondary proprietary institutions play a vital role in this Nation's higher education system. I urge you to defeat this amendment and thus allow proprietary schools sufficient time to comply with the regulations and at the same time ensure that our students have the opportunity to pursue their educational and employment goals.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from California [Ms. WATERS].

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

RECORDED VOTE

Ms. WATERS. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 63, noes 365, not voting 11, as follows:

[Roll No. 301]

AYES—63

Allard
Andrews (ME)
Bacchus (FL)
Bachus (AL)
Baker (CA)
Barton
Beilenson
Costello
Dooley
Durbin
Eshoo
Evans
Farr
Fields (LA)
Foglietta
Ford (TN)
Fowler
Frank (MA)
Furse
Gallo
Gilman
Gonzalez
Gordon
Harman
Hinchey
Horn
Hoyer
Hutchinson
Jacobs
Johnson (SD)
Johnston
Kanjorski
Kennedy
Lambert
Lipinski
Long
Margolies-Mezvinsky
Matsui
McKinney
Miller (CA)
Minge
Norton (DC)
Obey
Olver
Pallone
Pelosi
Penny
Peterson (MN)
Poshard
Roukema
Royce
Sabo
Sanders
Sangmeister
Schenk
Stark
Synar
Torricelli
Tucker
Vento
Visclosky
Waters
Zimmer

NOES—365

Abercrombie
Ackerman
Andrews (NJ)
Andrews (TX)
Applegate
Archer
Armey
Baesler
Baker (LA)
Ballenger
Barca
Barcia
Barlow
Barrett (NE)
Barrett (WI)
Bartlett
Bateman
Becerra
Bentley
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Bishop
Blackwell
Bliley
Blute
Boehlert
Boehner
Bonilla
Bonior
Borski
Boucher
Brewster
Brooks
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Bunning
Burton
Buyer
Byrne
Callahan
Calvert
Camp
Canady
Cardin
Carr
Castle
Clay
Clayton
Clement
Clinger
Clyburn
Coble
Coleman
Collins (GA)
Collins (IL)
Collins (MI)
Combest
Condit
Conyers
Cooper
Coppersmith
Cox
Coyne
Cramer
Crane
Crapo
Cunningham
Danner
Darden
de la Garza
de Lugo (VI)
Deal
DeFazio
DeLauro
DeLay
Dellums
Derrick
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doolittle
Dornan
Dreier
Duncan
Dunn
Edwards (CA)
Edwards (TX)
Ehlers
Emerson
Engel
English
Everett
Ewing
Faleomavaega (AS)
Fawell
Fazio
Fields (TX)
Filner
Fingerhut
Fish
Flake
Ford (MI)
Franks (CT)
Franks (NJ)
Frost
Gallegly
Gejdenson
Gekas
Gephardt
Geren
Gibbons
Gilchrest
Gillmor
Gingrich
Glickman
Goodlatte
Goodling
Goss
Grams
Grandy
Green
Greenwood
Gunderson
Gutierrez
Hall (OH)
Hall (TX)
Hamburg
Hamilton
Hancock
Hansen
Hastert
Hastings
Hayes
Hefley
Hefner
Herger
Hoagland
Hobson
Hochbrueckner
Hoekstra
Hoke
Holden
Houghton
Huffington
Hughes
Hunter
Hutto
Hyde
Inglis
Inhofe
Inslee
Istook
Jefferson
Johnson (CT)
Johnson (GA)
Johnson, E. B.
Johnson, Sam
Kaptur
Kasich
Kennelly
Kildee
Kim
King
Kingston
Kleczka
Klein
Klink
Klug
Knollenberg
Kolbe
Kopetski
Kreidler
Kyl
LaFalce
Lantos
LaRocco
Laughlin
Lazio
Leach
Lehman
Levin
Levy
Lewis (CA)
Lewis (FL)
Lewis (GA)
Lewis (KY)
Lightfoot
Linder
Livingston
Lloyd
Lowey
Lucas
Maloney
Mann
Manton
Manzullo
Markey
Martinez
Mazzoli
McCandless
McCloskey
McCollum
McCrery
McCurdy
McDade
McDermott
McHale
McHugh
McInnis
McKeon
McMillan
McNulty
Meehan
Meek
Menendez
Meyers
Mfume
Mica
Michel
Miller (FL)
Mineta
Mink
Moakley
Molinari
Mollohan
Montgomery
Moorhead
Moran
Morella
Murphy
Murtha
Myers
Nadler
Neal (MA)
Neal (NC)
Nussle
Oberstar
Ortiz
Orton
Owens
Oxley
Packard
Parker
Pastor
Paxon
Payne (NJ)
Payne (VA)
Peterson (FL)
Petri
Pickett
Pickle
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quillen
Quinn
Rahall
Ramstad
Rangel
Ravenel
Reed
Regula
Reynolds
Richardson
Ridge
Roberts
Roemer
Rogers
Rohrabacher
Romero-Barcelo (PR)
Ros-Lehtinen
Rose
Rostenkowski
Roth
Rowland
Roybal-Allard
Rush
Santorum
Sawyer
Saxton
Schaefer
Schiff
Schroeder
Scott
Sensenbrenner
Sharp
Shaw
Shays
Shepherd
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slattery
Slaughter
Smith (IA)
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solomon
Spence
Spratt
Stearns
Stenholm
Stokes
Strickland
Studds
Stump
Stupak
Sundquist
Swett
Swift
Talent
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas (CA)
Thomas (WY)
Thompson
Thornton
Thurman
Torkildsen
Torres
Towns
Traficant
Underwood (GU)
Unsoeld
Upton
Velazquez
Volkmer
Vucanovich
Walker
Walsh
Washington
Watt
Waxman
Weldon
Wheat
Whitten
Williams
Wilson
Wise
Wolf
Woolsey
Wyden
Wynn
Yates
Young (AK)
Young (FL)
Zeliff

NOT VOTING—11

Cantwell
Chapman
Hilliard
Lancaster
Machtley
Pombo
Sarpalius
Schumer
Serrano
Smith (MI)
Valentine

□ 1204

Messrs. ARMEY, ACKERMAN, GILCHREST, SHAYS, BOEHLERT, BARLOW, and ARCHER, Miss COLLINS of Michigan, and Mr. DICKEY changed their vote from "aye" to "no."

Messrs. BEILENSON, GONZALEZ, BACHUS of Alabama, STARK, TORRICELLI, ANDREWS of Maine, and SYNAR changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. The Clerk will read the last three lines.

The Clerk read as follows:

This Act may be cited as the "Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 1995".

Mr. SMITH of Iowa. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to, and that the bill, as amended, do pass.

The motion was agreed to.

Accordingly, the Committee rose, and the Speaker pro tempore (Mr. OBERSTAR) having assumed the chair, Mr. SHARP, 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. 4606) making appropriations for the Departments of Labor, Health and

Human Services, and Education, and related agencies, for the fiscal year ending September 30, 1995, and for other purposes, had directed him to report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The SPEAKER pro tempore. Without objection, the previous question is ordered.

There was no objection.

The SPEAKER pro tempore. Is a separate vote demanded on any amendment?

Mr. SMITH of Iowa. Mr. Speaker, I demand a separate vote on the so-called Porter amendments.

The SPEAKER pro tempore. Is a separate vote demanded on any other amendment?

Mr. MFUME. Mr. Speaker, I demand a separate vote on the so-called Santorum amendments.

The SPEAKER pro tempore. Is a separate vote demanded on any other amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

PARLIAMENTARY INQUIRIES

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

The SPEAKER pro tempore. The gentleman from Pennsylvania will state his parliamentary inquiry.

Mr. McDADE. Mr. Speaker, we are about to embark on a series of votes, and I am trying to find out, for the convenience of the membership, whether it would be the intention of the Chair to compress them to 5-minute votes after the initial 15.

The SPEAKER pro tempore. If a recorded vote is ordered, there would be a 15-minute vote. It is the Chair's intention to have a 15-minute vote on the first amendment and a 5-minute vote on the subsequent amendment.

Mr. McDADE. All subsequent votes, Mr. Speaker?

The SPEAKER pro tempore. There have been only two requested.

Mr. McDADE. Mr. Speaker, I ask unanimous consent that all subsequent votes be also 5-minute votes.

The SPEAKER pro tempore. There are only two.

Mr. McDADE. There are only two?

The SPEAKER pro tempore. Only two.

Mr. McDADE. Should any occur, Mr. Speaker, I ask unanimous consent that further votes will be 5-minutes votes, including a recommital——

The SPEAKER pro tempore. The Chair cannot rule on the gentleman's unanimous-consent request because only two have been requested.

Mr. McDADE. I am simply asking that we put any record votes that might be requested that might be ordered after——

The SPEAKER pro tempore. Does the gentleman understand there could be a motion to recommit?

Mr. McDADE. I do, Mr. Speaker.

The SPEAKER pro tempore. And that it may be debatable, and there would be a 15-minute vote on it.

Mr. McDADE. If it is not debatable, will it be a 5-minute vote, Mr. Speaker?

The SPEAKER pro tempore. The Chair has said that there will be a 15-minute vote on any first vote requested, a 5-minute vote on a second vote, if ordered on an amendment adopted in the Committee of the Whole. And then there would be intervening business. Should there be a motion to recommit, on that there would be a 15-minute vote.

And then if on final passage a recorded vote is ordered following a recorded vote on recommittal, the Chair would direct a 5-minute vote on it.

Mr. McDADE. Mr. Speaker, I withdraw my unanimous-consent request and rely on the discretion of the Chair.

□ 1210

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

The SPEAKER pro tempore (Mr. OBERSTAR). The gentleman will state his parliamentary inquiry.

Mr. MFUME. Mr. Speaker, in deference to what I believe to be the intentions of the gentleman who spoke earlier, this gentleman would not be averse to having both votes placed at 5 minutes each and have the Chair make further determinations beyond that one.

The SPEAKER pro tempore. The Chair will inform the gentleman from Maryland that the first vote must be a 15-minute vote.

Mr. MFUME. Does not a unanimous-consent request, if adopted, supersede that?

The SPEAKER pro tempore. The Chair will not entertain such a request. It would not be fair to Members who have left the Chamber in anticipation of the first vote being a 15-minute vote.

Mr. MFUME. Further continuing with my inquiry, Mr. Speaker, the Chair may not want to entertain it; however, the Chair must entertain a unanimous-consent request, and it must be ruled out of order.

The SPEAKER pro tempore. The Chair need not recognize a Member making a unanimous-consent request of that nature.

Mr. MFUME. Then we are operating under new rules, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Maryland has proposed a parliamentary inquiry. The Chair has in the past denied recognition for such a unanimous-consent request.

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

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. PORTER. In what order will the two amendments be voted on?

The SPEAKER pro tempore. The amendment en bloc offered by the gentleman from Illinois [Mr. PORTER] first, since they come first in the bill, followed by the amendment offered by the gentleman from Pennsylvania [Mr. SANTORUM].

The SPEAKER pro tempore. The Clerk will report the first amendments on which a separate vote has been demanded.

The Clerk read as follows:

Amendments: On page 8, line 4, strike "$30,411,000" and insert in lieu thereof "$29,784,000";

On page 8, line 8, strike "$66,388,000" and insert in lieu thereof "$63,959,000";

On page 9, line 9, strike "$242,860,000" and insert in lieu thereof "$237,791,000";

On page 13, line 6, strike "$312,500,000" and insert in lieu thereof "$296,428,000";

On page 15, line 19, strike "$197,519,000" and insert in lieu thereof "$194,607,000";

On page 16, line 23, strike "$296,761,000" and insert in lieu thereof "$291,101,000";

On page 17, line 1, strike "$54,102,000" and insert in lieu thereof "$51,927,000";

On page 17, line 9, strike "$156,002,000" and insert in lieu thereof "$143,459,000";

On page 20, line 17, strike "$3,008,225,000" and insert in lieu thereof "$3,121,225,000";

On page 40, line 3, strike "$4,408,775,000" and insert in lieu thereof "$4,402,690,000";

On page 52, line 26, strike "$359,358,000" and insert in lieu thereof "$346,008,000"; and

On page 53, line 4, strike "$58,325,000" and insert in lieu thereof "$56,570,000".

Mr. KOLBE. Mr. Chairman, I rise today in strong support of the Porter amendment to the fiscal year 1995 Labor-HHS appropriations bill to increase funding for community health centers by $87 million for a total of $100 million.

This new funding would create 125 new community health centers and provide access to health care for an additional 848,000 Americans. Mr. Chairman, this is what the health care debate is all about—access. Many uninsured and low-income families lack access to primary and preventative health care services. This is a real problem and Mr. Porter's amendment is a real solution.

Community health centers provide care that a large population in this country and in my State of Arizona would not otherwise be able to obtain.

The El Rio Santa Cruz Community Health Center in Tucson is an excellent example of the difference community health centers make. El Rio provides care for people who are caught in the gap—those who are not poor enough to qualify for public assistance and yet are unable to afford private health insurance policies. El Rio offers a sliding fee to this group and people pay according to their ability.

El Rio offers cost-effective, quality care to the underserved population in Tucson and has strong support in the Tucson community—in fact El Rio has a new children's and dental clinic as a result of this support.

El Rio has also established several programs which make a significant contribution to the health of low-income individuals and families in Tucson. These programs include a teen parent program, a well woman clinic, a teen wellness center, a homeless health care program, and a WIC center.

Members from both parties recognize that community health centers are a vital component of health care delivery. These facilities

have proven their effectiveness in combating the lack of affordable and available health care in underserved areas.

We do not need a Government takeover of the health care system in order to provide cost-effective care to the uninsured and underinsured segments of our population—and we do not need to wait for Congress to get around to passing a health care bill.

Mr. Porter's amendment will provide more low-income Americans with quality primary health care services today.

I urge my colleagues to support the amendment.

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

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

RECORDED VOTE

Mr. PORTER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. The Chair advises Members that if a recorded vote is ordered on the second amendments, it will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 211, noes 217, not voting 6, as follows:

[Roll No. 302]

AYES—211

Allard
Andrews (ME)
Andrews (TX)
Archer
Armey
Bachus (AL)
Baker (CA)
Baker (LA)
Ballenger
Barrett (NE)
Bartlett
Barton
Bateman
Bentley
Bereuter
Bilirakis
Bishop
Bliley
Blute
Boehlert
Boehner
Bonilla
Brewster
Bunning
Burton
Buyer
Callahan
Calvert
Camp
Canady
Castle
Clinger
Coble
Collins (GA)
Combest
Cooper
Cox
Crane
Crapo
Cunningham
de la Garza
Deal
DeLay
Dickey
Dooley
Doolittle
Dornan
Dreier
Duncan
Dunn
Edwards (TX)
Ehlers
Emerson
Everett
Ewing
Fawell
Fields (TX)
Fish
Fowler
Franks (CT)
Franks (NJ)
Gallegly
Gallo
Gekas
Geren
Gilchrest
Gillmor
Gingrich
Goodlatte
Goodling
Gordon
Goss
Grams
Grandy
Greenwood
Gunderson
Hall (TX)
Hamilton
Hancock
Hansen
Hastert
Hayes
Hefley
Herger
Hobson
Hoekstra
Hoke
Horn
Houghton
Huffington
Hunter
Hutchinson
Hutto
Hyde
Inglis
Inhofe
Istook
Johnson (CT)
Johnson (GA)
Johnson, Sam
Kasich
Kim
King
Kingston
Klug
Knollenberg
Kolbe
Kyl
Lambert
Lancaster
Lazio
Leach
Levy
Lewis (CA)
Lewis (FL)
Lewis (KY)
Lightfoot
Linder
Livingston
Lloyd
Lucas
Manzullo
McCandless
McCollum
McCrery
McCurdy
McDade
McHugh
McInnis
McKeon
McMillan
Meyers
Mica
Michel
Miller (FL)
Molinari
Montgomery
Moorhead
Morella
Myers
Nussle
Ortiz
Oxley
Packard
Parker
Paxon
Payne (VA)
Penny
Peterson (MN)
Petri
Pickett
Pickle
Pomeroy
Porter
Portman
Pryce (OH)
Quinn
Ramstad
Ravenel
Regula
Ridge
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Rowland
Royce
Santorum
Sarpalius
Saxton
Schaefer
Schiff
Sensenbrenner
Shaw
Shays
Shuster
Sisisky
Skeen
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solomon
Spence
Stearns
Stenholm
Stump
Sundquist
Swett
Talent
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas (CA)
Thomas (WY)
Torkildsen
Upton
Vucanovich
Walker
Walsh
Weldon
Wolf
Young (AK)
Young (FL)
Zeliff
Zimmer

NOES—217

Abercrombie
Ackerman
Andrews (NJ)
Applegate
Bacchus (FL)
Baesler
Barca
Barcia
Barlow
Barrett (WI)
Becerra
Beilenson
Berman
Bevill
Bilbray
Blackwell
Bonior
Borski
Boucher
Brooks
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Byrne
Cantwell
Cardin
Carr
Clay
Clayton
Clement
Clyburn
Coleman
Collins (IL)
Collins (MI)
Condit
Conyers
Coppersmith
Costello
Coyne
Cramer
Danner
Darden
DeFazio
DeLauro
Dellums
Derrick
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Durbin
Edwards (CA)
Engel
English
Eshoo
Evans
Farr
Fazio
Fields (LA)
Filner
Fingerhut
Flake
Foglietta
Ford (MI)
Ford (TN)
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Gibbons
Gilman
Glickman
Gonzalez
Green
Gutierrez
Hall (OH)
Hamburg
Harman
Hastings
Hefner
Hilliard
Hinchey
Hoagland
Hochbrueckner
Holden
Hoyer
Hughes
Inslee
Jacobs
Jefferson
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kennedy
Kennelly
Kildee
Kleczka
Klein
Klink
Kopetski
Kreidler
LaFalce
Lantos
LaRocco
Laughlin
Lehman
Levin
Lewis (GA)
Lipinski
Long
Lowey
Maloney
Mann
Manton
Margolies-Mezvinsky
Markey
Martinez
Matsui
Mazzoli
McCloskey
McDermott
McHale
McKinney
McNulty
Meehan
Meek
Menendez
Mfume
Miller (CA)
Mineta
Minge
Mink
Moakley
Mollohan
Moran
Murphy
Murtha
Nadler
Neal (MA)
Neal (NC)
Oberstar
Obey
Olver
Orton
Owens
Pallone
Pastor
Payne (NJ)
Pelosi
Peterson (FL)
Poshard
Price (NC)
Quillen
Rahall
Rangel
Reed
Richardson
Roemer
Rose
Rostenkowski
Roybal-Allard
Rush
Sabo
Sanders
Sangmeister
Sawyer
Schenk
Schroeder
Scott
Serrano
Sharp
Shepherd
Skaggs
Skelton
Slattery
Slaughter
Smith (IA)
Spratt
Stark
Stokes
Strickland
Studds
Stupak
Swift
Synar
Thompson
Thornton
Thurman
Torres
Torricelli
Towns
Traficant
Tucker
Unsoeld
Velazquez
Vento
Visclosky
Volkmer
Washington
Waters
Watt
Waxman
Wheat
Whitten
Williams
Wilson
Wise
Woolsey
Wyden
Wynn
Yates

NOT VOTING—6

Chapman
Machtley
Pombo
Reynolds
Schumer
Valentine

□ 1231

So the amendments were rejected.

The result of the vote was announced as above recorded.

Mr. MFUME. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to enter into a colloquy with the gentleman from Pennsylvania [Mr. SANTORUM] for purposes of clarification, which may in fact make unnecessary a recorded vote on the Santorum amendment.

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

There was no objection.

Mr. MFUME. Mr. Speaker, yesterday while in the Committee of the Whole House on the State of the Union with the bill under consideration that we had brought to the floor today, there was an amendment passed by voice that was offered by the distinguished gentleman from Pennsylvania [Mr. SANTORUM].

I have asked for a separate vote on that, but will be prepared to withdraw that if, for purposes of clarification in a brief colloquy, I could get some basic understanding with respect to the intent of the gentleman and the intent and, indeed, the purpose of the amendment. As you know, it was a transferring of $32 million in the administrative account at the Social Security Administration.

Mr. Speaker, I will make just one point, and then will gladly yield to the distinguished maker of the amendment.

Since 1983, the number of Social Security employees has dropped approximately 20 percent, while workloads in recent years have grown 70 percent. Furthermore, according to the Bureau of Labor Statistics, overall productivity at the Social Security Administration has increased by 18 percent over the last 5 years. What we have are good people who are doing a good job.

I wanted to make sure it was not the intent of the gentleman from Pennsylvania in this amendment, which was adopted by voice, to preclude in any way the ability of that agency to reward low-level employees, or others, with small bonuses based on the merit of their work, given the increased workload that they have been forced to labor under.

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

Mr. MFUME. I yield to the gentleman from Pennsylvania.

Mr. SANTORUM. Mr. Speaker, this amendment does not preclude the Social Security Administration from issuing bonuses. This amendment is directed at the last round of bonuses, which were the highest amount ever given by the Social Security Administration, $32 million, a lot of them given

to the high paid executives in outrageous figures, shortly after they came to this Congress and asked for $200 million to clear up the backlog in the disability area. They took $32 million of it and gave it out in bonuses.

We are taking administrative money and putting it back in the disability account to clear up that backlog. It does not preclude future bonuses for low level employees.

Mr. MFUME. Mr. Speaker, let me say to the gentleman I share the outrage of any employee getting the type of bonuses reported in the paper, over $9,000, while hurting good, hard-working people whom may get a $70 or $100 bonus.

May I ask the gentleman from Iowa, Chairman SMITH, if that is your understanding also, that the Social Security Administration is not prohibited as a result of this amendment from doing what they have done to reward hard-working employees who are faced with an overwhelming workload?

Mr. SMITH of Iowa. Mr. Speaker, will the gentleman yield?

Mr. MFUME. I yield to the gentleman from Iowa.

Mr. SMITH of Iowa. Mr. Speaker, I assure the gentleman that the amendment does not in any way change any rules or laws at the Social Security Administration. What it did was take out of the $5 billion administrative account, $32 million, and move it over to where they are processing disability claims, where it is badly needed, and that is all that it does. It does nothing else whatever. It makes no change in the rules on bonuses.

Mr. MFUME. Mr. Speaker, I thank the chairman, and I thank the maker of the amendment, the gentleman from Pennsylvania [Mr. SANTORUM].

Mr. Speaker, I am satisfied with the explanation by the maker of the amendment and the chairman of the committee that my concerns have been met.

The SPEAKER pro tempore. The Clerk will report the remaining amendments on which a separate vote has been demanded.

The Clerk read as follows:

Amendments:

TITLE II—DEPARTMENT OF HEALTH AND HUMAN SERVICES

LIMITATION ON ADMINISTRATIVE EXPENSES

a. On page 35, Line 8: Strike "$5,159,785,000" and insert "5,127,785,000".

b. On page 35, Line 20: Strike "$320,000,000" and insert "$352,000,000".

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

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

□ 1240

MOTION TO RECOMMIT OFFERED BY MR. LIGHTFOOT

Mr. LIGHTFOOT. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore (Mr. OBERSTAR). Is the gentleman opposed to the bill?

Mr. LIGHTFOOT. In its present form, yes, Mr. Speaker.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. LIGHTFOOT moves to recommit the bill, H.R. 4606, back to the Committee on Appropriations with instructions to report back the same to the House forthwith with the following amendments:

On page 8, line 4, strike "$30,411,000" and insert in lieu thereof "$30,097,500";

On page 8, line 8, strike "$66,388,000" and insert in lieu thereof "$65,174,000";

On page 9, line 9, strike "$242,860,000" and insert in lieu thereof "$240,325,000";

On page 13, line 6, strike "$312,500,000" and insert in lieu thereof "$304,643,000";

On page 15, line 19, strike "$197,519,000" and insert in lieu thereof "$196,063,000";

On page 16, line 23, strike "$296,761,000" and insert in lieu thereof "$293,931,000";

On page 17, line 1, strike "$54,102,000" and insert in lieu thereof "$53,014,000";

On page 17, line 9, strike "$156,002,000" and insert in lieu thereof "$149,730,000";

On page 20, line 17, strike "$3,008,225,000" and insert in lieu thereof "$3,064,725,000";

On page 40, line 3, strike "$4,408,775,000" and insert in lieu thereof "$4,405,732,000";

On page 52, line 26, strike "$359,358,000" and insert in lieu thereof "$352,683,000";

On page 53, line 4, strike "$58,325,000" and insert in lieu thereof "$57,447,500".

Mr. LIGHTFOOT (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was objection.

Mr. LIGHTFOOT. Mr. Speaker, yesterday the House, with the help of 53 courageous Democrats, passed the first down payment on meaningful health care access and coverage for hundreds of thousands of people in urban and rural areas throughout the country. It voted $100 million for community health centers, $26 million for rural health outreach programs and grants and reduced the Government bureaucracy.

With the strong arm of the leadership of this body and of the President, his Cabinet, a number of Members turned their backs on their conscience. The House voted to reject an amendment that only passed yesterday evening just a few moments ago.

It became all too clear that there are those who want health care reform today and those that would prefer to wait and to have it only their way or none at all.

Mr. Speaker, my motion to recommit is quite simple. It asks the House to begin real health care reform that this House began yesterday but was stymied. The motion to recommit cuts the original $100 million to $50 million. It goes to community health centers. And the $26 million for rural health outreach grants is down to $13 million. We hope that this will make it palatable enough to those who switch their vote to come back and vote for real health care. This recommittal begins health care reform right now. Again, we waited 2 years for action on the national initiative. Still congressional committees are struggling with the reform strategies. Only two out of the five committees have cleared reform bills as of today. Another, the Committee on Energy and Commerce, is hopelessly deadlocked, Mr. Speaker.

This motion will bring health care to an additional 424,000 Americans and support an additional 63 new community health centers. In other words, it will provide access to health care for the first time to nearly a half a million people.

We can bring health care to these people today, not next year but we can do it today. We can start it right now. We do not have to wait for the Committees on Ways and Means and Energy and Commerce, and Education and Labor. We do not have to wait for the President, the First Lady to decide what their bottom line finally is going to be. We can act today, as we did yesterday.

I ask my colleagues to vote their conscience, as they did yesterday. Do they want to help people or do they want to help bureaucrats? It is that simple.

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

Mr. LIGHTFOOT. I yield to the gentleman from Pennsylvania.

Mr. WALKER. Mr. Speaker, I understand what the gentleman is saying. This is the same kind of vote where what we are doing is cutting money out of the bureaucracies in order to give it to community health care centers. But in the case of the gentleman's motion, it is about half the cost that we had in yesterday's motion. In other words, instead of $100 million, he is going to $50 million so that means that there is only $50 million in cuts in bureaucracy that is involved in the gentleman's motion; is that correct?

Mr. LIGHTFOOT. Mr. Speaker, the gentleman from Pennsylvania is correct.

Mr. WALKER. Mr. Speaker, if the gentleman will continue to yield, it will have the same effect. It will allow us to get some community health care center help that we do not now have.

Mr. LIGHTFOOT. Mr. Speaker, that is also correct. I thank the gentleman for his comments.

Again, in closing, Mr. Speaker, I think it boils down to voting for what we know is right. We can vote for health care today. We can do it now,

and we can go forth out of here, I think, in a bipartisan effort showing people that we are interested in the health care issue and interested in results that we all can live with, that we are more interested in people, in helping people than we are in empowering bureaucrats, the bottom line, that is what this boils down to. Again, I would ask for support on this motion to recommit. Vote for people instead of bureaucrats.

Mr. SMITH of Iowa. Mr. Speaker, I am opposed to the motion.

Let me make it clear, nobody is against more community health centers. If we had been against them, we would not have put another $19 million into the bill for new community health centers. We put extra money in for community health centers. But, there also needs to be money to cut down on fraud and abuse in the student aid program. There are also some other things in here that are needed. We would like a bigger increase for health centers, but it is going to come in the health care bill. More people will have insurance so they can pay their way when they go to the community health center. We do not have to take it out of the important items that are currently in this bill. We can wait and do that in the health care bill.

This is really the identical vote that we had a minute ago except every increase and every reduction is cut in half. We do half the damage we did a minute ago, but we still do the same kind of damage.

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

Mr. SMITH of Iowa. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Speaker, I think it is important to point out that the National Association of Community Health Centers has not supported the Porter amendment. I urge Members to vote no.

Mr. SMITH of Iowa. This is the same vote we had a while ago except it just does half the amount of damage, but it still does the same kind of damage. Vote "no."

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

Mr. SMITH of Iowa. I yield to the gentleman from New Mexico.

Mr. RICHARDSON. Mr. Speaker, late last night the committee adopted an amendment by the gentleman from Colorado [Mr. HEFLEY] to reduce the appropriation of the Corporation for Public Broadcasting by $1 million.

In the CONGRESSIONAL RECORD, it states that this money was aimed at Radio Pacifica. Is it correct that under no circumstances can a cut be specified on any appropriation?

Mr. SMITH of Iowa. All it did was reduce the account by $1 million out of $272 million. We accepted it in the interest of time and so on.

Mr. RICHARDSON. Mr. Speaker, I thank the gentleman.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

RECORDED VOTE

Mr. LIGHTFOOT. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 206, noes 224, not voting 4, as follows:

[Roll No. 303]

AYES—206

Allard	Goss	Oxley
Andrews (ME)	Grams	Packard
Andrews (NJ)	Grandy	Paxon
Archer	Greenwood	Payne (VA)
Armey	Gunderson	Peterson (MN)
Bachus (AL)	Hall (TX)	Petri
Baker (CA)	Hamilton	Pombo
Baker (LA)	Hancock	Pomeroy
Ballenger	Hansen	Porter
Barrett (NE)	Hastert	Portman
Bartlett	Hayes	Pryce (OH)
Barton	Hefley	Quillen
Bateman	Herger	Quinn
Bentley	Hobson	Ramstad
Bereuter	Hoekstra	Ravenel
Bilirakis	Hoke	Regula
Bliley	Horn	Ridge
Blute	Houghton	Roberts
Boehlert	Huffington	Rogers
Boehner	Hunter	Rohrabacher
Bonilla	Hutchinson	Ros-Lehtinen
Brewster	Hutto	Roth
Bunning	Hyde	Roukema
Burton	Inglis	Rowland
Buyer	Inhofe	Royce
Callahan	Istook	Santorum
Calvert	Johnson (CT)	Sarpalius
Camp	Johnson (GA)	Saxton
Canady	Johnson, Sam	Schaefer
Castle	Kasich	Schiff
Clinger	Kim	Sensenbrenner
Coble	King	Shaw
Collins (GA)	Kingston	Shays
Combest	Klug	Shuster
Cooper	Knollenberg	Sisisky
Cox	Kolbe	Skeen
Crane	Kyl	Smith (MI)
Crapo	Lancaster	Smith (NJ)
Cunningham	Lazio	Smith (OR)
de la Garza	Leach	Smith (TX)
Deal	Levy	Snowe
DeLay	Lewis (CA)	Solomon
Diaz-Balart	Lewis (FL)	Spence
Dickey	Lewis (KY)	Stearns
Doolittle	Lightfoot	Stenholm
Dornan	Linder	Stump
Dreier	Livingston	Sundquist
Duncan	Lloyd	Swett
Dunn	Lucas	Talent
Ehlers	Manzullo	Tanner
Emerson	McCandless	Tauzin
Everett	McCollum	Taylor (MS)
Ewing	McCrery	Taylor (NC)
Fawell	McCurdy	Tejeda
Fields (TX)	McDade	Thomas (CA)
Fish	McHugh	Thomas (WY)
Fowler	McInnis	Torkildsen
Franks (CT)	McKeon	Upton
Franks (NJ)	McMillan	Valentine
Gallegly	Meyers	Vucanovich
Gallo	Mica	Walker
Gekas	Michel	Walsh
Geren	Miller (FL)	Weldon
Gilchrest	Molinari	Wolf
Gillmor	Moorhead	Young (AK)
Gilman	Morella	Young (FL)
Gingrich	Myers	Zeliff
Goodlatte	Nussle	Zimmer
Goodling	Ortiz	

NOES—224

Abercrombie	Gibbons	Neal (NC)
Ackerman	Glickman	Oberstar
Andrews (TX)	Gonzalez	Obey
Applegate	Gordon	Olver
Bacchus (FL)	Green	Orton
Baesler	Gutierrez	Owens
Barca	Hall (OH)	Pallone
Barcia	Hamburg	Parker
Barlow	Harman	Pastor
Barrett (WI)	Hastings	Payne (NJ)
Becerra	Hefner	Pelosi
Beilenson	Hilliard	Penny
Berman	Hinchey	Peterson (FL)
Bevill	Hoagland	Pickett
Bilbray	Hochbrueckner	Pickle
Bishop	Holden	Poshard
Blackwell	Hoyer	Price (NC)
Bonior	Hughes	Rahall
Borski	Inslee	Rangel
Boucher	Jacobs	Reed
Brooks	Jefferson	Richardson
Browder	Johnson (SD)	Roemer
Brown (CA)	Johnson, E. B.	Rose
Brown (FL)	Johnston	Rostenkowski
Brown (OH)	Kanjorski	Roybal-Allard
Bryant	Kaptur	Rush
Byrne	Kennedy	Sabo
Cantwell	Kennelly	Sanders
Cardin	Kildee	Sangmeister
Carr	Kleczka	Sawyer
Clay	Klein	Schenk
Clayton	Klink	Schroeder
Clement	Kopetski	Scott
Clyburn	Kreidler	Serrano
Coleman	LaFalce	Sharp
Collins (IL)	Lambert	Shepherd
Collins (MI)	Lantos	Skaggs
Condit	LaRocco	Skelton
Conyers	Laughlin	Slattery
Coppersmith	Lehman	Slaughter
Costello	Levin	Smith (IA)
Coyne	Lewis (GA)	Spratt
Cramer	Lipinski	Stark
Danner	Long	Stokes
Darden	Lowey	Strickland
DeFazio	Maloney	Studds
DeLauro	Mann	Stupak
Dellums	Manton	Swift
Derrick	Margolies-Mezvinsky	Synar
Deutsch	Markey	Thompson
Dicks	Martinez	Thornton
Dingell	Matsui	Thurman
Dixon	Mazzoli	Torres
Dooley	McCloskey	Torricelli
Durbin	McDermott	Towns
Edwards (CA)	McHale	Traficant
Edwards (TX)	McKinney	Tucker
Engel	McNulty	Unsoeld
English	Meehan	Velazquez
Eshoo	Meek	Vento
Evans	Menendez	Visclosky
Farr	Mfume	Volkmer
Fazio	Miller (CA)	Washington
Fields (LA)	Mineta	Waters
Filner	Minge	Watt
Fingerhut	Mink	Waxman
Flake	Moakley	Wheat
Foglietta	Mollohan	Whitten
Ford (MI)	Montgomery	Williams
Ford (TN)	Moran	Wilson
Frank (MA)	Murphy	Wise
Frost	Murtha	Woolsey
Furse	Nadler	Wyden
Gejdenson	Neal (MA)	Wynn
Gephardt		Yates

NOT VOTING—4

Chapman	Reynolds
Machtley	Schumer

□ 1304

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

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. OBERSTAR). The question is on the passage of the bill.

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

RECORDED VOTE

Mr. SMITH of Iowa. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. The Chair will remind Members this is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 339, noes 89, not voting 6, as follows:

[Roll No. 304]

AYES—339

Abercrombie
Ackerman
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Applegate
Bacchus (FL)
Baesler
Baker (CA)
Barca
Barcia
Barlow
Barrett (NE)
Barrett (WI)
Bateman
Becerra
Beilenson
Bentley
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Bishop
Blackwell
Bliley
Blute
Boehlert
Bonilla
Bonior
Borski
Boucher
Brewster
Brooks
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Byrne
Callahan
Calvert
Canady
Cantwell
Cardin
Carr
Castle
Clay
Clayton
Clement
Clinger
Coble
Coleman
Collins (IL)
Collins (MI)
Condit
Conyers
Cooper
Coppersmith
Costello
Coyne
Cramer
Cunningham
Danner
Darden
de la Garza
Deal
DeFazio
DeLauro
Dellums
Derrick
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Dooley
Duncan
Durbin
Edwards (CA)
Edwards (TX)
Emerson
Engel
English
Eshoo
Evans
Everett
Ewing
Fawell
Fazio
Fields (LA)
Filner
Fingerhut
Fish
Flake
Foglietta
Ford (MI)
Ford (TN)
Fowler
Frank (MA)
Franks (CT)
Frost
Furse
Gallegly
Gallo
Gejdenson
Gephardt
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Gingrich
Glickman
Gonzalez
Goodling
Gordon
Grandy
Green
Gunderson
Gutierrez
Hall (OH)
Hall (TX)
Hamburg
Hamilton
Harman
Hastert
Hastings
Hayes
Hefner
Hilliard
Hinchey
Hoagland
Hobson
Hochbrueckner
Hoekstra
Holden
Horn
Houghton
Hoyer
Hughes
Hutchinson
Hutto
Hyde
Inslee
Jacobs
Jefferson
Johnson (CT)
Johnson (GA)
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kasich
Kennedy
Kennelly
Kildee
Kleczka
Klein
Klink
Klug
Kopetski
Kreidler
Kyl
LaFalce
Lambert
Lancaster
Lantos
LaRocco
Laughlin
Lazio
Leach
Lehman
Levin
Levy
Lewis (CA)
Lewis (GA)
Lipinski
Livingston
Lloyd
Long
Lowey
Maloney
Mann
Manton
Margolies-Mezvinsky
Markey
Martinez
Matsui
Mazzoli
McCloskey
McCrery
McCurdy
McDade
McDermott
McHale
McKeon
McKinney
McMillan
McNulty
Meehan
Meek
Menendez
Meyers
Mfume
Michel
Miller (CA)
Mineta
Mink
Moakley
Molinari
Mollohan
Montgomery
Moran
Morella
Murphy
Murtha
Myers
Nadler
Neal (MA)
Neal (NC)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Parker
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Penny
Peterson (FL)
Pickett
Pickle
Pomeroy
Porter
Poshard
Price (NC)
Pryce (OH)
Quillen
Quinn
Rahall
Rangel
Ravenel
Reed
Regula
Richardson
Ridge
Roemer
Rogers
Ros-Lehtinen
Rose
Rostenkowski
Roukema
Rowland
Roybal-Allard
Rush
Sabo
Sanders
Sangmeister
Santorum
Sarpalius
Sawyer
Saxton
Schenk
Schiff
Schroeder
Scott
Serrano
Sharp
Shaw
Shays
Shepherd
Sisisky
Skaggs
Skeen
Skelton
Slattery
Slaughter
Smith (IA)
Smith (NJ)
Smith (TX)
Snowe
Spratt
Stark
Stearns
Stenholm
Stokes
Strickland
Studds
Stupak
Sundquist
Swett
Swift
Synar
Tanner
Tauzin
Taylor (NC)
Tejeda
Thomas (CA)
Thompson
Thornton
Thurman
Torkildsen
Torres
Torricelli
Towns
Traficant
Tucker
Unsoeld
Upton
Valentine
Velazquez
Vento
Visclosky
Volkmer
Vucanovich
Walsh
Washington
Waters
Watt
Waxman
Weldon
Wheat
Whitten
Williams
Wilson
Wise
Wolf
Woolsey
Wyden
Wynn
Yates
Young (AK)
Young (FL)

NOES—89

Allard
Archer
Armey
Bachus (AL)
Baker (LA)
Ballenger
Bartlett
Barton
Boehner
Bunning
Burton
Buyer
Camp
Collins (GA)
Combest
Cox
Crane
Crapo
DeLay
Doolittle
Dornan
Dreier
Dunn
Ehlers
Fields (TX)
Franks (NJ)
Gekas
Goodlatte
Goss
Grams
Greenwood
Hancock
Hansen
Hefley
Herger
Hoke
Huffington
Hunter
Inglis
Inhofe
Istook
Johnson, Sam
Kim
King
Kingston
Knollenberg
Kolbe
Lewis (FL)
Lewis (KY)
Lightfoot
Linder
Lucas
Manzullo
McCandless
McCollum
McHugh
McInnis
Mica
Miller (FL)
Minge
Moorhead
Nussle
Orton
Oxley
Packard
Paxon
Peterson (MN)
Petri
Pombo
Portman
Ramstad
Roberts
Rohrabacher
Roth
Royce
Schaefer
Sensenbrenner
Shuster
Smith (MI)
Smith (OR)
Solomon
Spence
Stump
Talent
Taylor (MS)
Thomas (WY)
Walker
Zeliff
Zimmer

NOT VOTING—6

Chapman
Clyburn
Farr
Machtley
Reynolds
Schumer

□ 1314

Messrs. HOEKSTRA, HASTERT, and BAKER of California changed their vote from "no" to "aye."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. CLYBURN. Mr. Speaker, on rollcall No. 304, final passage, I am recorded as not voting. I would like the RECORD to show that I did insert my card in this box, but the machine was a bit lethargic coming on. If I had been recorded, I would have voted in favor of passage.

PERSONAL EXPLANATION

Mr. FARR of California. Mr. Speaker, on rollcall No. 304, I was unavoidably detained with my constituents. If I had been present, I would have voted in favor of H.R. 4606.

REPORT ON RESOLUTION WAIVING CERTAIN POINTS OF ORDER AGAINST H.R. 4650, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 1995

Mr. GORDON, from the Committee on Rules, submitted a privileged report (Rept. No. 103–568) on the resolution (H. Res. 469) waiving certain points of order against the bill (H.R. 4650) making appropriations for the Department of Defense for the fiscal year ending September 30, 1995, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 4454, LEGISLATIVE BRANCH APPROPRIATIONS ACT, 1995

Mr. GORDON, from the Committee on Rules, submitted a privileged report (Rept. No. 103–569) on the resolution (H. Res. 470) waiving points of order against the conference report to accompany the bill (H.R. 4454) making appropriations for the legislative branch for the fiscal year ending September 30, 1995, and for other purposes, which was referred to the House Calendar and ordered to be printed.

WAIVING CERTAIN POINTS OF ORDER AGAINST H.R. 4649, DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 1995, AND DISTRICT OF COLUMBIA SUPPLEMENTAL APPROPRIATIONS AND RESCISSIONS ACT, 1994

Mr. GORDON. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 466 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 466

Resolved, That all points of order against consideration of the bill (H.R. 4649) making appropriations of 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, are waived. During consideration of the bill, all points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived.

The SPEAKER pro tempore (Mr. OBERSTAR). The gentleman from Tennessee [Mr. GORDON] is recognized for 1 hour.

Mr. GORDON. Mr. Speaker, during consideration of this resolution, all time yielded is for the purpose of debate only. I yield the customary 30 minutes, for the purpose of debate only, to the gentleman from California [Mr. DREIER]. Pending that, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 466 is an open rule which provides for the consideration of H.R. 4649, the District of Columbia appropriations bill for fiscal year 1995.

The rule waives all points of order for violations of clause 2 of rule XXI against all provisions in the bill. Clause 2 of rule XXI prohibits legislation and unauthorized appropriations in a general appropriations bill.

All points of order are waived against consideration of the bill for failure to comply with clause 7 of rule XXI which requires committee hearings be printed and available to Members for at least 3 calendar days prior to House consideration.

Finally, the rule waives points of order against consideration of the bill for violating section 302(F) of the Budget Act. The Appropriations Committee adopted an amendment which exceeded the subcommittee's 602(B) allocation by $10 million. Chairman DIXON will offer an amendment to strike that section of the bill and correct this violation.

I want to compliment Chairman JULIAN DIXON and ranking Republican JAMES WALSH and their staff for all of their hard work. Each year the subcommittee must address varied and difficult issues within the subcommittee's jurisdiction and provide funding for the District of Columbia's departments and programs, all with increasingly limited resources.

Mr. Speaker, I urge my colleagues to adopt this open rule.

□ 1320

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

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

Mr. Speaker, I strongly oppose this rule because of the principle that seems to have been shoved aside by the Democrat leadership and a majority of the members of our Committee on Rules. That principle is, very simply, fairness. If it is appropriate to waive points of order against all or part of an appropriations bill, then amendments to all or parts of the appropriations bill should be granted the same treatment. This rule provides a blanket waiver of rule XXI prohibiting unauthorized appropriations or legislative provisions in a general appropriations bill.

Yet when the ranking minority member of the District of Columbia Subcommittee, the gentleman from New York [Mr. WALSH], asked our Committee on Rules to grant his amendment the same treatment given to the bill, he was told that only Democrat chairmen can operate outside the rules of the House. Incredibly, the amendments that Mr. WALSH sought to have debated are based on recommendations by the General Accounting Office in response to a request by the chairman of the District of Columbia Committee and his counterpart on the Committee on Appropriations for information on the financial status of the District of Columbia Government. That report concludes that the city is in such a financial state of disarray that when astronomers thought they discovered a black hole in space, their telescopes were actually pointed at the city treasury.

Mr. Speaker, the appropriators have been coming to the Committee on Rules and asking to waive clause 2 of rule XXI so often that they refer to these waivers as routine. The reality is that our budget process is broken and the House leadership continues to do business as if nothing is wrong.

The authorizing committees do not seem to legislate anymore; much of it is done right here in these appropriations bills.

Mr. Speaker, we have reached the point where ignoring rules of the House has become standard operating procedure. The authorizing committee chairmen bypassed the deliberative process that we once called the committee system and they cut their deals with the Appropriations Committee. Then the Rules Committee structures a rule that conveniently shuts out virtually every Member of the House from participating in major legislative decisions.

Mr. Speaker, it is time to bring this House of Representatives out of the dark ages; it is time to reform the convoluted budget process; it is time to reform the stifling bureaucracy that exists in this institution.

The leadership may be unwilling to move this institution forward, but at least we can restore some semblance of fairness to the legislative process, if we simply defeat this rule.

ROLLCALL VOTES IN THE RULES COMMITTEE ON AMENDMENTS TO THE PROPOSED RULE TO H.R. 4649, DISTRICT OF COLUMBIA APPROPRIATIONS, FISCAL YEAR 1995, TUESDAY, JUNE 28, 1994

1. Walsh (NY) No. 1—An amendment to establish a separate account from the federal payment designated for the city's pension fund. Vote (Rejected 4-5): Yeas—Solomon, Quillen, Dreier, Goss. Nays—Moakley, Derrick, Beilenson, Bonior, Gordon. Not Voting: Frost, Hall, Wheat, Slaughter.

2. Walsh (NY) No. 2—An amendment to prohibit the city from offering 2 cola's for police & fire pensioners; and No. 3 an amendment to require the mayor to develop a new pension plan for prospective employees. Vote (Rejected 4-5): Yeas—Solomon, Quillen, Dreier, Goss. Nays—Moakley, Derrick, Beilenson, Bonior, Gordon. Not Voting: Frost, Hall, Wheat, Slaughter.

3. Adoption of Rule—Vote (Adopted 5-4): Yeas—Moakley, Derrick, Beilenson, Bonior, Gordon. Nays—Solomon, Quillen, Dreier, Goss. Not Voting: Frost, Hall, Wheat, Slaughter.

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

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

Once again it seems that my friend from California's only consistency is inconsistency. On the one hand he says he wants an open rule; this is an open rule. But it is not good enough. Sometimes he says he wants a waiver. It seems that when he wants a waiver and he gets it, that is fair; but when he does not want a waiver or if he does want a waiver and does not get it, that is unfair. So it seems that fairness is determined by whether he gets what he wants every time.

Make no question about it, this is an open rule.

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

Mr. GORDON. I am happy to yield to the gentleman from California.

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

Mr. Speaker, let me explain this issue of fairness. We would not have made a request for any waivers whatsoever on Mr. WALSH's three amendments that I offered upstairs that did require waivers, if the bill itself that was coming out of the Appropriations Committee was not. We were not asking for any different treatment for Mr. WALSH than we are for the bill as it is treated in the way it has been submitted before us.

So what we are saying is if it is fair for you, it should be fair for us too. That is the only concern that we have.

I thank my friend for yielding.

Mr. GORDON. Once again, this is an open rule. When my friend from California wants waivers, then you need to have waivers or it is not fair. When my friend from California does not want waivers, then if you do not have waivers, it is not fair. So I think we need to make it very clear this is an open rule. I hope folks will understand that and vote for that accordingly.

Mr. DREIER. Mr. Speaker, would the gentleman yield for a question?

Mr. GORDON. I am happy to yield to the gentleman from California.

Mr. DREIER. I thank my friend for yielding.

I appreciate his thoughtful statement, and I would like to inquire of my friend if he would agree to waive, that is, to come down with a full open rule that would not provide protection for any parts of the bill coming out of the Appropriations Committee, I would be more than happy to not make the request for the three Walsh amendments that I submitted upstairs. Would my friend be agreeable to that?

Mr. GORDON. I would be happy to address it if the gentleman would repeat it.

Mr. DREIER. If my friend would further yield, I would like to state to my friend that we would be more than happy on this side to relinquish our request for the waiver on the three Walsh amendments that I submitted upstairs if the gentleman will insure that no parts of this rule, this bill that is coming down, the D.C. appropriations measure, are protected at all.

Mr. GORDON. Once again, this is the rule that the gentleman wants on this one; on something else, the gentleman would want something else done. The fact of the matter is this is an open rule.

Mr. DREIER. All we are asking for is fair treatment on both sides of the aisle here.

Mr. GORDON. Mr. Speaker, I yield to the chairman of the subcommittee, the gentleman from California [Mr. DIXON].

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

Mr. Speaker, my colleague is absolutely correct.

Mr. DREIER. Your California colleague?

Mr. DIXON. No, I am referring to the gentleman from Tennessee.

The fact of the matter is that an open rule refers to amendments and not to the content of the bill. But let us get to the content of the bill. There are waivers on the content of the bill. Who is the author of the waivers? Mr. WALSH. Mr. WALSH had five amendments. I went to the Committee on Rules and supported him on waiving points of order on two of them.

I think that was reasonable. These were not the chairman's amendments that were put in the bill; these were Mr. WALSH's amendments. As it relates to the open rule, we do have an open rule and anyone can offer an amendment within the House rules. I do not know how—when the Republican ranking member has offered amendments and we asked that they be protected, but not all of them—how then you can say that there is any inequity in this situation.

Mr. DREIER. If my friend from Tennessee would yield so that I might ask a question of the distinguished subcommittee chairman.

Mr. GORDON. I am happy to yield to the gentleman from California.

Mr. Speaker, the gentleman has time of his own. I will yield mine. I assume that if we run out of time, the gentleman will yield some back. I know we will work the time situation out.

I am happy to yield at this time.

Mr. DREIER. I thank the gentleman for yielding.

If I could inquire of my friend from California: I understand there were a total of five amendments that were proposed here and that the gentleman accepted two of the five amendments. Was there a reason that the other three amendments could not have been incorporated?

Mr. DIXON. If the gentleman would yield, in my judgment they were not good amendments for this bill.

Mr. DREIER. The concern that I have, as my friend from Tennessee has raised in response to the issue of fairness which I brought up, this rule waives points of order against the bill in general. It seems to me, if we are going to do that on any aspect of the bill, we should treat all Members in an evenhanded way. That is all we are requesting.

Mr. DIXON. If the gentleman would yield further, we can have this dialog and debate this issue. But it gets down to this: Mr. WALSH came to the Rules Committee and asked for a waiver of points of order so that he could offer on the floor three amendments he offered in our committee but were not adopted.

□ 1330

Those amendments had been turned down in the subcommittee, and—just let me finish; it is on our time—turned down in the full committee. I did not support his request for a waiver when we were before the Rules Committee. But I was not rigid about it. On two of them I said, "I will go with you and support the waiver."

That is exactly where we are, no matter how much we discuss it and shape it in some other way. He had five amendments. Two of them I accepted. They would be subject to a point of order, but the committee thought they were good amendments.

I asked the Rules Committee to "Please protect them."

He is saying, "What about the other 60 percent? It's unfair because you are not allowing me to offer them on the floor."

Now we can talk about it all day, but that is the sum and substance, and I think anyone looking at it will see that our committee and the Committee on Rules have been equitable on this issue.

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

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

Mr. DREIER. Mr. Speaker, in responding I will say to the gentleman that I will be happy to yield some time to him if it is necessary.

Let me say to the gentleman from California [Mr. DIXON] that all we are asking for is fair treatment here. As my friend knows, appropriations bills are privileged resolutions which can come straight to the House floor, and under the operating rules of the House they should come directly to the House floor unless waivers are requested, and what we are saying is, you came before the committee and made that request for protection of your bill. All we're saying is that that same kind of courtesy should be extended on this side of the aisle to the ranking member of the committee, the Subcommittee on Appropriations.

Mr. GORDON. Mr. Speaker, let me make very clear that the gentleman from New York [Mr. WALSH] is a valued Member, I am sure, of the committee, and I know of the House as a whole, and it is my understanding that he had a chance to offer these amendments both at the subcommittee and at the committee level. So, he has had an opportunity to offer these amendments, and once again, Mr. Speaker, let me make clear this is an open rule so that all matters that are relevant to this bill can be brought before this Chamber for amendments.

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

Mr. DREIER. Mr. Speaker, I yield myself such time as I may consume, if I might, to respond briefly to the statement my friend has made. I simply want to say that because a Member has had an opportunity at the subcommittee level and at the full committee level, that should never preempt their right to have the full membership's consideration of a proposal that they might have.

Mr. Speaker, I yield 6 minutes to my very distinguished friend and classmate from Richmond, the gentleman from Virginia [Mr. BLILEY].

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

Mr. Speaker, I am taking this time to alert the Members to a pair of motions I will offer during consideration of H.R. 4649. As soon as the bill is open for amendment, I will offer a motion for the Committee of the Whole to rise and report the bill back to the House with a recommendation that the enacting clause be stricken. If that motion is successful, I intend to offer a motion to refer the bill with instructions to the Appropriations Committee. The instructions will be to wait for the District government to revise its budget and then to report the bill back with an amendment to take into account the revised District budget.

Last year the District government passed a revised fiscal year 1994 budget during the congressional appropriations process. The House had already approved the original budget and we did not get to act on the revised budget until the conference report. That process is unacceptable because we perfected a meaningless bill and never got a chance to perfect the real one. The District government is already working to revise the budget that will be before us today. For example, I have a June 16, 1994, letter from the District announcing that it is currently revising the budget by $75 million simply because of the recent settlement with the retirement board. This revision should increase as the District figures out how to deal with the new court order to repair the 5,600 fire code violations in the schools before they can be

opened in September. More changes will surely follow. We should simply wait for the District to complete its process. That is what my motions are intended to accomplish.

To accomplish my purpose of sending the bill back to the Appropriations Committee for revision I must offer two separate motions. The first motion—to have the Committee of the Whole rise and recommend that the enacting clause be stricken is frequently used as a maneuver to secure more debate time. I will not be using the motion for that purpose. Rather, I hope to win that vote so that we will not go through the amendment process on this bill. As I have already pointed out, the amendment process is pointless since the District government is currently working on revising the budget that is in this bill.

We have a significant amount of new information from the GAO report requested by the chairmen of the District Committee and the Appropriations Subcommittee on the District. The District Government needs time to review this report and act accordingly.

I want to give the District government a reasonable opportunity to make its own choices and not have those decisions made by Congress and handed down to the District. In turn, we must not go forward with this budget until the District acts. We must not come to the end of this session facing a choice of this budget or no budget. We must have an alternative.

If my motion for the Committee to rise is successful, I will offer another motion to refer the bill back to the Appropriations Committee. What I want the committee to do is wait for the District government to complete its budget revision process and then for the committee to consider that revision. After any committee amendments to the updated District budget, the committee will report the bill back to the House with an amendment revising the budget as necessary.

This procedure is the only way in which this House will have the opportunity to examine, perfect, and work its will on the ultimate District budget. Any action that we take on this flawed bill will serve no useful purpose.

I also want to take just a moment to respond to some of the comments of others on the action I am taking on this important issue. I have heard my actions described as a ploy to defeat the District budget. I am taking this action specifically so that we will not defeat the District's budget. The only ploy that I see in this process is the flawed spending plan the chairman and ranking Republican of the Appropriations Subcommittee received from the District just last night. I can assure everyone that this so-called new plan is being introduced only to confuse Members. Members must also understand that this plan which may be brought up in this debate has nothing to do with the fiscal year 1995 budget before us today. If justification cannot be found for the purported savings or revenues then we will be witnessing not a step forward in good faith but a leap backward into more unreality.

I urge all Members to support my motions to send the bill back to the Appropriations Committee for further work, pending action by the District government which surely must be taken eventually.

□ 1340

Mr. GORDON. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. DIXON], chairman of the subcommittee.

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

Mr. Speaker, let me first say that I rise to serve notice to this body that I intend to resist the motions that will be offered by the gentleman from Virginia [Mr. BLILEY]. However, I would like to point out to the Members that the gentleman from Virginia has been very constructive in this debate and has kept me advised of what he intended to do, and I know he thinks his proposal is constructive. I just disagree with him and will make the case for my position on the merits at the appropriate time.

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

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

Mr. DREIER. Mr. Speaker, may I inquire of the Chair as to how much time remains on both sides?

The SPEAKER pro tempore (Mr. TAYLOR of Mississippi). The gentleman from California [Mr. DREIER] has 20 minutes remaining, and the gentleman from Tennessee [Mr. GORDON] has 19 minutes remaining.

Mr. DREIER. Mr. Speaker, I am happy to yield 6 minutes to the Member whose name has been mentioned throughout this day, the gentleman from New York [Mr. WALSH], the ranking Republican on the Subcommittee on the District of Columbia.

Mr. WALSH. Mr. Speaker, I thank the gentleman from California [Mr. DREIER], the distinguished member of the Committee on Rules, for protecting my interest in these amendments as regards our efforts before the Committee on Rules.

Mr. Speaker, I rise in opposition to the rule. I appreciate the fact that it is an open rule, but we did, in fact, ask for the same waiver that the chairman of the subcommittee had asked for, and I do agree and admit that the chairman asked for a waiver to accept two of the amendments we had offered in committee. The difficulty was that the other three were very consistent with those first two amendments. But we were denied.

During the general debate I will speak to the GAO report which shows clearly how desperate the District's condition is. The District's operating budget is not balanced, nor has it been balanced for the past 2 years.

Under this rule I would like to focus on the unfunded pension liability of the District of Columbia. Currently the Federal pension obligation of the District government is $4.4 billion underfunded. This is a monumental amount of money. The cost of this obligation to the District for 1995 is $300 million. Things have gotten so bad that the Mayor this year, in order to present a so-called balanced budget, decided to renege on the pension payments this year. This sent shock waves through the community and to the financial markets, and it scared the heck out of the pensioners. The Pension Board was forced to raid the fund to meet its commitment. Thus future pensioners will be denied the interest that would have accrued on that money.

This was a terrible decision, but Ms. O'Connor, the Chief Financial Officer for the District, said it was a choice between funding the pension or maintaining the Metro System. What a terrible position they have put themselves in. And let us not forget, Mr. Speaker, that in just 1991 the Congress gave the District an additional $100 million and allowed them to borrow an additional $300 million in 1991, 3 years ago, to get their fiscal house in order and set up a rainy-day fund.

Well, the wolf is at the door again, just 3 years later, and neither the District nor the Congress is willing to make the tough decisions.

We will hear today that we must pay homage to home rule, but the District must make its own decisions. But they have not, and they will not. Therefore, we must. Besides, the District government knows we will stand aside again and wait for them to make the hard decisions, which means that no decisions will be made.

Mr. Speaker, under home rule and under the agreement, the law requires that the District present us with a balanced budget. They have not. The GAO report shows they have not. They ended 1993 short and will again in 1994 wind up short by over $58 million in their cash reserves. I refer to the GAO report, Financial Status for the District of Columbia, and I read this on page 13: "The District estimated its cash balances would dip to $65 million by September of 1995."

This estimate assumed deferring a $74 million pension payment in 1995 until 1996. However, the District entered into an agreement with the Pension Board to make all payments in 1995, which includes an additional $74 million payment. With an estimated $65 million in the fund prior to that agreement, that shows it will finish the year with at least a $9 million deficit. Part of that agreement with the Pension Board requires that the District

pay them accrued interest and penalties amounting to another $13 million. They will end the year at a minimum of $22 million in deficit in cash funds.

According to the GAO audit, the actual cash on hand at the end of 1993 was a minus $31 million, and as forecasted in 1994, a minus $58 million.

The Washington Post reported just this week, based on this GAO report, that the District could conceivably wind up with a minus $200 million shortage in 1995 and have to go to the U.S. Treasury to bail itself out.

Mr. Speaker, I asked to be allowed to present several amendments that would make a positive impact on the pension and the budget. Chairman DIXON, to his credit, accepted two of them. The first amendment would appropriate $250,000 to audit the Pension Board, and the second would require the District to give us quarterly reports on spending and revenue projections. The Board asked for and received a waiver from the Committee on Rules. I did not.

We asked for three amendments, first, to set aside $295 million to make sure the pension obligation would be met this year; second, to cut a double cost-of-living allowance from two a year down to one; and, third, to develop a new pension system for prospective hiring so that this obligation can be met. All were disallowed.

The committee should be consistent and should have supported my request for a waiver. I say to my colleagues that the time has come for all good men and women to come to the aid of their Nation's Capital.

For that reason, Mr. Speaker, I ask for a "no" vote on the rule, and I myself will vote "no" on this rule.

Mr. GORDON. Mr. Speaker, for the purpose of debate only, I yield 3 minutes to the gentlewoman from the District of Columbia [Ms. NORTON].

Ms. NORTON. Mr. Speaker, I rise to ask my colleagues to support the rule that is before us. It is a perfectly fair rule.

Mr. Speaker, there has been much reference to the GAO report. The GAO report was commissioned by the two chairs of the appropriate committees and has laid the predicate at last for an appropriate action by the District and by the Congress.

This is a precarious moment for the District, and I ask my colleagues to respect the appropriations process that has produced this rule and is finally producing action in the District.

The District of course, has become fair game this year because of the possibility of insolvency. About the worst thing we could do to make it worse, of course, would be to attempt blind micromanagement from the Hill. It is a dangerous game. We do not have the full chessboard before us. I assure the Members that if we start manipulating the parts of the budget on the chessboard that most concern us, some of the pieces will fall off. Precipitous cuts or, for that matter, sending the budget back where it came from are examples of actions destined to take the District down.

□ 1350

For example, the District needs to restructure its government, not simply to cut its government. It does not need to slap together something on paper that will please the Congress.

As we speak today, the City Council is holding hearings on the GAO report which, after all, was just issued within the past week or 10 days. I have spoken with both the mayor and the chair of the city council and impressed upon them the seriousness of the situation from the point of view of Congress.

I was pleased at how serious they took the situation and the report and am pleased that today, the first opportunity the council has had, it is itself holding public hearings on the GAO report, to which I expect the appropriate response.

What will not get the appropriate response, what we cannot do during this budget period, is to somehow turn this situation on its head. This situation needs a deliberative process. That process begins with the GAO report. It continues with hearings in the city. It cannot be manufactured from the Congress. I ask my colleagues to support this rule in all fairness.

Mr. GORDON. Mr. Speaker, I have no further requests for time.

Mr. DREIER. Mr. Speaker, actually I am very pleased that my friend from Culver City has joined us again and my friend from Tennessee. I would like to engage in a colloquy, if I might just for a moment, on this issue we were discussing earlier.

We have spent a great deal of time talking about the waiver for these two amendments that were protected of the gentleman from New York [Mr. WALSH]. Then I referred to the fact that three of them were not.

I wonder if my friend might tell us how many other items were protected in this measure in all? We have talked about these three. I know we have blanket waivers for a number of provisions. I just wondered how many.

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

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

Mr. DIXON. Mr. Speaker, I cannot tell the gentleman the number. I can tell the gentleman the waivers that I joined in as it related to actions that we took. Two offered by the gentleman from New York [Mr. WALSH], one offered by the gentleman from Maryland [Mr. HOYER], dealing with the wharf, and, at that point in time, one offered by the gentleman from Virginia [Mr. MORAN], which the gentleman from Tennessee has indicated, because of a scoring problem, I will in fact offer an amendment to strike.

So there are basically three, two by the gentleman from New York [Mr. WALSH] and one by the gentleman from Maryland [Mr. HOYER].

But I would point out that the budget, as sent up to us, did have some requests from the District which really do not relate to our conversation nor did any harm.

Mr. DREIER. Mr. Speaker, reclaiming my time, I understand that really is a subjective assessment, that they did not do any harm. I will say in the name of fairness, our count over here, and I wanted to see if it meshed with yours, shows there are 51 items that are protected in this measure under the total provided to me by the ranking member of your subcommittee. You have referred to a couple of Democrat amendments, the gentleman from Maryland [Mr. HOYER] and the gentleman from Virginia [Mr. MORAN].

All we are asking is that while we have had these two protected for the gentleman from New York [Mr. WALSH], out of a total of 51, it seems to me we ought to maybe have 51, or, if we do it based on the breakup of the configuration of this House, a 60–40 ratio might be more balanced.

It seems to me when there are 51 items in here that are protected, that it really is not fair, and that gets back to my opening statement.

Mr. DIXON. Mr. Chairman, if the gentleman would yield for a response, I am not sure that there are 51, but I would accept that. I do not think that is correct.

Mr. DREIER. Mr. Chairman, I am using the report the gentleman submitted.

Mr. DIXON. I accept that. But the real issue is how many waivers were made based on Members of Congress or the committee's request. Let me point out to the gentleman that the large majority, except for those three or four, are language that have been placed in the bill.

Let me give an illustration of that. On page 21, line 16, section 113, no part of this appropriation shall be used for publicity or propaganda purposes or implementation of any policy, including boycotts designed to support or defeat legislation before Congress or any State legislature.

That is something that this body has accepted in the past, that they would not use money for propaganda or otherwise lobbying.

Mr. DREIER. If I could reclaim my time, Mr. Speaker, just to say to argue that no Member has made this request, when in fact the chairman of the subcommittee has made this request to put these items in order here, it seems to me as we look at this, if you are going to continue to do this, why do we have an authorizing committee on

which the gentleman from Virginia [Mr. BLILEY] has worked so diligently over the years, if all of these items are going to be taken care of in this appropriations process? It has not simply been three Members who made this request. The majority leadership of this committee has, maybe at the request of the city here, the District of Columbia, included these items. But, frankly, a Member has done it.

Mr. Speaker, I yield 3 minutes to my friend, the gentleman from Sanibel, FL [Mr. GOSS], who has spent a lot of time thinking about and living in the District of Columbia when he is up here and not in Sanibel, FL.

Mr. GOSS. Mr. Speaker, each year I rise with great regret during consideration of the District of Columbia appropriations bill—regret I feel for the lost opportunity the people of the District of Columbia have suffered because their local elected leaders and public officials have failed in their management of the Nation's Capital City.

I am a true champion of home rule. I have a deep disappointment as a champion of home rule that after 20 years of home rule here, there is really only a worsening crisis of function after function of the city government.

The headlines this past year have told an incredible story of corruption and fraud, mismanagement, abuse of privilege, inept leadership, and virtually criminal abuse of the public trust; and I'm not talking about Mayor Kelly's cosmetician. We had a scandal at the District of Columbia Housing Agency involving bribery and misuse of public housing funds at the same time as more than $1.3 million was spent for renovations at the Housing Agency. There is the ongoing financial crisis involving a dangerous shortfall in the District's budget—a crisis that has been detailed in an eye-opening GAO report which portends a Federal bailout in the near future and an imperiled pension fund. There were the scandals of District of Columbia police officers conspiring to assist a drug ring, corrections officers found guilty of accepting bribes and smuggling drugs, and the forced resignation of the city's director of campaign finance because of drug charges. Violent crime is up, child welfare and productivity are down, and the Nation's Capital continues to prove that it cannot effectively manage itself.

Meanwhile, Mr. Speaker, this House is asked to approve funding for the District of about $720 million—without any serious requirement for changes in the way this city is being run. We have a disastrous financial situation—and a city government that has bounced from one scandal to the next. Yet, when Mr. WALSH of New York sought, in good faith, to offer concrete measures to head off the financial crisis—he was shut out. Mr. Speaker, I urge a "no" vote on this rule. For 20 years we've been told it'll be better next year—turns up. It's time for the District to clean up its act and face the music.

Chairman DIXON said we need to fix things. Well, no rule can fix what is wrong with the District of Columbia government. Frankly, this legislation does not fix it either, and that is why it should not be approved. This bill just shuffles money, another three-quarters of a billion dollars, on a problem that does not have a fix. No fix is even called for in this legislation.

I am told if you compare with other cities, they have problems too. And, yes, they do, the large urban metropolitan areas. I am aware of that. The fact of the matter is, Congress has a very special relationship with the District of Columbia, and has a very special responsibility. It seems to me that if we have this special responsibility, and that is what the problem is with the District of Columbia, then Congress had better get to work and find out what the fix is right now, because we cannot just keep doing what we have been doing before.

I am going to be offering cutting amendments to make a point. They certainly are not going to improve the situation. They may save the taxpayers some money.

We had a vote here on statehood. It did not pass because statehood is not defensible. We are having a referendum right now on home rule, and that may not sustain, because that no longer may be defensible. Certainly wasting taxpayers' dollars is not defensible. I think the District has been told repeatedly, the management, the government, that they have got to shape up, and every year we are told it is going to get better, and every year it gets worse.

Okay, where is the fix? It is not in this rule. It is not in this legislation. I suggest we go back to the drawing board and try and do what is right for our Nation's Capital.

□ 1400

Mr. DREIER. Mr. Speaker, I yield 2 minutes to a member of the Committee on Energy and Commerce, the gentleman from Ennis, TX [Mr. BARTON].

Mr. BARTON of Texas. Mr. Speaker, at the appropriate time under consideration of H.R. 4649, the D.C. appropriations bill, I will offer an amendment to prevent any funds from being expended to enforce the Domestic partners Act that the District of Columbia passed in 1992.

The Barton amendment is identical to an amendment that was offered 2 years ago by the gentleman from Texas [Mr. DELAY] and last year by the gentleman from Oklahoma [Mr. ISTOOK.] It passed in 1992 with 235 votes. It passed in 1993 with 251 votes. Had the committee seen fit to include the language in the pending legislation, there would not be a need to offer it as an amendment on the floor this year.

However, the committee did not do that and so there is a need for this amendment. Under the D.C. Domestic Partners Act, there is a tax preference given to domestic partners, it allows homosexual marriages to be registered. It defines domestic partners as a homosexual couple, heterosexual couple living together and any roommate. The Barton amendment basically continues, if adopted, the language that has been approved by this House and the Senate the last 2 years. It is supported by the Concerned Women for America, the Christian Coalition, the Family Research Council and Traditional Values Coalition.

I would strongly urge all Members to support the Barton amendment this year, when it is offered.

Mr. DREIER. Mr. Speaker, I yield 2 minutes to the gentleman from Lincoln, NE [Mr. BEREUTER].

Mr. BEREUTER. Mr. Speaker, I thank the gentleman for yielding me this time.

I serve on the housing subcommittee of the Committee on Banking, Finance and Urban Affairs. I have been attempting to focus some attention upon an entity of the District of Columbia called the Department of Public and Assisted Housing. This is the housing authority for this District of Columbia in which we now are located.

Since HUD has begun to describe troubled housing authorities in the late 1970's, DPAH has always been listed as one of the troubled housing authorities. HUD has recently declared it to be the most troubled or the worst housing authority in the United States of America.

I gather that most of my colleagues have noticed something about the latest scandal that has racked DPAH, the latest one being the voucher problem. Some time ago, a special master was appointed to consider the problems of DPAH. The special master made the recommendation that Judge Steffen Graae should, in fact, put the housing authority into a receivership.

This latest scandal that has racked this housing authority is not only a waste of taxpayers' funds, it is really hurting the people who can least afford to be hurt in our society, particularly in this city.

To have to pay bribes to get housing vouchers, the routine practice at DPAH which apparently went on for years and years, is just outrageous. I do not know what we can do to move Judge Graae along, but it is a rare opportunity to take the floor on this relevant issue affecting an element in the District of Columbia's government, DPAH. This Member will continue pushing for action on DPAH through votes on this issue in the Banking subcommittee and committee. In addition, Mr. Chairman, I would like very much to see the problems of DPAH addressed somehow in the appropriation process

in the future through this appropriations subcommittee.

If Judge Graae is unwilling to act upon this special master's recommendation, then I think the Congress has a responsibility to put DPAH in receivership and to require a whole host of our necessary reforms.

Mr. DREIER. Mr. Speaker, I yield myself 1 minute just to close.

Mr. Speaker, we have just decided here that we are going to ask for a vote on the previous question. We have concluded that with 51 items that are protected in this measure, we should, in fact, have a real open rule to bring about the kind of fairness that I know my friend from Tennessee would like to have. I will ask my colleagues to vote to defeat the previous question and then I will insert an amendment which will simply ensure that this is an open rule without any protections whatsoever, whether they are for the majority Members or the items that we discussed from the gentleman from New York [Mr. WALSH]. It is the only way that we can bring about true fairness and an open rule.

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

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

In conclusion, let me just say that many of us have serious concerns about the management of the District of Columbia. I am certainly one of those Members here. So I think it is important that we get on and debate this bill and address these serious matters.

At the risk of creating an echo in this chamber, let me say, once again, as my friend from California knows, this is an open rule. The fact of the matter is that all relevant amendment were allowed at the subcommittee level, debated, and voted upon. All relevant amendments were allowed at the committee level, introduced, debated, and voted upon. And all relevant amendments today on the House floor will be allowed, debated, and voted upon.

This is an open rule. This is an open rule that is supported by the chairman of the authorizing committee, and I would request that this body approve this open rule.

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

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

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

I picked up this open rule that my friend has referred to. It is House Resolution 466. It is very brief. It makes no mention whatsoever of an open rule. All it does is waive points of order. So I would like to ask the gentleman, he about six times described this as a great open rule. All it does is waive points of order on 51 items protecting items that the majority has raised and just a couple of items that have been raised by the minority here. That is why I hope very much that we can vote to defeat the previous question to ensure that we will be able to have a true open rule and eliminate all of these items in here which are protected.

Mr. GORDON. Mr. Speaker, reclaiming my time, as my friend from California knows, and he frequently asks for an open rule, an open rule applies to an amendment process. All amendments that were relevant were allowed in this committee.

Mr. Speaker, I yield to the gentleman from California [Mr. DIXON].

Mr. DIXON. Mr. Speaker, I thank the gentleman from Tennessee for yielding to me. I would just like to engage in a colloquy with my good friend from California, who is a member of the Committee on Rules. First, I do not understand the rationale for turning down the previous question on an open rule.

As I understand what the gentleman is saying, an open rule would not prohibit a Member from making a point of order. An open rule would allow the amendments that the gentleman from New York, Mr. WALSH, offered, and that were agreed to by our committee and that I am trying to protect through this rule to be struck on a point of order. It would not allow the gentleman from New York, [Mr. WALSH] to offer his amendments because they are still subject to a point of order.

If I understand, and perhaps I do not understand it, that would be the situation.

Finally, as it relates to the other 47 that the gentleman refers to, those are policy issues that both sides of the aisle agree with. They would be subject to a point of order.

An open rule, as the gentleman is saying it, does not move us forward at all. It is counterproductive. I thought the gentleman from New York, [Mr. WALSH] wanted to have summary reports every quarter. I agree with that. But there may be Members here who do not want to move that far. It would mean that that would be struck on a procedural matter. I do not think that the member of the Committee on Rules wants to do that.

Mr. GORDON. Mr. Speaker, reclaiming my time, I think we need to move forward with this bill. This is the conclusion of the time. We need to move forward with this bill. I do not want to cut the gentleman off.

Mr. Speaker, I yield 30 seconds to the gentleman from California [Mr. DREIER] to conclude. Then we will move forward with this resolution.

□ 1410

Mr. DREIER. Mr. Speaker, I was simply going to respond to the questions raised by my friend, the gentleman from Culver City, CA [Mr. DIXON] and say that it is under the standard rules of the House that the open amendment process is in order. In light of that, there is no necessity to go to the Committee on Rules whatsoever, if it were not for the protection of these 51 items.

Mr. Speaker, my amendment that I hope to offer when we defeat the previous question simply strikes all after the resolving clause and inserts in lieu thereof nothing. Basically, this is not necessary whatsoever, because this rule says nothing about an open amendment process. All it does is provide waivers protecting items that have been raised by the majority.

Mr. Speaker, I thank the gentleman for yielding to me, and urge a no vote on the previous question. The material referred to is as follows:

HOUSE RESOLUTION 466—AN AMENDMENT OFFERED BY MR. DREIER

Strike all after the resolving clause and insert in lieu thereof, nothing.

CHANGES IN THE APPLICATION OF EXISTING LAW

Pursuant to Clause 3, rule XXI of the Rules of the House of Representatives, the following statements are submitted describing the effect of provisions in the accompanying bill which might be construed, under some circumstances, as directly or indirectly changing the application of existing law.

1. Under "Governmental Direction and Support", there is language which provides that program fees collected from the issuance of bonds or other debt instruments shall be available for the payment of expenses of the District's debt management program. Section 490 of the Home Rule Charter (Public Law 93–198, as amended) authorizes the District government to issue revenue bonds for a number of specified purposes and was amended by Public Law 95–218 specifically to enable the District government to act as a conduit for the issuance of revenue bonds for private colleges and universities. This language will allow the District government to be reimbursed for the costs of issuing bonds on behalf of third-party beneficiaries.

2. The bill includes language under "Governmental Direction and Support" appropriating funds to pay legal, management, investment and other fees and administrative expenses of the District of Columbia Retirement Board. Section 121(f)(1) of the District of Columbia Retirement and Reform Act (Public Law 96–122) states that all administrative expenses incurred by the Board are to be paid out of funds appropriated for such purposes. The language recommended by the Committee appropriates the total amount required for the operation of the Board and specifies that the total amount is to be from the investment income of the pension funds. The language also clarifies that all expenses of the Board are to be paid from this appropriation. A requirement for quarterly reports as well as timely submission of budget data and audit information is also included in the language.

3. The bill includes language under "Economic Development and Regulation", requiring that any profits associated with the operations of the District of Columbia Housing Finance Agency be used to reimburse the general fund for the costs involved in issuing mortgage revenue bonds. The language also provides that upon commencement of debt service payments such payments shall be deposited into the general fund.

4. Under "Public Safety and Justice", language provides an exemption for two classes

of passenger motor vehicles from 31 U.S.C. 1343(c) which states, in part, that:

(c)(1) Except as specifically provided by law, an agency may use an appropriation to buy a passenger motor vehicle (except a bus or ambulance) only at a total cost (except costs required only for transportation) that

* * * * *

(C) is not more than the maximum price established by the agency having authority under law to establish a maximum price; and

(D) is not more than the amount specified in a law.

The classes of motor vehicles exempted from the price ceiling are vehicles used for police, fire fighting and fire prevention activities. Because of the special requirements for those types of vehicles the costs exceed the maximum set for passenger motor vehicles for regular use.

5. Language is included under "Public Safety and Justice" authorizing the Mayor to reimburse the National Guard for expenses incurred in connection with emergency services performed by the Guard at the request of the Mayor. The language also provides that the availability of these funds is to be considered as constituting payment in advance for the emergency services involved.

6. Language included under "Public Safety and Justice" provides that funds appropriated for expenses under the Criminal Justice Act of 1974 (Public Law 93–412) for fiscal year 1995 shall be available for obligations incurred under that Act in each fiscal year since inception of the program in fiscal year 1975. This language is necessary due to the long time lag, for various reasons, between the time attorneys are appointed and the time vouchers are presented to the District for payment.

7. Language under "Public Safety and Justice" provides that funds appropriated for expenses under the District of Columbia Neglect Representation Equity Act of 1984 shall be available for obligations incurred under that Act in each fiscal year since inception in fiscal year 1985.

8. Language under "Public Safety and Justice" provides that funds appropriated for expenses under the Guardianship, Protective Proceedings, and Durable Power of Attorney Act of 1986 shall be available for obligations incurred under that Act in each fiscal year since inception in fiscal year 1989.

9. Language is included under "Public Safety and Justice" providing $500,000 for the Police Chief's confidential fund in fiscal year 1995 in accordance with the Police Chief's estimates.

10. Language under "Public Safety and Justice" requires the Police department to provide quarterly reports on its efforts to increase efficiency and improve the professionalism in the Department.

11. Language under "Public Safety and Justice" gives the Metropolitan Police Department independent authority to make purchases up to $500,000 and provides that the District of Columbia government may not require the Department to submit to any other procurement review process, or to obtain the approval of any other official or employee.

12. Language is included under "Public Education System" authorizing the District of Columbia Public Schools to accept not to exceed 31 motor vehicles for exclusive use in the driver education program.

13. Language is under "Public Education System" requiring the Board of Trustees of the University of the District of Columbia to establish a tuition rate for nonresident students at a level no lower than the rate for nonresident students at comparable public institutions of higher education in the metropolitan area.

14. Under "Human Support Services", there is language providing that appropriations available solely for employees' disability compensation shall remain available until expended. 31 U.S.C. 1301(c)(2) provides in part, that:

(c) An appropriation in a regular, annual appropriation law may be construed to be permanent or available continuously only if the appropriation—

* * * * *

(2) expressly provides that it is available after the fiscal year covered by the law in which it appears.

15. Language under "Human Support Services" prohibits the District from providing free government service to private nonprofit organizations if the District would not be qualified to receive reimbursement pursuant to the Stewart B. McKinney Homeless Act.

16. Language is included under "Public Works" providing for the rental of one passenger-carrying vehicle for use by the Mayor and three passenger-carrying vehicles for use by the Council of the District of Columbia.

17. Language under "Repayment of General Fund Recovery Debt" provides funds to reduce the District's accumulated general fund deficit.

18. Under "Capital Outlay", there is language that provides that the amount appropriated shall remain available until expended. This language is needed to provide an exemption to 31 U.S.C. 1301(c)(2) to allow the funds to remain available beyond fiscal year 1995. The exemption is needed because of the length of time required for the design and construction of capital projects.

19. The Committee has included language under "Capital Outlay" requiring that funds appropriated for capital outlay projects shall be managed and controlled in accordance with procedures and limitations established under the financial management system and that all such funds shall be available only for the specific project and purpose intended.

20. Language under "Lottery and Charitable Games Enterprise Fund" requires the use of non-Federal funds to finance the operations of the Lottery Board and directs the District to identify the source of funding from its own locally-generated revenues.

21. Section 101 of the "General Provisions" requires that all expenditures for consulting services obtained through procurement contracts be open for public inspection.

22. Language under section 104 grants the Mayor the authority within rates prescribed by Federal Travel Regulations, to establish mileage allowances for privately owned automobiles and motorcycles used for official purposes.

23. A proviso is included under section 105 of the bill permitting the Council of the District of Columbia and the local judiciary to expend funds for travel and payment of dues without authorization by the Mayor.

24. Section 106 appropriates funds for refunding overpayments of taxes collected and for paying judgments against the District of Columbia government.

25. Section 107 of the "General Provisions" provides an exemption from the requirement of section 544 of the District of Columbia Public Assistance Act of 1982, effect April 6, 1982 (D.C. Law 4–101; D.C. Code, sec. 3–205.44).

That section states that:

Such amount as referred to in subsection (a) of this section shall not be less than the full amount determined as necessary on the basis of the minimum needs of such person as established by the Council.

Because of financing constraints, the District has regularly budgeted for a percentage of the public assistance payment standard, rather than for the full amount as required by Sec. 3–205.44 of the District of Columbia Code.

26. Language is included in section 110 of the "General Provisions" requiring the annual budget for the District of Columbia government for fiscal year 1996 to be transmitted to the Congress no later than April 15, 1995. The District of Columbia Self-Government and Governmental Reorganization Act (Public Law 93–198) does not provide a specific date for the transmitting of budgets to the Congress.

27. Language in section 112 of the "General Provisions" has been carried since 1979 and allows the payment of a percentage of taxes collected to individuals who provide information to the District resulting in the collection of taxes.

28. A proviso is included under Section 114 requiring the Mayor to develop an annual plan for borrowing capital outlay funds and to submit quarterly reports to the Council to the District of Columbia.

29. Language in section 115 of the "General Provisions" requires the Mayor to obtain approval from the Council of the District of Columbia prior to borrowing funds for capital projects.

30. Section 116 of the "General Provisions" prohibits the Mayor from paying operating expenses with funds borrowed for capital projects.

31. Language in section 117 prohibits the obligation or expenditure of funds by reprogramming unless advance approval is obtained in accordance with established procedures set forth in House Report No. 96–443 as modified in House Report No. 98–265.

32. Language in section 118 prohibits the use of Federal funds in the bill to provide a personal cook, chauffeur, or other personal servants to any officer or employee of the District of Columbia government.

33. Language in section 119 prohibits the use of Federal funds in the bill to purchase passenger automobiles as defined in 15 U.S.C. 2001(2) with an Environmental Protection Agency estimated miles per gallon average of less than 22 miles per gallon.

34. Language in section 120 authorizes the Mayor to set the salary of the City Administrator at a rate not to exceed the maximum statutory rate established for level IV of the Federal Executive Schedule under 5 U.S.C. 5315, and provides that this salary may be payable to the City Administrator during fiscal year 1995. The language also authorizes the Mayor to set the per diem rate for board members of the Redevelopment Land Agency in the same manner consistent with their authority to set these rates for members of other boards and commissions of the District government. The Major does not have this authority at the present time.

35. Language under section 121 clarifies the pay setting authority for District employees as the District's Merit Personnel Act rather than title 5 of the United States Code.

36. Language in section 122 exempts the District from provisions of section 322 of the Economy Act of 1932 concerning expenditures for office leasing, alternations, improvements and repairs. This exemption was recommended by the General Accounting Office and was first carried in the fiscal year 1985 bill.

37. Language in section 124 extends for one year the District's authority to sell its general obligations bonds through negotiated sales.

38. Language in section 125 prohibits the District government from renewing or extending sole source contracts without opening them to the competitive bidding process as set forth in section 303 of the District of Columbia Procurement Practices Act of 1984, effective February 21, 1986 (D.C. Law 6–85).

39. Sec. 126 requires any sequestration pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985 (Public Law 99–177) to be applied to each of the Federal fund appropriation accounts rather than to the aggregate total of these accounts.

40. Language in section 127 provides that in the event a sequestration order is issued after the amounts appropriated to the District have been paid to the District, the Mayor is required to pay the Secretary of the Treasury, within 15 days after receipt of a request from the Secretary, the amounts sequestered by the order provided the sequestration percentage is applied to each of the Federal appropriation accounts and not applied to the aggregate total.

41. Section 128 makes permanent section 133 of the D.C. Appropriations Act, 1990, Public Law 101–168; 103 Stat. 1280–1282, which provides means by which the District of Columbia government is paid for water and sanitary sewer services furnished to any department, agency, or independent establishment of the Federal government.

42. Language under section 129 requires the District to pay interest on payments to the Federal Bureau of Prisons made more than 60 days from receipt of an itemized statement.

43. Language in section 130 prohibits the expenditure of funds for programs or functions for which a reorganization plan is required but has not been approved by the Council.

44. Language under section 131 allows the District of Columbia government to accept and use, with the Mayor's approval, donations received for public purposes authorized by law. The language also requires that accurate records be maintained by the agency or entity administering the program and that the records be available for audit and public inspection. The language also allows the Council of the District of Columbia and the Board of Education to accept gifts and donations without the approval of the Mayor.

45. Language under section 132 imposes a hiring freeze District-wide except for essential positions and requires the Council to enact implementing legislation.

46. Language under section 133 continues current law as it relates to the prohibition on the use of Federal funds for salaries, expenses, or other costs associated with the offices of D.C. Senator for representative.

47. Language under section 134 continues current law that prohibits the use of Federal funds in the bill for abortions except to save the life of the mother and in cases of rape or incest.

48. Language under section 135 requires an independent audit of the D.C. Retirement Board.

49. Language under section 136 relates to the Municipal Fish Wharf.

50. Language under section 137 relates to quarterly financial reports.

51. The Committee has approved language under the Water and Sewer Enterprise Fund relating to capital borrowings by the Secretary of the Army for the Washington Aqueduct.

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

Mr. Chairman, as I conclude this debate, we talked about a lot of parliamentary gobbledygook. The fact of the matter is, this is an open rule that allows all relevant amendments to be offered, debated, and voted upon.

Mr. STARK. Mr. Speaker, I rise in strong support of this rule providing for consideration of the District of Columbia appropriations bill for fiscal year 1995. I commend my colleague, JULIAN DIXON, for seeking this rule and Rules Committee Chairman JOE MOAKLEY for offering it.

This rule is both fair and reasonable. What makes this rule fair is that it allows for consideration of any amendment that complies with the Rules of the House governing consideration of appropriations bills. What makes this rule reasonable is that it defers to the authorizing committee decisions about such matters as the District's pension system and the use of the Federal payment.

Mr. Speaker, the House District Committee has before it legislation affecting the District's retirement system and unfunded pension liability, as well as reauthorization of the Federal payment. In those contexts, the committee will address the findings of the recently released GAO report on the financial condition of the District of Columbia.

I urge my colleagues to support this rule.

Mr. GORDON. Mr. Speaker I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore (Mr. TAYLOR of Mississippi) The question is on ordering the previous question.

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

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

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

This will be a 15-minute vote. It will be followed by a 5-minute vote, if ordered, upon adoption of the resolution.

The vote was taken by electronic device, and there were—yeas 251, nays 177, not voting 6, as follows:

[Roll No. 305]

YEAS—251

Abercrombie
Ackerman
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Applegate
Bacchus (FL)
Baesler
Barca
Barcia
Barlow
Barrett (WI)
Becerra
Beilenson
Berman
Bevill
Bilbray
Bishop
Blackwell
Bonior
Borski
Boucher
Brewster
Brooks
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Byrne
Cantwell
Cardin
Carr
Clay
Clayton
Clement
Clyburn
Coleman
Collins (IL)
Collins (MI)
Condit
Conyers
Cooper
Coppersmith
Costello
Coyne
Cramer
Danner
Darden
de la Garza
Deal
DeFazio
DeLauro
Dellums
Derrick
Deutsch
Dingell
Dixon
Dooley
Durbin
Edwards (CA)
Edwards (TX)
Engel
English
Eshoo
Evans
Farr
Fazio
Fields (LA)
Filner
Fingerhut
Flake
Foglietta
Ford (MI)
Ford (TN)
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Geren
Gibbons
Glickman
Gonzalez
Gordon
Green
Gutierrez
Hall (OH)
Hall (TX)
Hamburg
Hamilton
Harman
Hastings
Hayes
Hefner
Hilliard
Hinchey
Hoagland
Hochbrueckner
Holden
Hoyer
Hughes
Hutto
Inslee
Jacobs
Jefferson
Johnson (GA)
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kennedy
Kennelly
Kildee
Kleczka
Klein
Klink
Kopetski
Kreidler
LaFalce
Lambert
Lancaster
Lantos
LaRocco
Laughlin
Lehman
Levin
Lewis (GA)
Lipinski
Lloyd
Long
Lowey
Maloney
Mann
Manton
Margolies-Mezvinsky
Markey
Martinez
Matsui
Mazzoli
McCloskey
McCurdy
McDermott
McHale
McKinney
McNulty
Meehan
Meek
Menendez
Mfume
Miller (CA)
Mineta
Minge
Mink
Moakley
Mollohan
Montgomery
Moran
Murphy
Murtha
Nadler
Neal (MA)
Neal (NC)
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Pallone
Parker
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Penny
Peterson (FL)
Peterson (MN)
Pickett
Pickle
Pomeroy
Poshard
Price (NC)
Rahall
Rangel
Reed
Richardson
Roemer
Rose
Rostenkowski
Rowland
Roybal-Allard
Rush
Sabo
Sanders
Sangmeister
Sarpalius
Sawyer
Schenk
Schroeder
Scott
Serrano
Sharp
Shepherd
Sisisky
Skaggs
Skelton
Slattery
Slaughter
Smith (IA)
Spratt
Stark
Stenholm
Stokes
Strickland
Studds
Stupak
Swett
Swift
Synar
Tanner
Tauzin
Taylor (MS)
Tejeda
Thompson
Thornton
Thurman
Torres
Torricelli
Towns
Traficant
Tucker
Unsoeld
Valentine
Velázquez
Vento
Visclosky
Volkmer
Waters
Watt
Waxman
Wheat
Whitten
Williams
Wilson
Wise
Woolsey
Wyden
Wynn
Yates

NAYS—177

Allard
Archer
Armey
Bachus (AL)
Baker (CA)
Baker (LA)
Ballenger
Barrett (NE)
Bartlett
Barton
Bateman
Bentley
Bereuter
Bilirakis
Bliley
Blute
Boehlert
Boehner
Bonilla
Bunning
Burton
Buyer
Callahan
Calvert
Camp
Canady
Castle
Clinger
Coble
Collins (GA)
Combest
Cox
Crane
Crapo
Cunningham
DeLay
Diaz-Balart
Dickey
Doolittle
Dornan
Dreier
Duncan
Dunn
Ehlers
Emerson
Everett
Ewing
Fawell
Fields (TX)
Fish
Fowler
Franks (CT)
Franks (NJ)
Gallegly
Gallo
Gekas
Gilchrest
Gillmor
Gilman
Gingrich
Goodlatte
Goodling
Goss
Grams
Grandy
Greenwood
Gunderson
Hancock
Hansen
Hastert
Hefley
Herger
Hobson
Hoekstra
Hoke
Horn
Houghton
Huffington
Hunter
Hutchinson
Hyde
Inglis
Inhofe
Istook

Johnson (CT)
Johnson, Sam
Kasich
Kim
King
Kingston
Klug
Knollenberg
Kolbe
Kyl
Lazio
Leach
Levy
Lewis (CA)
Lewis (FL)
Lewis (KY)
Lightfoot
Linder
Livingston
Lucas
Manzullo
McCandless
McCollum
McCrery
McDade
McHugh
McInnis
McKeon
McMillan
Meyers
Mica
Michel
Miller (FL)
Molinari
Moorhead
Morella
Myers
Nussle
Oxley
Packard
Paxon
Petri
Pombo
Porter
Portman
Pryce (OH)
Quillen
Quinn
Ramstad
Ravenel
Regula
Ridge
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Royce
Santorum
Saxton
Schaefer
Schiff
Sensenbrenner
Shaw
Shays
Shuster
Skeen
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solomon
Spence
Stearns
Stump
Sundquist
Talent
Taylor (NC)
Thomas (CA)
Thomas (WY)
Torkildsen
Upton
Vucanovich
Walker
Walsh
Weldon
Wolf
Young (AK)
Young (FL)
Zeliff
Zimmer

NOT VOTING—6

Chapman
Dicks
Machtley
Reynolds
Schumer
Washington

□ 1430

Messrs. McKEON, EVERETT, LEWIS of California, and McCANDLESS changed their vote from "yea" to "nay."

Mr. BARCA of Wisconsin and Ms. EDDIE BERNICE JOHNSON of Texas changed their vote from "nay" to "yea."

So the previous question was ordered.

The result of the vote was announced as above recorded.

□ 1433

The SPEAKER pro tempore (Mr. TAYLOR of Mississippi). The question is on the resolution.

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

RECORDED VOTE

Mr. GORDON. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 236, noes 188, not voting 10, as follows:

[Roll No. 306]

AYES—236

Abercrombie
Ackerman
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Applegate
Bacchus (FL)
Baesler
Barca
Barcia
Barlow
Barrett (WI)
Becerra
Beilenson
Berman
Bevill
Bilbray
Bishop
Blackwell
Bonior
Borski
Boucher
Brewster
Brooks
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Byrne
Cantwell
Cardin
Carr
Clay
Clayton
Clement
Clyburn
Coleman
Collins (IL)
Collins (MI)
Condit
Conyers
Cooper
Coppersmith
Costello
Coyne
Cramer
Danner
Darden
de la Garza
DeFazio
DeLauro
Dellums
Derrick
Deutsch
Dingell
Dixon
Dooley
Durbin
Edwards (CA)
Edwards (TX)
Engel
English
Eshoo
Evans
Farr
Fazio
Fields (LA)
Filner
Fingerhut
Flake
Foglietta
Ford (MI)
Ford (TN)
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Gibbons
Gonzalez
Gordon
Green
Gutierrez
Hall (OH)
Hamburg
Hamilton
Harman
Hastings
Hefner
Hilliard
Hinchey
Hoagland
Hochbrueckner
Holden
Hoyer
Hughes
Inslee
Jacobs
Jefferson
Johnson (GA)
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kennedy
Kennelly
Kildee
Kleczka
Klein
Klink
Kopetski
Kreidler
LaFalce
Lambert
Lancaster
Lantos
LaRocco
Laughlin
Lehman
Levin
Lewis (GA)
Lipinski
Lloyd
Long
Lowey
Mann
Manton
Margolies-Mezvinsky
Markey
Martinez
Matsui
Mazzoli
McCloskey
McCurdy
McDermott
McHale
McKinney
McNulty
Meehan
Meek
Menendez
Mfume
Miller (CA)
Mineta
Minge
Mink
Moakley
Mollohan
Montgomery
Moran
Murphy
Murtha
Nadler
Neal (MA)
Neal (NC)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Parker
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Penny
Peterson (FL)
Pickett
Pickle
Pomeroy
Poshard
Price (NC)
Rahall
Rangel
Reed
Richardson
Roemer
Rose
Rostenkowski
Roybal-Allard
Rush
Sabo
Sanders
Sangmeister
Sarpalius
Sawyer
Schenk
Scott
Serrano
Sharp
Shepherd
Sisisky
Skaggs
Skelton
Slattery
Slaughter
Smith (IA)
Spratt
Stark
Stokes
Strickland
Studds
Stupak
Swett
Synar
Tanner
Taylor (MS)
Tejeda
Thompson
Thornton
Thurman
Torres
Torricelli
Towns
Traficant
Tucker
Unsoeld
Valentine
Velázquez
Vento
Visclosky
Waters
Watt
Waxman
Wheat
Whitten
Williams
Wilson
Wise
Woolsey
Wyden
Wynn
Yates

NOES—188

Allard
Archer
Bachus (AL)
Baker (CA)
Baker (LA)
Ballenger
Barrett (NE)
Bartlett
Barton
Bateman
Bentley
Bereuter
Bilirakis
Bliley
Blute
Boehlert
Boehner
Bonilla
Bunning
Burton
Buyer
Callahan
Calvert
Camp
Canady
Castle
Clinger
Coble
Collins (GA)
Combest
Cox
Crane
Crapo
Cunningham
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Dornan
Dreier
Duncan
Dunn
Ehlers
Emerson
Everett
Ewing
Fawell
Fields (TX)
Fish
Fowler
Franks (CT)
Franks (NJ)
Gallegly
Gallo
Gekas
Geren
Gilchrest
Gillmor
Gilman
Gingrich
Glickman
Goodlatte
Goodling
Goss
Grams
Grandy
Greenwood
Gunderson
Hall (TX)
Hancock
Hansen
Hastert
Hayes
Hefley
Herger
Hobson
Hoekstra
Hoke
Horn
Houghton
Huffington
Hunter
Hutchinson
Hutto
Hyde
Inglis
Inhofe
Istook
Johnson (CT)
Johnson, Sam
Kasich
Kim
King
Kingston
Klug
Knollenberg
Kolbe
Kyl
Lazio
Leach
Levy
Lewis (CA)
Lewis (FL)
Lewis (KY)
Lightfoot
Linder
Livingston
Lucas
Manzullo
McCandless
McCollum
McCrery
McDade
McHugh
McInnis
McKeon
McMillan
Meyers
Mica
Michel
Miller (FL)
Molinari
Moorhead
Morella
Myers
Nussle
Orton
Oxley
Packard
Paxon
Peterson (MN)
Petri
Pombo
Porter
Portman
Pryce (OH)
Quillen
Quinn
Ramstad
Ravenel
Regula
Ridge
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Rowland
Royce
Santorum
Saxton
Schaefer
Schiff
Schroeder
Sensenbrenner
Shaw
Shays
Shuster
Skeen
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solomon
Spence
Stearns
Stenholm
Stump
Sundquist
Talent
Tauzin
Taylor (NC)
Thomas (CA)
Thomas (WY)
Torkildsen
Upton
Vucanovich
Walker
Walsh
Weldon
Wolf
Young (AK)
Young (FL)
Zeliff
Zimmer

NOT VOTING—10

Armey
Chapman
Dicks
Machtley
Maloney
Reynolds
Schumer
Swift
Volkmer
Washington

□ 1438

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mrs. MALONEY. Mr. Speaker, I inadvertently missed rollcall 306 because I was in a meeting with constituents and arrived in the Chamber just after the vote ended. Had I been present, I would have voted "yea."

GENERAL LEAVE

Mr. GORDON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on House Resolution 466, the resolution just considered and agreed to.

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

There was no objection.

□ 1440

GENERAL LEAVE

Mr. STOKES. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill, H.R. 4624, that I be permitted to include tables, charts, and other extraneous material.

The SPEAKER pro tempore (Mr. TAYLOR of Mississippi). Is there objection to the request of the gentleman from Ohio?

There was no objection.

DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 1995

Mr. STOKES. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4624) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and the offices for the fiscal year ending September 30, 1995, and for other purposes; and pending that motion, Mr. Speaker, I ask unanimous consent that general debate be limited to not exceed 1 hour, the time to be equally divided and controlled by the gentleman from California [Mr. LEWIS] and myself.

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

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio [Mr. STOKES].

The motion was agreed to.

□ 1442

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 4624, with Mr. BEILENSON in the chair.

The Clerk read the title of the bill.

By unanimous consent, the bill was considered as having been read the first time.

Pursuant to the unanimous consent agreement, the gentleman from Ohio [Mr. STOKES] will be recognized for 30 minutes, and the gentleman from California [Mr. LEWIS] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Ohio [Mr. STOKES].

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

Mr. Chairman, we bring before the House today the 1995 VA, HUD, and independent agencies appropriations bill. Coincidentally, it is exactly one year to the day since we appeared before the House, last year with the bill.

As always, this is a very difficult bill to prepare. It requires tough, difficult choices. But in making those choices, what we as a committee attempted to do, I believe, was to be balanced and fair.

Our section 602(b) allocation was approximately $400 million in outlays below the President's request. The budget authority allocation is approximately $450 million above the 1995 request. But it is the outlay allocation that is the most constraining—and the question quickly becomes "what programs should be reduced to meet the outlay allocation?"

This problem is not unique to the VA-HUD Subcommittee. All discretionary spending is being squeezed as the budget caps continue to shrink the money available. And I think I can predict that next year we will be facing a discretionary cap that will force further spending cuts. And frankly, the outlook beyond 1996 appears equally grim.

As I mentioned, the outlay allocation is approximately $400 million below the President's request. To that deficit in outlays, the committee added approximately $350 million in outlays for high priority programs in the Departments of Veterans Affairs and Housing and Urban Development.

For example, VA's medical care account was increased to maintain the current services level. Medical and prosthetic research was increased to maintain the 1994 level. Additional funds were provided to address the increasing backlog in processing of veterans' claims. And operating subsidies for public housing projects were increased so as to provide for the well-being of low-income families.

That brought the real outlay shortfall to approximately $700 million. This amount was offset by outlay enhancers of approximately $300 million. These savings primarily result from including language to increase the Federal Housing Administration's mortgage floor and upper limit for high-cost areas, and expanding the Government National Mortgage Associations' real estate mortgage investment conduit program.

In order to bring the bill within the section 602(b) outlay allocation, reductions were required in the requested increases for the Environmental Protection Agency, the National Science Foundation, and the Corporation for National and Community Service. A reduction was also required in the amount requested for the National Aeronautics and Space Administration. However, each of these agencies received approximately one-half—or more—of its requested increase above the 1994 appropriation level, despite reductions in the amounts requested.

Let me stress this point because I believe it is very significant. EPA, the Science Foundation, and the Corporation each received approximately one-half—or more—of its requested increase.

Mr. Chairman, the VA-HUD Subcommittee has received letters from each of the heads of the major agencies funded in the bill supporting the subcommittee's recommendations.

There is another point I would like to mention—the President's investment proposals. The VA-HUD Subcommittee accounts for approximately $13 billion of the $90 billion in the investment package. This bill, as reported to the House, includes more than $12 billion for those investment proposals. That means the bill funds approximately 90 percent of the President's investment package.

Before going on to specific recommendations for the major agencies in the bill, let me explain the ground rules we used regarding legislation in the 1995 bill.

With a few exceptions—the previously mentioned outlay enhancers being the main ones—there is no legislation in this bill. Funding is provided for ongoing programs for which enabling legislation presently exists—although there is no authorization for a specific amount of funds for fiscal year 1995. This practice is not different from the way we have proceeded in past years.

Funds are not provided for a number of new programs in HUD, VA, and EPA for which there is no existing legislation. But, let me assure the members, the subcommittee will consider funding for all new programs, including those in HUD, VA, and EPA, in conference—after enactment and review of the authorizing legislation—and within the availability of funds in the subcommittee's allocation.

Let me turn now and highlight a few of the subcommittee's major recommendations.

For the Department of Veterans Affairs medical care account, we have provided a total of $16.2 billion—an increase of $111 million above the 1995 request. This increase represents the amount the VA estimates is needed to maintain the current services level in 1995.

The increase in funds recommended, together with an increase of approximately $300 million requested for contract employment, will permit the VA to maintain the 1994 hospital staffing levels. It is the committee's intention that the Secretary have the discretion to determine whether the FTE level is 201,508, as proposed in the budget—205,188, as provided in 1994—or some level in between. Any reduction below the 1994 FTE level will be offset with increases in contract employment. This places the responsibility for determining the proper mix of federal employees and contract employees where such an administrative decision should be—with the Secretary.

Under housing, we are recommending $26.8 billion—which is an increase of $915 million above the president's request. The recommended amount is also an increase of $1.8 billion above the 1994 level.

Where did that increase above the 1994 level go? Of the recommended amount, an increase of $279 million above the 1994 level is for homeless programs—the Secretary's number one priority.

The bill also includes the following increases above the 1994 level: $200 million for the community development grants program; $280 million for public housing operating subsidies; and $1.3

billion for 30,000 units of section 8 rental assistance.

Turning to the Corporation for National and Community Service, the Committee is recommending a total of $490 million in 1995. This is an increase of $120 million above the 1994 level and a decrease of $120 million below the 1995 request.

For EPA, the Committee is recommending a total of almost $7 billion in 1995 for activities of the Environmental Protection Agency. This is $368 million above the 1994 level and $170 million below the 1994 request.

Turning next to NASA, we have included $14 billion for the National Aeronautics and Space Administration in 1995. That is a reduction of $240 million below the budget request and $527 million below the 1994 level.

Included within the recommended amount is the full request of $2,120,900,000 for the space station program.

For the National Science Foundation, the bill includes $3.1 billion. This is an increase of $88 million above the 1994 level and $93 million below the 1995 request.

□ 1450

Mr. Chairman, I want to thank all of the members of the subcommittee for their active and interested participation in the hearings and deliberations that resulted in the development of this bill. I want to especially thank the ranking minority member of the subcommittee, the gentleman from California [Mr. LEWIS] for his cooperation and assistance. It is a pleasure working with him. I also want to express my appreciation and that of our subcommittee members, to our hard-working staff: Paul Thomason, Michelle Burkett, Robyn Bason and our detailee, Doug Reber. They have done an outstanding job.

Lastly, Mr. Chairman, crafting this bill would not have been possible without the hard work and long hours expended by the members of this subcommittee. I want to thank the gentleman from California [Mr. LEWIS], the gentleman from Texas [Mr. DELAY], and the gentleman from New Jersey [Mr. GALLO] for their work on that side of the aisle; and the gentleman from West Virginia [Mr. MOLLOHAN], the gentleman from Texas [Mr. CHAPMAN], the gentlewoman from Ohio [Ms. KAPTUR], the gentleman from California [Mr. TORRES], and the gentleman from Arkansas [Mr. THORNTON] on this side of the aisle. They are good Members, and we have produced a good bill.

I urge the Members to support the bill.

Mr. Chairman, at this point I will include a table with the Committee's recommendations compared to the 1994 levels and the budget estimates.

Department or agency	Appropriated, 1994	Budget estimates, 1995	Recommended in bill	Bill compared with—	
				Appropriated, 1994	Budget estimates, 1995
[1]	[2]	[3]	[4]	[5]	[6]
American Battle Monuments Commission	$20,211,000	$20,265,000	$20,265,000	+$54,000	
Cemeterial Expenses, Army	12,738,000	12,017,000	12,017,000	−721,000	
Chemical Safety and Hazard Investigation Board		4,250,000			−$14,250,000
Community Development Financial Institutions		144,000,000			−144,000,000
Consumer Information Center	2,074,000	2,008,000	2,008,000	−66,000	
Consumer Product Safety Commission	42,286,000	40,009,000	43,486,000	+1,200,000	+3,477,000
Corporation for National and Community Service	365,000,000	611,388,000	491,388,000	+126,388,000	−120,000,000
Council on Environment Quality	675,000	997,000	997,000	+322,000	
Court of Veterans Appeals	9,159,000	9,429,000	9,289,000	+130,000	−140,000
Department of Housing and Urban Development	24,966,681,000	25,901,078,000	26,815,784,000	+1,849,103,000	+914,706,000
Department of Veterans Affairs	36,665,953,032	37,105,920,061	37,283,863,061	+617,910,029	+177,943,000
Environment Protection Agency	6,619,797,900	7,158,095,000	6,988,017,000	+368,037,100	−170,078,000
Federal Deposit Insurance Corporation [1]	1,178,000,000	842,000,000	842,000,000	−336,000,000	
Federal Emergency Management Agency	786,289,000	702,000,000	831,322,000	+45,033,000	+129,322,000
National Aeronautics and Space Administration	14,527,399,000	14,240,684,000	14,000,684,000	−526,715,000	−240,000,000
National Credit Union Administration (limitation on direct loans)	(600,000,000)	(600,000,000)	(600,000,000)		
National Science Foundation	3,017,797,000	3,198,909,000	3,106,063,000	+88,266,000	−92,846,000
Neighborhood Reinvestment Corporation	32,000,000	38,667,000	38,667,000	+6,667,000	
Office of Consumer Affairs	2,159,000	2,166,000	2,166,000	+7,000	
Office of Science and Technology Policy	4,450,000	4,981,000	4,981,000	+531,000	
Office of National Service	160,000			−160,000	
Resolution Trust Corporation; Office of Inspector General	34,314,000	32,000,000	32,000,000	−2,314,000	
Selective Service System	25,000,000	22,930,000	22,930,000	−2,070,000	
Budget scorekeeping adjustments	−6,323,000	15,565,000	15,746,000	22,069,000	+181,000
Total	88,306,001,932	90,109,358,061	90,563,673,061	+2,257,671,129	+454,315,000

[1] Included such sums as necessary for losses under the Savings Association Insurance Fund.

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

Mr. LEWIS of California. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, let me first respond to the gentleman from Ohio [Mr. STOKES] and express my gratitude, not only for his expression of friendship and the pleasure we have had working together, but to say to the Members of the House that LOU STOKES is not just one of the finer members of the Committee on Appropriations, he is one of the best chairmen to have to work with. I look forward to continuing this newly developed partnership that is doing so well.

My colleagues, I rise to express my strongest support for H.R. 4624—the fiscal 1995 VA–HUD appropriations bill. In 1980, I read an editorial in the Los Angeles Times regarding the conclusions reached in the public policy process regarding land planning for desert wilderness in California—a subject, most of you know, that has my foremost attention these days. It concluded: "It's a good compromise. None of the principals can be totally satisfied with the final result."

That's precisely the way I would describe our VA–HUD appropriations bill. Almost every conceivable interest has to accept some pain or sacrifice in order to balance the competing interests in this bill.

The Clinton administration supports the bill but it has paid a price. In return for station and the substantial reinvention of the U.S. Department of Housing and Urban Development, the President and Director Panetta have had to surrender $170 million from their requested investment initiatives at the Environmental Protection Agency. The anticipated ramp up in the first full year of the Corporation for National and Community Service has been cut in half. And although total HUD funding is substantially more robust than this Member would like to see, pending concrete progress in resolving the Department's chronic management deficiencies, this bill defers funding of six new housing initiatives totalling $1.049 billion.

It is hoped that the veterans service organizations and those who serve on the authorizing committee will join us in support of the decisions reached regarding discretionary veterans programs. We provide the funds which make it possible for Secretary Brown to avoid a reduction of nearly 3,700 employees in this Nation's largest Government run medical care delivery system. While that runs counter to Vice President GORE's recommendations in the National Performance Review, it is a direct reflection of the will of this House.

We have restored a proposed cut of $41 million or 16 percent for VA medical research. The price for these decisions is that we have severely reduced VA major construction. We are, for the moment, $302 million or 73 percent below last year's enacted appropriations level. Additionally, we have increased total medical care funding by $611 million. while that's no small chunk of change, the subcommittee has traditionally added at least $1 billion above the previous year's appropriations. We no longer have the flexibility to provide such increases and address the bill's other challenges.

I want to take just a few moments to describe what has become the foremost controversy in our bill. And let's get it right. It's no longer Freedom or Alpha and it most certainly is not MIR II. It is truly an international space station. My chairman has had his doubts but he's nothing if not loyal and determined. And I am not just enthusiastic about the progress which NASA has made, I am deeply impressed by the level of enthusiasm of the current administration for this program.

So the chairman and I are here today in unified support of continuing America's program of manned exploration of space and pleased to be able to tell you that we welcome Russian participation in America's space station with open arms. Let me drive the point home.

The two most frequently asked questions are: What will it cost and when will we see concrete results from America's collaboration with the Russians? As of last week, NASA and the Russian space agency have a fixed price $400 million contract. With that we will be buying hardware. With that we will have a common airlock and docking module. We will have access to the existing Soviet space station. American research will be conducted on Russian research modules.

Much more importantly, next year when we have this debate an American astronaut will have flown in space for 3 months on a Russian station. He will arrive on the Russian Soyuz vehicle and return on the shuttle after it has docked with the Soviet station. Our astronaut will be in space for 90 days—breaking the previous American record of 84 days on Skylab. That is a most concrete result and we will have it with your help when we debate this bill next year.

I have already told you the price this administration is paying in other investment priorities. You should know that NASA is paying the price as well. In this bill NASA has an overall funding cut of $526 million or −4 percent from last year. It will sustain this cut, and contrary to the rhetoric we will hear from others, will do so with a fully funded space science budget and without the cancellation of any major science initiative.

We present you with a bill which spends $70.4 billion in Federal domestic discretionary dollars.

Mr. STOKES. Mr. Chairman, I yield 3 minutes to the distinguished gentlewoman from Ohio [Ms. KAPTUR], a member of the subcommittee.

Ms. KAPTUR. Mr. Chairman, as a member of the subcommittee, I want to commend the distinguished chairman of our committee, the gentleman from Ohio [Mr. STOKES], for his cordial but disciplined handling of this very, very complicated bill, and also the ranking minority member, the gentleman from California [Mr. LEWIS], for his vigilance throughout.

Let me say this is a very hard committee to serve on, because we have so many different departments and agencies under our jurisdiction. We were not able in this budget because of the constraints we are working under to fully fund all requests for the Environmental Protection Agency. We know across this country there is unfinished cleanup business in every corner of the Nation.

We were not able to fully fund the National Science Foundation, where so much of our future is tied to basic research. And we were not able to fund the Corporation for National and Community Service at the level requested by the President.

We made cuts in HUD's housing program, in EPA's water treatment grants, and in the Superfund program. This coming year we are going to be able to only fund about 5 percent of the sites on the national Superfund priority list. So much work remains to be done.

We consider it a victory that we were able to keep the VA medical research budget at its current level of $252 million, a victory just to keep the current research programs going, no new programs added. We were able to do a little bit more for the homelessness problem that has plagued this Nation for well over a decade. And we were also able to pay particular attention to housing for chronically mentally ill veterans and to support rehabilitation services for disabled veterans, as this Nation promised them when they put their lives on the line for the Nation.

In terms of welfare reform, I think the additional funding in the bill for the family self-sufficiency centers that will help public housing residents access jobs and educational opportunities, was a real progressive step.

One of the most important steps we took in the bill in concert with the authorizing committee was to enhance FHA's maximum mortgage limit to $172,678, which will help to aid the recovery across our country.

I have to say in closing, that one of the most difficult aspects of serving on this committee is that the manned space station takes so much money that we have to put constraints on every other single program under our jurisdiction. This was extremely difficult for me as a member of the committee, as I watched other priority programs taking a second place, really, to the manned space program, which we all know is important, but, in essence, put a lock on every other single program under our jurisdiction.

So although we could not fully fund other programs, I think our bill accommodates in a reasonable way congressional and Presidential priorities.

Mr. LEWIS of California. Mr. Chairman, I yield 5 minutes to the gentleman from New Jersey [Mr. GALLO].

Mr. GALLO. Mr. Chairman, I thank the ranking member, the gentleman from California [Mr. LEWIS], for yielding time to me.

Mr. Chairman, I want to begin by congratulating both the chairman, the gentleman from Ohio [Mr. STOKES], and also the ranking member, for a masterful job in crafting this bill.

Our subcommittee was faced with a very difficult task. Their strong, effective and cooperative leadership has enabled us to bring this bill to the floor, and it merits your support.

I want to express my strong support for the subcommittee's restoration to last year's level of funding for the section 202 elderly housing program.

This program has created more than 250,000 affordable housing units for low-income seniors over the last 30 years.

Yet, demands remain great. In my district alone, more than 2,500 seniors are on waiting lists for affordable housing.

This year the President's budget contained an 87-percent cut in this important program.

This is the second year in a row that our subcommittee has had to restore major cuts to this worthy program.

I hope the White House and HUD finally understand the strong support senior citizen housing enjoys in this Congress.

Also in the area of senior citizen housing, I want to express my continued concern about the problems facing seniors who live alongside substance abusers in mixed population housing.

The committee expressed its concern in the report, and I hope that HUD Secretary Cisneros will take the action needed to ensure that those seniors do not live in fear.

I also believe that the subcommittee has met its obligation to our veterans. Our country owes an enormous debt of gratitude to the men and women who have defended us, both in war and in peace. I am pleased that this bill recognizes that fact through its funding for veterans' programs.

I also would like to express my support for the subcommittee's appropriation for NASA. The bill supports the international space station without short-changing other important NASA efforts. I am confident that under the

direction of NASA Administrator Dan Goldin, the station will be brought in on-time and on-budget.

This bill also funds the Environmental Protection Agency. In that context I want to express my frustration with EPA's decision to issue regulations mandating the use of ethanol in reformulated gasoline.

This mandate is in direct violation of the Clean Air Act. Congress specifically directed the EPA to issue fuel-neutral guidelines for reformulated gasoline. The EPA has overstepped its bounds, and Congress is letting them get away with it.

The States should have the right to be able to pick the mix that they want. As it is, those that are not going to be able to reach the attainment levels can expect a 7- to 15-cent-per-gallon gas increase.

The State also has lost its prerogatives as a result of EPA's action in dealing with mandating that 30 percent ethanol has to be utilized in their mix.

It does another harmful thing. There are a lot of companies out there that are dealing with alternative fuels. What it says to them is, forget it. The Federal Government has made a decision that ethanol is going to be the mix, and that is it. And I do not really have a fight with any of the alternatives. I just think that the States should have the prerogative to be able to figure out what blend they want in their mixture.

□ 1510

And it should not be mandated. I have sent a letter to the President indicating that I would hope that he would rescind the EPA's regulations, because I do not feel that they are proper. I think that they penalize and take away the flexibilities that the States need.

With that, Mr. Chairman, I stand ready to support this bill. I again want to thank my ranking member, the gentleman from California [Mr. LEWIS], and the chairman, the gentleman from Ohio [Mr. STOKES], and all of the Members that participate as members of the subcommittee for their hard work in bringing this bill to the floor.

Mr. STOKES. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Mississippi [Mr. MONTGOMERY], chairman of the Committee on Veterans' Affairs.

Mr. MONTGOMERY. Mr. Chairman, I rise in support of this bill and especially as it relates to veterans programs, which provides funds for the Department of Veterans Affairs and the American Battle Monuments Commission. Millions of Americans who saw the commemoration of the Allied landing at Normandy also saw the serene beauty of the American cemetery located in Colleville, France, just above Omaha beach. I would like to commend the ABMC for the superb job it does in maintaining these overseas cemeteries.

I want to commend the chairman of the subcommittee, Mr. STOKES, for his support of veterans programs, and I thank Mr. LEWIS of California also for his help.

Chairman STOKES and the ranking minority member, Mr. LEWIS of California, have been very fair in their treatment of veterans in this bill. Although there are differences between the budget levels our committee recommended several months ago and the amounts provided by the bill, the bill provides increases above the President's recommended budget in three key areas.

The veterans health care system is beginning to make changes necessary to make it a customer-driven organization. This bill provides $16.2 billion for medical care in 1995. This is $111 million more than requested by the administration. It provides stable funding support for a system that will provide treatment to almost 3 million veterans next year.

The subcommittee also restored the administration's $41 million proposed cut in medical research. Although I believe that we could and should provide more funds to carry out this important work, the amounts provided by this bill will allow VA to fund about the same number of research projects next year that are being funded this fiscal year. The current level of 4,100 FTEE could be continued during fiscal year 1995 under this bill.

Finally, I want to mention the increase in funds included in the bill for the regional offices which process veterans' claims for benefits. There is a huge backlog of claims at many offices throughout the country, and the additional $10 million provided in the bill, along with implementation of the much-delayed modernization and management-reform efforts by the VA, will help address this major problem.

In closing, Mr. Chairman, I thank the committee for funding the Selective Service system.

Again, I want to thank the subcommittee chairman and all members of the subcommittee and full committee for the work they have done on this measure as it relates to veterans.

Mr. LEWIS of California. Mr. Chairman, I yield 2 minutes to the gentlewoman from Nevada [Mrs. VUCANOVICH], a member of the committee.

Mrs. VUCANOVICH. Mr. Chairman, I thank the gentleman for yielding time to me. Mr. Chairman, I rise today in support of the VA-Housing appropriations bill. I feel that the committee has made improvements to the President's request, especially for veterans programs. Unfortunately, the current administration fumbled the ball on the needs of our veterans. Luckily, the committee has picked up the ball and that means a touchdown for the veterans. Nevertheless, I am still concerned about the administration's value of the veteran. While the Department of Veterans Affairs talks a good game, the veterans in the northern part of my State of Nevada are still waiting for improvements to a medical facility they were promised many years ago. It is time to stop delaying this project, changing plans midstream, and just get it done. I appreciate the help that the chairman, Mr. STOKES and ranking member Mr. LEWIS have provided me on this issue and I will continue to work with them through conference of this bill. Veterans in Nevada feel talk is cheap, it is time for the administration and Congress to put our money where our mouths are.

Mr. Chairman, I thank the gentleman from California [Mr. LEWIS] for his help and assistance to me.

Mr. STOKES. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from California [Mr. BROWN], the distinguished chairman of the Committee on Science, Space, and Technology.

Mr. BROWN of California. Mr. Chairman, I rise in support of this Veterans Affairs, Housing and Urban Development, and independent agencies appropriations bill and I commend the gentleman from Ohio 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. And I am pleased that there appears to be no substantial erosion in the efforts begun by the committee last year to keep inappropriate academic earmarks out of the appropriations bill.

With respect to the substance of the bill, I want first to commend Mr. STOKES and the committee for their efforts to produce a bill that fully funds the space station while preserving a balanced civil space program that includes a viable science program. As many of my colleagues know, I withheld my support for the space station this year until I was convinced that we would continue to have such a balanced program. The committee has done a good job of meeting my concerns and I am now vigorously supporting the space station.

I am also pleased that the committee has produced funding for the National Science Foundation that is broadly consistent with the investment goals of the administration and the NSF authorization bill.

Although the committee has not specified a funding total for research and development at the Environmental Protection Agency, I am pleased that they have expressed their support for the research and development function

at the EPA in report language. However, I am concerned that report language on priority setting at EPA with regard to statutory and court-ordered mandates could be read to indicate that research funding should be reduced. I want to emphasize that this interpretation would be very shortsighted on the part of the Agency and I hope we could clarify the meaning of this language in the conference report. Also, the Committee on Science, Space, and Technology looks forward to working with the Appropriations Committee in helping EPA improve its peer review process.

Mr. Chairman, although I am pleased with the efforts of the committee to fund science, space, and technology investments under very tight budget conditions, I think it is important to recognize that the overall trend in such investments is disturbing. In 1995, Federal support of R&D will fall below 1 percent of national income for the first time since 1958. The President's objective of a 50–50 split between defense and civilian Federal R&D investments by 1998 is in jeopardy if the intention was to shift real resources from defense R&D to nondefense R&D rather than simply to cut defense R&D. And our major international competitors are devoting a larger share of their national income to overall R&D investments—public and private—than we are.

These trends are not the fault of the Appropriations Committee, which is faced with increasingly tight budget caps and spending allocations. It is very difficult to make sound longer term investments in such a budget environment. This is certainly true for R&D investments, which, although critical to raising the Nation's productivity and standard of living, 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.

This squeeze on R&D investments is aggravated by the practice of congressional earmarking. I wish I could say the report accompanying this bill is entirely free of earmarks. It is not. But I would commend Mr. STOKES for his efforts to keep academic earmarking under control at levels well below those prevailing when I and others on the Science Committee and in the House first began investigating this practice. And I would remind the various department heads that report language is not binding on their agencies and they are free to fund the programs they originally intended to fund. I am including a list of earmarks with this statement.

Mr. Chairman, notwithstanding the concerns I have expressed here, this is a good bill and I urge all Members to support it.

ACADEMIC EARMARKS FISCAL YEAR 1995 VA/HUD HOUSE APPROPRIATIONS REPORT

Agency and academic of institution	Project description	Dollar amount
EPA:		
Clark Atlanta Univ	Hazardous Substance Center	3.5M
Colorado Sch. of Mines	Natl High Altitude Heavy Duty Engine Rsch. and Technology Ctr.	250K
Colorado State Univ	Natl. Ctr. for Vehicle Emissions Control and Safety for emissions training activities.	150K
Florida International Univ	Florida Keys Marine Sanctuary	155K
Lamar Univ	Gulf Coast Hazardous Substance Waste Ctr.	2.5M
Minority Health Professions Schools Association[1].	Hazardous substance investigations.	4.0M
Penn State & West Virginia Univ.	National Mine Lands Reclamation Center—acid mine drainage from abandoned mines.	450K
Rensseleaer Polytechnic Inst.	Fresh Water Institute	500K
Saginaw Valley State Univ	Earthvision activities	1.2M
S.W. Center for Environmental Research[2].	Environmental issues affecting U.S.-Mexico border region.	1.5M
Univ. of Arkansas-Little Rock.	Toxicological research	300K
Univ. of Colorado-Boulder	Environmental Ed, Research and Demonstration Center.	225K
Univ. of Detroit Mercy	Ctr. for Excellence in Polymer Rsch, and Environmental Study.	600K
Univ. of Minnesota-Duluth	Study of the uptake of environmental mercury by fish populations.	165K
Univ. of Minnesota-St. Paul.	Studies of potential detrimental effects of the European Ruffe, a non-indigenous fish to Lake Superior.	70K
U. of North Dakota	Nat. Ctr. for Excellence of Air Toxic Metals.	120K
Univ. of Northern Iowa	Small Business Pollution Prevention Center.	300K
West Virginia U	Small Flows Clearinghouse	1.240M
Wilkes Univ	Susquehanna River wetlands project.	300K
NASA:		
Ohio State Univ	Super Computer Center	3.0M
Total		20.5M

[1] Tuskegee Univ., Charles Drew Univ., FL A&M Univ., Morehouse Sch. of Medicine, Xavier Univ. of Louisiana, Meharry Medical Col, and TX Southern Univ.

[2] NM State Univ., AZ St. Univ., San Diego St. Univ., Univ. of TX at El Paso, and Univ. of Utah.

Mr. LEWIS of California. Mr. Chairman, I yield 3 minutes to the gentleman from Pennsylvania, Mr. GOODLING.

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

Mr. Chairman, I had planned to offer an amendment to the appropriation bill now under consideration which would have eliminated $120.4 million from the funding allocated to the Corporation for National and Community Service and would have held that corporation's funding at the fiscal year 1994 level. I would have offered it for two reasons.

No. 1, to get the attention of the Members of Congress who have oversight responsibility and, No. 2, to get the attention of the administration. I believe I have gotten both without having to offer the amendment.

I will offer that amendment at this time, but I will work actively to ensure that sufficient oversight of the National Service Program is conducted to guarantee that taxpayers' dollars devoted to this program are as wisely spent.

□ 1520

Mr. Chairman, I remember Mr. Ziegler, who was responsible for setting up Head Start, saying that the big problem that he had was the fact that he tried to move too rapidly with the program. This is the same thing that I tell the committee all the time in relationship to WIC, even though I am a strong supporter. We have to make sure that we do not just pump a lot of money out there, if there is not the infrastructure or the quality personnel to carry out the kind of programs that we want to carry out. Otherwise we get a black eye in the Congress of the United States.

Mr. Speaker, when the National Service Trust Act was enacted last summer, the vision of the Corporation for National Community Service was that it was going to be a different kind of government actor. In trying to win over the support for the creation of a new and quite expensive Federal program, the White House assured many of us that increased funding would be sought only to the extent that the corporation proved its worth.

In fact, when Bruce Babbitt, the Secretary of the Interior, testified before the Committee on Education and Labor prior to the passage of the National Service legislation, he indicated that the administration wanted, "to see the program grow at the right pace, even if that is not the fastest".

Despite these assertions, the administration's budget request for the corporation asked for an increase of almost 65 percent. Although the Committee on Appropriations cut the request to increase in half, the $409.4 million allocated the corporation in the VA–HUD bill still represents an almost one-third hike in funding. I do not believe we have enough information about the efficiency of the corporation or the effectiveness of its program to justify such a large increase.

The Corporation for National Community Service is a newly created Government entity that is still not fully formed. My understanding is that the board of directors for the corporation has not yet formally been appointed and the regulations determining how corporation grant programs will be administered were just issued in this spring.

Although the short-term Summer of Safety projects are under way, the first full-scale National Service effort operated by the corporation will not happen until the fall. In fact, just last week the corporation announced the grantees for the service programs it will fund directly. Both the corporation and the State commission have put forth a mighty effort to ready themselves for full operation, but I think all parties would admit that the pace has been quite hectic.

I simply feel we should gather some evidence about the effectiveness of the program before we vote on large increases. This is particularly true when many worthwhile programs that are already proven are experiencing sharp decreases in funding. I hate to bring up the whole issue of how expensive it is

for the National Service Program to try to give educational opportunities when at the same time we are cutting programs like Pell grants, which we know are effective and work well.

The question has been put, Mr. Chairman, why raise the lack of information about the effectiveness of the National Service Program in terms of increased funding, when the same can be said of many other Federal programs?

First of all, I would be the first to admit the amount of oversight conducted by the Congress over Federal spending is insufficient. This program is very different.

Mr. STOKES. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Indiana [Mr. ROEMER].

Mr. ROEMER. Mr. Chairman, first of all I would like to recognize our distinguished chairman of this subcommittee and the Committee on Appropriations, and say that I cannot say enough good, fair things about him. I think Kennedy defined courage as grace under pressure, and certainly our chairman is the epitome of that grace.

Certainly the gentleman from California [Mr. LEWIS], with his knowledge, experience, and bipartisanship, is also a real tribute to this bill.

In addition, Mr. Chairman, I would like to thank the gentleman from Massachusetts [Mr. MOAKLEY] and the gentleman from New York [Mr. SOLOMON] for allowing the Roemer-Zimmer amendment to be protected and come to the floor today.

I would like to thank the gentleman from Pennsylvania [Mr. GOODLING] for not offering the amendment to cut further the National Service Program. That program has experienced a $120-million cut in this bill, and I do not think that we should cut further one of the crowning jewels of the achievements that we have had as a Congress in putting National Service together.

Finally, Mr. Chairman, on the space station, an amendment that I will offer with the distinguished and capable gentleman from New Jersey [Mr. ZIMMER] later on this afternoon, we will have plenty of debate on it. I try to call them like I see them, Mr. Chairman, and work together with the Republicans. I started to hear from some of the Republicans that there might not be deficit reduction in this amendment.

Let me be very clear and very fair and try to explain to Members on both sides of the aisle, when they vote for the Roemer-Zimmer amendment, they are eliminating a project that will cost the taxpayers $71 billion. The National Taxpayers Union and Citizens Against Government Waste both support this amendment.

There is no innuendo, no rumor, or no rhetoric that can confuse people. When we cut a program like the space station, there is deficit reduction potential and opportunity in that. There is no doubt that when we cut $71 billion, we do something for the deficit.

Mr. Chairman, I look forward with a great deal of anticipation to this space station debate.

Mr. LEWIS of California. Mr. Chairman, I yield 3 minutes to my colleague, the gentleman from Nebraska, DOUG BEREUTER.

Mr. BEREUTER. Mr. Chairman, this Member rises in support of H.R. 4624 and thanks the distinguished chairman of the subcommittee, Mr. STOKES, and the distinguished gentleman from California, Mr. LEWIS, and all the members and staff of the subcommittee for their work in bringing this measure to the floor today.

First, this Member is most pleased that this measure includes funding for the Indian Housing Loan Guarantee Program, which this Member authored last year with the bipartisan help of my colleagues on the Banking Committee. The $3 million appropriation for this program will finance the costs for loan guarantees to leverage a much larger amount of loan dollars for this loan program aimed at Indian reservations. This is a fiscally conservative, progressive program which will bring new opportunity to native Americans living on Indian reservations at a very low cost to the Federal Government.

Second, this Member is also pleased, Mr. Chairman, that H.R. 4624 includes funding of $263 million for Indian housing new construction. The shortage of safe, decent, affordable housing in Indian country is a tragedy. While programs like the aforementioned Indian Housing Loan Guarantee Program will bring the private sector into the provision of housing on Indian reservations, there is still a great need for Federal assistance, and this Member is pleased that this measure matches last year's funding level for Indian housing new construction. Third, this Member is also pleased that the measure includes $500,000 for the National American Indian Housing Council. This funding will make training and technical assistance available to Indian housing authorities across the Nation.

As a fourth and fifth note of appreciation, Mr. Chairman, this Member wants to express his support for the inclusion in this measure of $6 million for rural water assistance activities and $70 million for public water system supervision grants. These are two very important programs for rural communities. The supervision grants directly fund State programs which implement the Safe Drinking Water Act. Without this funding, States would face another unfunded Federal mandate.

Again, Mr. Chairman, this Member thanks the distinguished chairman of the VA, HUD and Independent Agencies Appropriations Subcommittee, Mr. STOKES, and the distinguished ranking member of the subcommittee, Mr. LEWIS, for their efforts and assistance, not only for our large metropolitan areas but for Indian reservations and the Nation's smaller communities as well. Most of the appropriation items I have mentioned are very small, but they leverage much larger private sector dollars and benefits.

I urge my colleagues to support H.R. 4624.

Mr. STOKES. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from West Virginia [Mr. MOLLOHAN], a member of the subcommittee.

Mr. MOLLOHAN. Mr. Chairman, first I want to thank the chairman of the subcommittee.

Mr. Chairman, I rise in strong support of the fiscal year 1995 VA, HUD, and Independent Agencies appropriations bill. As a member of the subcommittee, I can attest to the quality of this legislation.

Under the able leadership of the chairman and the ranking member, we have crafted a bill which is responsive to the broad constituencies it serves. In this tight budgetary climate, we have managed to make room for some of the President's important investment initiatives while still maintaining our commitment to proven programs. And in the toughest of years, Chairman STOKES has exhibited strong leadership in effecting compromise, and has conducted the business of the subcommittee with the utmost fairness.

The subcommittee provided almost $1 billion over the President's request for HUD. By providing this increase we were able to address several issues of concern to Members on both sides of the aisle:

We restored the President's proposed cut to the section 202 program for the elderly, a public-private partnership with proven results;

We provided increases for the CDBG and Home Programs, two initiatives which give our communities flexibility to address local concerns;

We restored funding for critical public housing programs, providing an operating subsidy level at 100 percent of the performance funding system; and

We were able to provide a significant increase—close to $300 million above last year's level—to homeless assistance programs.

It has truly been a pleasure to work with someone as committed and visionary as Secretary Henry Cisneros, and I believe this section of our bill is reflective of his efforts.

Additionally, this bill provides $37.3 billion for programs and benefits for the Department of Veterans Affairs. This total is $618 million, or 2 percent, more than we provided in fiscal year 1994. Nearly half of these funds, $16.2 billion, are appropriated for medical care.

Undoubtedly many of you have been contacted by your constituents who

are concerned about funds for VA medical and prosthetic research. I am pleased to tell you that the Appropriations VA-HUD Subcommittee has restored the funding cuts proposed by the administration in this area and has kept funded this research at a current level of $252 million. VA medical research is improving the lives of our Nation's veterans and we must continue the important work being done in this area.

We have provided a total of $14 billion for the National Aeronautics and Space Administration, and we have fully funded the President's request for $2.1 billion to continue the Space Station Program. No one in this body can rightfully claim that funding for space activities is taking critical funds from other agencies. In fact, NASA takes a 4-percent cut from last year's funding levels. Within that austere budgetary constraint we have not only provided full funding for the space station but we have also fully funded the President's request for science, aeronautics, and technology programs. NASA is responding very impressively to the difficult task of cutting its programs under the able leadership of administrator Dan Goldin. The agency deserves this body's support for the funding levels recommended in the bill.

Our committee has been as generous as we could to the Environmental Protection Agency and the National Science Foundation, given our budget outlay problems. Both of these agencies received approximately one-half of the requested increases above 1994 appropriations levels.

In closing, Mr. Chairman, I commend my colleague from Ohio for his fine work on this bill and ask that it receive the support of the membership.

□ 1530

Mr. LEWIS of California. Mr. Chairman, I yield 2 minutes to the gentleman from Florida [Mr. MICA].

Mr. MICA. Mr. Chairman, yesterday I learned the hard lesson of how difficult it is to cut or even suggest cutting a social program here.

Today for the sake of our country's future and to help ensure greater opportunity for our children and future generations, I hope the Congress exercises better judgment in regard to the space station.

The space station is probably too—to coin a phrase "governmentalized"—and parts of it like any government-based program have been wasteful.

But rarely do we have before us a better opportunity to create jobs, promote research and development, and create better opportunities for our future.

Let me say that my support for the space station is based on that hope for the future.

I know of no other project before this Congress that offers more promises for high-paying jobs in the private sector for now and the future.

This chart shows that high-paying manufacturing jobs are on the decline while government and public sector jobs have passed by manufacturing private sector employment. What promise does that hold for the future?

Even more frightening is the fact that part-time jobs are now growing faster than any other segment of employment in our economy. What hope does that hold for the future?

These charts, show that over the last 5 years, that the largest area of increase in jobs in our economy are part-time, low-paying jobs. This chart shows that the number of manufacturing jobs created in the past 2 years are now exceeded by government public sector jobs—what promise does that hold for the future.

Manufacturing jobs, including those in our space industry, are higher paying jobs. We cannot expect people to live on low-paying, part-time jobs. We need projects like the space station to help provide higher paying jobs for the future.

My colleagues, let me tell you what happens if we lose the space station:

The United States loses competitive edge in the global market.

Fifty-five thousand U.S. jobs lost by 1997 and real gross domestic product down $14 billion by the year 2000.

Little, if any, significant deficit reduction.

Studies demonstrate that for every $1 spent by NASA, $7 is returned to the U.S. economy.

In 1987, for example: NASA's budget equalled $7.887 billion. This investment yielded: $17.8 billion total industry sales; $2.9 billion business profits; $5.6 billion government tax revenues; and 209,000 private sector jobs.

An investment in the space station is an investment in our economy.

Mr. STOKES. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from New Jersey [Mr. KLEIN].

Mr. KLEIN. Mr. Chairman, I rise in strong support of the H.R. 4624, the fiscal year 1995 VA–HUD–Independent appropriations bill.

Of special importance to me is the provision contained in this measure which would increase the current limit on single-family loans insured by the Federal Housing Administration in high-cost areas to $172,675 from the current level of $151,725.

This provision is identical to an amendment I offered during the full Banking Committee markup of the Housing and Community Development Act reauthorization legislation which the full House is scheduled to consider now that it has been reported out.

I want to thank Chairman STOKES and ranking member JERRY LEWIS for agreeing to incorporate this provision into the bill we have under discussion today.

In so doing, they have given middle-income working families in high cost areas like northern New Jersey the opportunity to purchase their first home by taking advantage of the lower down payment requirements of the FHA program.

In areas like mine, where the average home costs $179,000, many young families have been frozen out of the housing market simply because they do not have enough cash on hand to meet the minimum down payment and closing costs associated with a conventional loan.

Mr. Chairman, increasing the ceiling makes good sense. Home buyers in high cost areas can finally participate in the FHA loan program and, indeed, everyone will benefit because lower cost houses can benefit from a mortgage insurance fund that is more financially stable and stronger. Indeed, it will help the economy by spurring housing construction.

Finally, this particular provision is revenue-positive. It will produce at a minimum $40 million more dollars for the Government.

I urge my colleagues on both sides of the aisle to support this legislation and to support the increase in the FHA loan limit.

Mr. LEWIS of California. Mr. Chairman, I yield 2 minutes to the gentleman from Missouri [Mr. TALENT].

Mr. TALENT. Mr. Chairman, I thank the distinguished ranking member for yielding me the time.

Mr. Chairman, I would like to engage the chairman of the VA–HUD Subcommittee in a colloquy concerning the cleanup of dioxin at a Superfund site in Times Beach, MO.

Mr. STOKES. Mr. Chairman, if the gentleman will yield, I am familiar with the interest of the gentleman from Missouri in this issue and would be happy to engage him in a colloquy.

Mr. TALENT. As the gentleman is probably aware, the EPA is moving forward with plans for incineration of the dioxin waste at the Times Beach Superfund site in the St. Louis suburbs. This is not a new issue to the residents of the area; in a non-binding referendum vote in 1990, the residents of St. Louis County overwhelmingly rejected EPA's proposed incineration project.

There are alternatives to incineration, which EPA has examined in other sites around the country. Clearly, EPA is willing to consider alternatives to incineration. In several meetings with agency officials and in a May 9 letter to EPA Administrator Carol Browner, I asked EPA to consider alternatives to incineration at Times Beach. The answer I received 2 days ago was inadequate for this enormous problem.

Mr. STOKES. It appears to me that the people of St. Louis and other areas should be afforded an opportunity to

test alternative technologies in their communities.

Mr. TALENT. I am well aware of the chairman's strong record of environmental protection and hard work to ensure that these areas are cleaned up as soon as possible. It is because of my faith in the chairman's dedication that I have decided not to offer an amendment to strike or restrict EPA's funding.

Mr. STOKES. I thank the gentleman and understand his concerns. As the gentleman may know, there is a study underway to review alternative technologies and the incineration issue at the request of this subcommittee. I would be happy to have the General Accounting Office include the Times Beach site in its study.

Mr. TALENT. I thank the chairman and appreciate his action on this issue. I would also appreciate if the chairman would include report language in the statement of the managers accompanying the conference report on this bill requesting that EPA carefully consider the findings and recommendations from the GAO/OTA study.

Mr. STOKES. I would be happy to accommodate the gentleman's request by including report language to that effect.

Mr. TALENT. Mr. Chairman, I thank the chairman of the subcommittee for his expeditious work on this issue and would also thank the staff for their fine work.

Mr. LEWIS of California. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. ROHRABACHER].

Mr. ROHRABACHER. Mr. Chairman, today we will be deciding in this piece of legislation whether or not we will continue building the space station. This decision is not a reversible decision. If we decide that the space station will be part of our past or we will not continue our expenditures, we will not be recovering from this in any time period during the time that any of us are alive. We will be making the decision for the United States of America to retreat from space, to retreat from the frontier that stands before us.

□ 1540

I will be voting to support the space station. I will be doing so for a number of reasons. No. 1, I believe that the future of mankind lies in conquering frontiers, and especially in developing commercial applications for space, and the space station is our means of coming to that point where we can commercialize space.

But more importantly, Mr. Chairman, perhaps for the people who are struggling to make ends meet now, for those of us in California who are trying to bring an economy that is so in such horrible shape under control and to bring prosperity to our people.

We have a situation at the end of the cold war in California where people are being put out of work; the space station also serves as a transition out of the cold war into a time period when our economy will have adjusted for the fact that we had so much government spending and aerospace spending for all of these years. It will help us adjust and bring the American economy through, because America's economy is dependent on California, into a time when the aerospace industry can function in a competitive marketplace and be developing utensils, and different projects like the SSTO program, that will give us a chance to explore and utilize space for a profit.

Turning around now and saying no to the space station will hurt our economy right now, but will also be a retreat for the future that we will never recover from.

It is time to say yes to the space station.

Mr. STOKES. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Massachusetts [Mr. STUDDS].

Mr. STUDDS. Mr. Chairman, I would like to engage in a brief colloquy, if I may.

I want to thank the committee for providing $250,000 for the Environmental Protection Agency to carry out a study of alternative revenue sources for water project funding. The State revolving fund program has been and will be important in helping communities finance the multimillion dollar treatment facilities required by the Clean Water and the Safe Drinking Water Acts, but, as the chairman is aware, it does not come close to meeting the need.

For clarification, is it the intent of the committee the EPA look at alternative revenue sources for both wastewater treatment and drinking water treatment facilities.

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

Mr. STUDDS. I yield to the gentleman from Ohio.

Mr. STOKES. Mr. Chairman, I would say to the distinguished chairman of the Merchant Marine and Fisheries Committee that it is the intent of the committee for the study to include drinking water as well as wastewater project funding needs.

Mr. LEWIS of California. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I think it is important for the Members to know that while this bill is a sizable one, it includes a total of some $90 billion in appropriations. The bill itself is a relatively tight measure. In veterans' funding, for example, the increase in this bill for the 1995 fiscal year is limited to 1.7 percent. In housing programs we will provide $26 billion; an increase of 7.4 percent. This is more than I might have advocated myself, but nonetheless represents a very serious effort on the part of the chairman to cut back requests for funding.

EPA is increased by 5.6 percent. NSF is limited to 2.9 percent. NASA's funding, a total of $14 billion with approximately $2.1 billion going to station, has an actual decrease from last fiscal year of 3.6 percent.

This has been a very, very difficult appropriations year for the VA, HUD, and Independent Agencies Subcommittee.

I would like to close my remarks by asking the Members to give their support to this legislation and express once again my appreciation to my chairman, the gentleman from Ohio [Mr. STOKES], for his cooperation.

Mr. VENTO. Mr. Chairman, I rise in support of most of the funding in the VA, HUD, and Independent Agencies appropriations bill for HUD housing and community development programs, for the Environmental Protection Agency, for our important veterans programs, for basic science and research programs, and for other independent agencies. Nonetheless, Mr. Chairman, I continue to oppose the NASA space station program which is generously maintained through this appropriation legislation, effectively ransoming other domestic interests here on spaceship Earth. I've noted the past administration and the Clinton administration support for an evolving space station program as one concept is found faulty or too costly another takes its place only to be found deficient in turn.

As always, there are good reasons to support this overall HUD–VA measure. The bill before us today addresses many of the issues and proposals presented to the Congress by the able new Secretary at HUD, Henry Cisneros, that are in the various stages of being written into law. The HUD–VA appropriation measure is a significant undertaking and I respect the work the Appropriations Committee has shared with the legislative committees and the policies we are working on together. While I retain certain reservations regarding the overall discretion the bill appears to give the Department of Housing and Urban Development with regard to the key changes we are writing into reformed McKinney homeless assistance law, I am pleased at the level of funding commitment that this measure provides.

I am hopeful that this discretion will help assure continued funding of the activities of the important Interagency Council for the Homeless, in the absence of a specific authorization. The Banking Committee is reauthorizing this valuable Council in order to ensure continued accountability and responsibility for better services for homeless persons from the array of national departments and agencies who have primary ongoing responsibility to outreach to the homeless population.

I am pleased that this bill maintained a separate FEMA Emergency Food and Shelter Program, whose work is exemplary in our local communities. They have done a good job and as such, what isn't broken, needs no repair.

I am disappointed that this bill continues to cloud the issue of a required statutory earmark of funds for the Veterans' Community Based Organization grant program. Unfortunately, although report language references the issue,

the text of the bill does not specifically appropriate $10 million in funds. This will continue the quagmire for this community-based organization and oriented program and possibly result in little or no services for homeless veterans flowing through this program.

I am pleased that the subcommittee and committee have restored funding for senior housing and public housing and that the bill continues to pay attention to community development and housing needs through the host of programs available, including the CDBG program, the HOME program, and others. Federally assisted housing, section 8 assistance, and public housing are key to moving beyond the McKinney homeless programs to permanent housing for our citizens. We need the mix of programs to fully complement the varied needs of our communities and the people.

Mr. Chairman, I would like to note several areas in the Housing and Community Development Act where we are moving in different directions that is disjunct and some programs where we are on the same song sheet in concert.

With regard to the vital FHA mortgage insurance program that enables so many Americans to become homeowners, we are fundamentally in the same place on the floor and ceiling loan limits—with slight differences in the paths we take to get to the same point—the base loan limits adjustments so much needed to make FHA fully relevant in the 1990's.

I am also interested in the expansion of the drug elimination grants in public housing, today revamped as COMPAC, and must point out to my colleagues on the Appropriations Committee that their conclusion in report language that the funds for this program should be disproportionately weighted to large public housing authorities was not approved in the bill being reported by the Legislative Committee. I hope we can continue to work together on this matter and live within the bounds of what is authorized in the end and the preferred positive policy.

I must also comment on initiatives we are pursuing in committee and that I believe are important to support in appropriations. In particular I refer to the attempts to assist HUD and communities in providing equal opportunity and choice in housing. Facilitating mobility of section 8 housing to new areas and with less concentration of lower income people, and improving options for people is essential and a worthy objective of our national housing policies.

I am unable to point out all the specifics concerning this proposed appropriation today, but suffice it to note that these programs of HUD, EPA, and VA respond to commitments to people and real needs. I strongly urge support for the amendment to cut funding for the space station and would hope we could redirect funds to deserving programs like the national community services programs.

I thank Chairman STOKES and his staff for their work in crafting these spending priorities and am hopeful that we will, with this measure, continue to address human deficit through the many commitments to our communities and cities.

Mr. SKAGGS. Mr. Chairman, I'd like to commend Chairman STOKES for his outstanding work in producing a bill which covers so well such a diverse range of programs as housing, veterans issues, environmental and consumer protection, and science and technology policy—and for doing so under severe budget constraints. These decisions are never easy, particularly when they involve such critical needs.

While this bill covers many important programs, I'd like to mention three of specific interest to the people of Colorado. All three involve testing or monitoring of exhaust emissions at high altitude, and all have been developed in conjunction with the Environmental Protection Agency [EPA] to address special problems caused by vehicles operating at such altitudes.

Carbon monoxide is emitted in larger amounts and is even more of a health threat at higher altitudes than at sea level. Yet the performance of engines at high altitudes is not well understood.

The 1990 Clean Air Act Amendments authorized the National High-Altitude, Heavy-Duty Research and Technology Assessment Center. This facility contains engine and vehicle testing systems for measuring emissions associated with gasoline, diesel, and alternative fuels. Data collected by the center indicates that emissions of carbon monoxide at higher altitudes are 50 to 70 percent greater than at low altitudes.

The development of a data base, which will be used to modify heavy-duty engines, is critical to addressing pollution peculiar to high altitudes. Cities all along the Rocky Mountains will benefit from this data and the committee has provided $250,000 for the center.

The National Center for Vehicle Emissions Control and Safety [NVECS] at Colorado State University was established by the EPA in 1976 to study alternative fuels, and vehicle inspection and maintenance, and to test emissions reduction devices. It was designated a high-altitude research, testing, and training center by the 1990 Clean Air Act Amendments. NVECS has contributed substantially to the EPA's Vehicle Maintenance Initiative which is training and retraining automotive technicians who are currently not qualified to inspect, diagnose, and repair today's vehicles. This bill designates $150,000 for the NVECS program.

Finally, the bill provides $150,000 for high-altitude exhaust emissions compliance testing conducted by the Colorado Department of Health [CDH]. As a result of tests performed by CDH, in conjunction with EPA, 778,000 vehicles have been recalled since 1989 for repairs to assure compliance with Federal standards. CDH has the only facility officially designated by the EPA Administrator for high-altitude, in-use compliance testing.

I thank the chairman and the subcommittee for their support of these valuable programs which will help address pollution problems particular to high-altitude States like Colorado.

Mr. FAWELL. Mr. Chairman, I rise in opposition to this bill, H.R. 4624, VA/HUD Appropriations for Fiscal Year 1995. What Members may not be aware of as we consider this legislation is the large amount of money which is earmarked for projects included in the committee report which accompanied this legislation. I refer, Mr. Chairman, to the funds for the Environmental Protection Agency [EPA] for fiscal year 1995, in which a great number of projects are specifically delineated for funding without prior congressional hearings, debate, or authorization.

Mr. Chairman, we all know that this is a year of limited budget resources. Every Federal agency, every department, every congressional committee is being forced to make very difficult decisions as they prioritize funding for different accounts. Many accounts within the EPA are funded at this year's level or below. These concerns are familiar to most Members. There has been a great deal of prior debate over issues like this on the floor.

An issue that has not been debated enough is the effect that the earmarking of funds will have on the national needs which are attended to by Federal agencies. I know that most Members are aware of the many environmental issues that must compete for Federal funding. I refer to issues such as the need for cleaner water, and air, and more funding for important environmental priorities like Superfund—the cleanup of polluted areas. What Members of Congress may not be aware of is that in almost every account that Congress funds for the EPA, several million dollars are earmarked for projects of local interest, projects which have not been authorized, and projects which have had absolutely no congressional debate.

If we take for example, the Research, Prevention, and Program Activities Account in this bill, we will see that it has been funded at $90 million below the 1994 level. When we progress further in the report, we will see that there is over $42 million earmarked for specific projects—projects that have not been requested by the EPA and are not national priority. These projects are funded at the expense of higher priority items, and the funding for these projects will actually take away from some of the major environmental initiatives for today's Congress. In effect because $42 million is specifically earmarked in this account, it is actually $130 million which will not be available for EPA environmental initiatives.

I am enclosing for the record a list of several examples of congressional earmarking for academic research which are in this bill. The studies funded in this list have not been specifically authorized and no hearings have been held to determine whether or not they merit funding in a time of such limited resources.

Mr. Chairman, Congress cannot continue to spend money in such a careless fashion. As stewards of limited resources, we must watch with a careful eye to see that Federal moneys are spent efficiently and wisely. This starts with following the rules of congressional procedure which probhit appropriations without authorization. Until we begin to adhere to these standards wich produce fiscal responsibility, we will continue to see our national debt increases. We cannot afford to see needed Federal programs suffer because of congressional earmarks.

As representatives of taxpayers, concerned about the future, we must have zero tolerance continue.

ACADEMIC EARMARKS—FISCAL YEAR 1995 VA/HUD HOUSE APPROPRIATIONS REPORT

Agency and academic of institution	Project description	Amount
EPA:		
Clark Atlanta Univ	Hazardous Substance Center	$3.5M
Colorado Sch of Mines	Natl High Altitude Heavy Duty Engine Rsch & Technology Ctr	250K
Colorado State Univ	Natl Ctr for Vehicle Emissions Control & Safety for emissions training activities	150K
Florida International Univ	Florida Keys Marine Sanctuary	155K
Lamar Univ	Gulf Coast Hazardous Substance Waste Ctr	2.5M
Minority Health Professions Schools Association [1]	Hazardous substance investigations	4.0M
Penn State & West Virginia Univ	National Mine Lands Reclamation Center-acid mine drainage from abandoned mines	450K
Rensselaer Polytechnic Inst	Fresh Water Institute	500K
Saginaw Valley State Univ	Earthvision activities	1.2M
S.W. Center for Environmental Research [2]	Environmental issues affecting U.S.-Mexico border region	1.5M
Univ of Arkansas-Little Rock	Toxicological research	300K
Univ of Colorado-Boulder	Environmental Ed, Research & Demonstration Center	225K
Univ of Detroit Mercy	Ctr for Excellence in Polymer Rsch and Environmental Study	600K
Univ of Minnesota-Duluth	Study of the uptake of environmental mercury by fish populations	165K
Univ of Minnesota-St Paul	Studies of potential detrimental effects of the European Ruffe, a non-indigenous fish to Lake Superior	70K
U of North Dakota	Nat Ctr for Excellence on Air Toxic Metals	120K
Univ of Northern Iowa	Small Business Pollution Prevention Center	300K
West Virginia U	Small Flows Clearinghouse	1:240M
Wilkes Univ	Susquehanna River wetlands project	300K
NASA:		
Ohio State Univ	Super Computer Center	3.0M
Total		20.5M.

[1] Tuskegee Univ, Charles Drew Univ, FL A&M Univ, Morehouse Sch of Medicine, Xavier Univ of Louisiana, Meharry Medicial Col. and TX Southern Univ.
[2] N M State Univ, AZ St Univ, San Diego St Univ, Univ of TX at El Paso, and Univ of Utah.

Mr. PACKARD. Mr. Chairman, as we take up the fiscal year 1995 VA-HUD Appropriations bill, I would like to congratulate Subcommittee Chairman STOKES and ranking member JERRY LEWIS for their leadership on this important legislation. Their efforts to institute a strict level of criteria to fund VA-HUD projects signals their commitment to fiscal responsibility.

I especially appreciate the consideration of Southern California's special waste water treatment needs with the inclusion of funding for the international treatment project in Tijuana. I know that residents of the Southern California region will reap tremendous benefits from this program.

As a former member of the Committee on Science, Space, and Technology, I have closely followed the progress of the Space Station. I wish to commend Chairman STOKES and ranking member LEWIS for crafting a bill that takes the Space Station, and thus America's space program forward and rise in opposition to the Zimmer/Roemer amendment which would eliminate funding for this vital program.

The Space Station is the centerpiece of NASA. It focuses many divergent programs and projects on the single, unifying goal of expanding our knowledge about our universe and the earth. In a year in which we face so many domestic priorities competing for funding, it is important to underscore the importance of this project for our future standard of living.

For example, the life sciences medical research conducted in space yields knowledge that improves our computer technology and increases our ability to manufacture drugs to cure illnesses on earth. The American space program has generated many other advances in American technology like weather satellites, lasers, CATScans, and Pacemakers.

Furthermore, support for Space Station Alpha signals a commitment to the progress of one of the most successful sectors of our economy. In 1992, when America's economic engine seemed stalled, the United States aerospace industry continued to drive forward, maintaining a $31 billion dollar surplus and accounting for $44.5 billion worth of exports to more than 135 countries around the world.

The Space Station employs many of the most highly skilled workers in the country—providing more than 70,000 jobs. As California continues to suffer the impact of defense downsizing, residents of my State realize the importance of Space Station Alpha as a vehicle for protecting one of California's precious resources—our highly skilled employee base.

While, some may argue that cutting space station dollars from this bill is a move towards solving our budgetary crisis, I remind my colleagues that money cut from this vital program will not be allocated towards deficit reduction. Instead, NASA would be required to shift the space station money to lower priority programs within NASA's purview—a foolish move indeed. Furthermore, eliminating the space station program will serve only to remove the single unifying element for NASA's research and the nexus for experimentation and results.

Thus, I urge my colleagues to defeat the Zimmer/Roemer amendment and retain funding for space station *Alpha*. The bottom line is that it is a fiscally responsible approach to funding a project that will provide generations of benefits to Americans.

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

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, amendment No. 1 printed in House Report No. 103–563 may be offered only by a Member designated in the report, may amend portions of the bill not yet read for amendment, shall be considered as read, shall be debated for 2 hours equally divided and controlled by the proponent and an opponent of the amendment, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.

The Clerk will read.

The Clerk read as follows:

H.R. 4624

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 1995, and for other purposes, namely:

TITLE I

DEPARTMENT OF VETERANS AFFAIRS

VETERANS BENEFITS ADMINISTRATION

COMPENSATION AND PENSIONS

(INCLUDING TRANSFERS OF FUNDS)

For the payment of compensation benefits to or on behalf of veterans as authorized by law (38 U.S.C. 107, chapters 11, 13, 51, 53, 55, and 61); pension benefits to or on behalf of veterans as authorized by law (38 U.S.C. chapters 15, 51, 53, 55, and 61; 92 Stat. 2508); and burial benefits, emergency and other officers' retirement pay, adjusted-service credits and certificates, payment of premiums due on commercial life insurance policies guaranteed under the provisions of Article IV of the Soldiers' and Sailors' Civil Relief Act of 1940, as amended, and for other benefits as authorized by law (38 U.S.C. 107, 1312, 1977, and 2106, chapters 23, 51, 53, 55, and 61; 50 U.S.C. App. 540–548; 43 Stat. 122, 123; 45 Stat. 735; 76 Stat. 1198), $17,626,892,000, to remain available until expended: *Provided*, That not to exceed $25,750,000 of the amount appropriated shall be reimbursed to "General operating expenses" and "Medical care" for necessary expenses in implementing those provisions authorized in the Omnibus Budget Reconciliation Act of 1990, Public Law 101–508, and in the Veterans' Benefits Act of 1992, Public Law 102–568, the funding source for which is specifically provided as the "Compensation and pensions" appropriation: *Provided further*, That $6,000,000 of the amount appropriated shall be transferred to "Medical facilities revolving fund" to augment the funding of individual medical facilities for nursing home care provided to pensioners as authorized by the Veterans' Benefits Act of 1992, Public Law 102–568.

READJUSTMENT BENEFITS

For the payment of readjustment and rehabilitation benefits to or on behalf of veterans as authorized by law (38 U.S.C. chapters 21, 30, 31, 34, 35, 36, 39, 51, 53, 55, and 61), $1,286,600,000, to remain available until expended: *Provided*, That funds shall be available to pay any court order, court award or any compromise settlement arising from litigation involving the vocational training program authorized by section 18 of Public Law 98–77, as amended.

VETERANS INSURANCE AND INDEMNITIES

For military and naval insurance, national service life insurance, servicemen's indemnities, service-disabled veterans insurance,

and veterans mortgage life insurance as authorized by law (38 U.S.C. chapter 19; 70 Stat. 887; 72 Stat. 487), $24,760,000, to remain available until expended.

GUARANTY AND INDEMNITY PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct and guaranteed loans, such sums as may be necessary to carry out the purpose of the program, as authorized by 38 U.S.C. chapter 37, as amended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, $65,226,000, which may be transferred to and merged with the appropriation for "General operating expenses".

LOAN GUARANTY PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct and guaranteed loans, such sums as may be necessary to carry out the purpose of the program, as authorized by 38 U.S.C. chapter 37, as amended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, $59,371,000, which may be transferred to and merged with the appropriation for "General operating expenses".

DIRECT LOAN PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct loans, such sums as may be necessary to carry out the purpose of the program, as authorized by 38 U.S.C. chapter 37, as amended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That during 1995, within the resources available, not to exceed $1,000,000 in gross obligations for direct loans are authorized for specially adapted housing loans (38 U.S.C. chapter 37).

In addition, for administrative expenses to carry out the direct loan program, $1,020,000, which may be transferred to and merged with the appropriation for "General operating expenses".

EDUCATION LOAN FUND PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct loans, $1,061, as authorized by 38 U.S.C. 3698, as amended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed $4,034.

In addition, for administrative expenses necessary to carry out the direct loan program, $195,000, which may be transferred to and merged with the appropriation for "General operating expenses".

VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct loans, $54,000, as authorized by 38 U.S.C. chapter 31, as amended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed $1,964,000.

In addition, for administrative expenses necessary to carry out the direct loan program, $767,000, which may be transferred to and merged with the appropriation for "General operating expenses".

NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For administrative expenses to carry out the direct loan program authorized by section 38, U.S.C. chapter 37, subchapter V, as amended, $218,000, which may be transferred to and merged with the appropriation for "General operating expenses".

VETERANS HEALTH ADMINISTRATION

MEDICAL CARE

For necessary expenses for the maintenance and operation of hospitals, nursing homes, and domiciliary facilities; for furnishing, as authorized by law, inpatient and outpatient care and treatment to beneficiaries of the Department of Veterans Affairs, including care and treatment in facilities not under the jurisdiction of the Department of Veterans Affairs, and furnishing recreational facilities, supplies, and equipment; funeral, burial, and other expenses incidental thereto for beneficiaries receiving care in Department of Veterans Affairs facilities; administrative expenses in support of planning, design, project management, real property acquisition and disposition, construction and renovation of any facility under the jurisdiction or for the use of the Department of Veterans Affairs; oversight, engineering and architectural activities not charged to project cost; repairing, altering, improving or providing facilities in the several hospitals and homes under the jurisdiction of the Department of Veterans Affairs, not otherwise provided for, either by contract or by the hire of temporary employees and purchase of materials; uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901–5902); aid to State homes as authorized by law (38 U.S.C. 1741); and not to exceed $8,000,000 to fund cost comparison studies as referred to in 38 U.S.C. 8110(a)(5); $16,232,756,000, plus reimbursements: *Provided*, That of the funds made available under this heading, $771,000,000 is for the equipment and land and structures object classifications only, which amount shall not become available for obligation until August 1, 1995, and shall remain available for obligation until September 30, 1996.

MEDICAL AND PROSTHETIC RESEARCH

For necessary expenses in carrying out programs of medical and prosthetic research and development as authorized by law (38 U.S.C. chapter 73), to remain available until September 30, 1996, $252,000,000, plus reimbursements.

HEALTH PROFESSIONAL SCHOLARSHIP PROGRAM

For payment of health professional scholarship program grants, as authorized by law, to students who agree to a service obligation with the Department of Veterans Affairs at one of its medical facilities, $10,386,000.

MEDICAL ADMINISTRATION AND MISCELLANEOUS OPERATING EXPENSES

For necessary expenses in the administration of the medical hospital, nursing home, domiciliary, construction, supply, and research activities, as authorized by law; administrative expenses in support of planning, design, project management, architectural, engineering, real property acquisition and disposition, construction and renovation of any facility under the jurisdiction or for the use of the Department of Veterans Affairs, including site acquisition; engineering and architectural activites not charged to project cost; and research and development in building construction technology; $69,808,000, plus reimbursements.

GRANTS TO THE REPUBLIC OF THE PHILIPPINES

For payment to the Republic of the Philippines of grants, as authorized by law (38 U.S.C. 1732), for assisting in the replacement and upgrading of equipment and in rehabilitating the physical plant and facilities of the Veterans Memorial Medical Center, $500,000, to remain available until September 30, 1996.

TRANSITIONAL HOUSING LOAN PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct loans, $7,000, as authorized by Public Law 102–54, section 8, which shall be transferred from the "General post fund": *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed $70,000. In addition, for administrative expenses to carry out the direct loan program, $54,000, which shall be transferred from the "General post fund", as authorized by Public Law 102–54, section 8.

DEPARTMENTAL ADMINISTRATION

GENERAL OPERATING EXPENSES

For necessary operating expenses of the Department of Veterans Affairs, not otherwise provided for, including uniforms or allowances therefor, as authorized by law; not to exceed $25,000 for official reception and representation expenses; hire of passenger motor vehicles; and reimbursement of the General Services Administration for security guard services, and the Department of Defense for the cost of overseas employee mail; $887,909,000, of which $25,500,000, for the acquisition of automated data processing equipment and services to support the modernization program in the Veterans Benefits Administration, shall not become available for obligation until September 1, 1995, and shall remain available for obligation until September 30, 1996.

NATIONAL CEMETERY SYSTEM

For necessary expenses for the maintenance and operation of the National Cemetery System not otherwise provided for, including uniforms or allowances therefor, as authorized by law; cemeterial expenses as authorized by law; purchase of three passenger motor vehicles, for use in cemeterial operations; and hire of passenger motor vehicles, $72,663,000.

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, $32,219,000.

CONSTRUCTION, MAJOR PROJECTS

For constructing, altering, extending and improving any of the facilities under the jurisdiction or for the use of the Department of Veterans Affairs, or for any of the purposes set forth in sections 316, 2404, 2406, 8102, 8103, 8106, 8108, 8109, 8110, and 8122 of title 38, United States Code, including planning, architectural and engineering services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, where the estimated cost of a project is $3,000,000 or more or where funds for a project were made available in a previous major project appropriation, $101,965,000, to remain available

until expended: *Provided*, That, except for advance planning of projects funded through the advance planning fund and the design of projects funded through the design fund, none of these funds shall be used for any project which has not been considered and approved by the Congress in the budgetary process: *Provided further*, That funds provided in this appropriation for fiscal year 1995, for each approved project shall be obligated (1) by the awarding of a construction documents contract by September 30, 1995, and (2) by the awarding of a construction contract by September 30, 1996: *Provided further*, That the Secretary shall promptly report in writing to the Comptroller General and to the Committees on Appropriations any approved major construction project in which obligations are not incurred within the time limitations established above; and the Comptroller General shall review the report in accordance with the procedures established by section 1015 of the Impoundment Control Act of 1974 (title X of Public Law 93-344): *Provided further*, That no funds from any other account except the "Parking revolving fund", may be obligated for constructing, altering, extending, or improving a project which was approved in the budget process and funded in this account until one year after substantial completion and beneficial occupancy by the Department of Veterans Affairs of the project or any part thereof with respect to that part only.

CONSTRUCTION, MINOR PROJECTS

For constructing, altering, extending, and improving any of the facilities under the jurisdiction or for the use of the Department of Veterans Affairs, including planning, architectural and engineering services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, or for any of the purposes set forth in sections 316, 2404, 2406, 8102, 8103, 8106, 8108, 8109, 8110, and 8122 of title 38, United States Code, where the estimated cost of a project is less than $3,000,000, $153,540,000, to remain available until expended, along with unobligated balances of previous "Construction, minor projects" appropriations which are hereby made available for any project where the estimated cost is less than $3,000,000: *Provided*, That funds in this account shall be available for (1) repairs to any of the nonmedical facilities under the jurisdiction or for the use of the Department of Veterans Affairs which are necessary because of loss or damage caused by any natural disaster or catastrophe, and (2) temporary measures necessary to prevent or to minimize further loss by such causes.

PARKING REVOLVING FUND

For the parking revolving fund as authorized by law (38 U.S.C. 8109), $1,400,000, together with income from fees collected, to remain available until expended. Resources of this fund shall be available for all expenses authorized by 38 U.S.C. 8109 except operations and maintenance costs which will be funded from "Medical care".

GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE FACILITIES

For grants to assist the several States to acquire or construct State nursing home and domiciliary facilities and to remodel, modify or alter existing hospital, nursing home and domiciliary facilities in State homes, for furnishing care to veterans as authorized by law (38 U.S.C. 8131-8137), $37,397,000, to remain available until expended.

GRANTS FOR THE CONSTRUCTION OF STATE VETERANS CEMETERIES

For grants to aid States in establishing, expanding, or improving State veteran cemeteries as authorized by law (38 U.S.C. 2408), $5,378,000, to remain available until September 30, 1997.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

Any appropriation for 1995 for "Compensation and pensions", "Readjustment benefits", and "Veterans insurance and indemnities" may be transferred to any other of the mentioned appropriations.

Appropriations available to the Department of Veterans Affairs for 1995 for salaries and expenses shall be available for services as authorized by 5 U.S.C. 3109.

No part of the appropriations in this Act for the Department of Veterans Affairs (except the appropriations for "Construction, major projects", "Construction, minor projects" and the "Parking revolving fund") shall be available for the purchase of any site for or toward the construction of any new hospital or home.

No part of the foregoing appropriations shall be available for hospitalization or examination of any persons except beneficiaries entitled under the laws bestowing such benefits to veterans, unless reimbursement of cost is made to the appropriation at such rates as may be fixed by the Secretary of Veterans Affairs.

Appropriations available to the Department of Veterans Affairs for fiscal year 1995 for "Compensation and pensions", "Readjustment benefits", and "Veterans insurance and indemnities" shall be available for payment of prior year accrued obligations required to be recorded by law against the corresponding prior year accounts within the last quarter of fiscal year *1994*.

Appropriations accounts available to the Department of Veterans Affairs for fiscal year 1995 shall be available to pay prior year obligations of corresponding prior year appropriations accounts resulting from title X of the Competitive Equality Banking Act, Public Law 100-86, except that if such obligations are from trust fund accounts they shall be payable from "Compensation and pensions".

Of the budgetary resources available to the Department of Veterans Affairs during fiscal year 1995, $20,742,000 are permanently canceled. The Secretary of Veterans Affairs 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. 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 service and ending with contract completion and closeout, as specified in 41 U.S.C. 403(2).

Mr. STOKES (during the reading). Mr. Chairman, I ask unanimous consent that title I through page 17, line 5, 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 Ohio?

There was no objection.

The CHAIRMAN. Are there any points of order against title I of the bill?

Are there any amendments to title I of the bill?

Mrs. ROUKEMA. Mr. Chairman, I rise in reluctant opposition to the fiscal year 1995 VA, HUD, independent agencies appropriation bill. I do so in large part to the continued funding for the space station program.

However, as the ranking Republican on the authorizing Subcommittee on Housing I want to take this opportunity to personally commend Chairman OBEY and ranking member MCDADE as well as Chairman STOKES and ranking member LEWIS of the VA-HUD Subcommittee for their efforts with respect to our Nation's housing programs.

With respect to this bill, I appreciate the difficult job the members of the Appropriations Committee face in trying to provide a fair distribution of very limited funds.

I want to commend the committee for rejecting the administration's budget requests for several programs including the HOME Program, section 202 Elderly Housing and the Public Housing Modernization.

The increased funding levels for the HOME Program, the 202 elderly, the section 811 disabled program and the public housing programs included in this bill are consistent with the actual need for these housing programs.

Finally, to Chairman STOKES and ranking member LEWIS, I want to again thank you for taking the authorization committee's concerns into consideration with respect to the funding of unauthorized housing and community development initiatives.

As my colleagues know, the Banking Committee just recently reported out the fiscal year 1995 authorization for HUD programs which we hope to have on the floor after the July recess. The Appropriations Committee should be commended for setting aside sufficient funds for the programs we will authorize.

There are, however, three exceptions. The first is the $265 million increase in the HUD Pension Demonstration Program created last year. We have yet to receive any report on how the demonstration is proceeding and therefore the authorization committee was reluctant to increase the funding for that program much beyond the fiscal year 1994 level.

The second, involves funding for the Homeless programs. Again, the funding for McKinney in this bill is about $200 million over the authorization level.

Finally, the Appropriations Committee included an increase in both the FHA floor and high-cost area loan limits. While the authorization committee has recommended similar increases, this action does constitute authorizing on an appropriations bill and should not have been included in this legislation.

The spirit of cooperation between authorizers and appropriators up to this point has been very much appreciated and I hope will continue into the future.

Mr. MYERS of Indiana. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise not on title I, but I have had for some time concern about the Federal Emergency Management Agency.

Just when do they decide to help a community? I have had questions for quite some time, but it became very real last April 27 when West Lafayette,

IN, experienced a tornado that killed 3 people; 74 trailers were totally destroyed; a factory, about one-third of which was destroyed; more than a dozen homes were destroyed; a church mission, a service station, a police barracks was partially destroyed, countless damage done.

The Governor of Indiana applied for assistance under the Federal Emergency Management Agency and was turned down. We did not like that. Appeal was made, and again it was turned down on the basis there was no large enough loss. It did not involve enough people. The ability of the local community should have been sufficient to take care of this loss.

Then about 2 weeks ago I read where the District of Columbia received help through FEMA for an ice storm back in March. Now, I was here during March. I do not recall any major losses, any loss of life because of the ice storm.

My inquiry today is: Has this committee ever asked FEMA, is there any rule or regulation or a formula that they apply to losses like this?

To the people of Indiana, my little community, those individuals, and I think there are 70-some families still homeless living in tents, living in temporary shelters without any help, yet here in the District of Columbia because of an ice storm, and to my knowledge, well, there are homeless here, probably not because of the ice storm. But there was the loss to those 70-some families, and more than that, but 70 are still homeless, is just as great to those individuals in Indiana as they are here in the District of Columbia. Yet the District was approved.

Has the committee ever inquired if there is a formula or how FEMA decides to help someone or not? I know California had a big earthquake, and when we have had the other national disasters, it has helped. But how about smaller communities? Again, to the individuals out there it is just as great.

Can anyone answer from the committee? Mr. Chairman, has there ever been inquiry? Does the committee understand when they apply? I know you and I have talked about it. I appreciate very much your willingness to help, and I am not blaming the committee, but I do wonder about FEMA.

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

Me. MYERS of Indiana. I yield to the gentleman from Ohio.

Mr. STOKES. As the gentleman has stated in his remarks, you and I have discussed this matter, and per our discussion, I shared with you the fact that I had a very similar situation in the State of Ohio. I have had several of the Members of the House who have come to me and discussed very similar problems. Problems where their Governors have declared a disaster, and yet FEMA has not been able to recognize it as a disaster and have the President declare it a disaster.

This situation creates a real hardship for these local communities. But even after review, we have found that there is very little that we can do under the circumstances.

So the gentleman is not alone in facing the problem he has presented. There are many of us who have undergone a very same or a similar situation.

Mr. MYERS of Indiana. I have talked to colleagues who have had a similar experience. I wonder if they have ever explained what formula they use. Is there a formula? or is it just an administrative answer yes or no? How do they decide? Do we know how they make the decision? Is there a dollar figure? Is there a numbers figure about how many people have suffered losses?

The ice storm here really rattled my cage again. I read about this ice storm, and I remember some ice hit here back in March, but, my goodness, nothing on the proportion of three people being killed in my district in Indiana and all this disaster, trailers just totally destroyed. It is fortunate only three people were killed. It happened about midnight.

□ 1550

But the loss to these individual families is just as great. I do not know of any family who had any losses here in the District.

Mr. Chairman, I would be glad to yield to the chairman of the subcommittee if there is any answer to my question. Maybe there is not.

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

Mr. MYERS of Indiana. I yield to the gentleman from Ohio.

Mr. STOKES. I thank the gentleman for yielding.

Mr. Chairman, it is my understanding they do operate using certain criteria. I am unable to tell the gentleman precisely all the elements that are a part of this formula criteria. However, I do know that economics is a part of it, and that demographic data, threat to health and safety of the people, and several other factors enter into it. But I cannot, much beyond that, tell you exactly or precisely what makes up the criteria. Certainly the problem that he raises is one that is shared by many of us. Perhaps this is something we ought to inquire further into. I certainly am available to work with the gentleman from Indiana [Mr. MYERS] to engage in any further discussions he would like to have with the agency or any further appeals to be made to the agency officials.

Mr. MYERS of Indiana. I appreciate the gentleman making that offer. I appreciate it. I would be glad to work with him. I am not asking for special attention. It is too late to help my district in Indiana. But this would apply to the future.

Again, these families had losses which were just as great as those that happened to others.

The CHAIRMAN. The time of the gentleman from Indiana [Mr. MYERS] has expired.

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

Mr. MYERS of Indiana. The losses to these individual families is just as great because they are part of a small piece, a small pie, as they were in the larger California disaster. The losses to the individual families is just as great. Are we here to help just big communities or people who are really in need of help? Most of these trailers, most of them had no insurance whatsoever. Of course, that is not the way we should operate our homes, but we found a lot of these trailers had no insurance, no way of recovering from this, and a lot of them were senior citizens, unless they could get some kind of help.

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

Mr. MYERS of Indiana. I yield to the gentleman from California.

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

Mr. Chairman, the gentleman from Indiana raises an important question. I frankly do not think there is a clear formula that is responsive in a direct way. But both the gentleman and I know that when an emergency occurs or a disaster occurs, a local community may request a disaster declaration by the Governor. The Governor will normally respond in a way that makes some evaluation, by what formula I do not know, but he makes some evaluation or declaration, and the President will consider that. The President on the other hand does not seem to have a dollar amount by which they judge it is a disaster that justifies a Federal declaration, but rather they try to determine whether the State or the locality has the funds themselves before they declare that a disaster. But there is no formula, as I understand it.

In the meantime, the question asked is do all Americans get fair consideration in this process? I certainly hope that the answer is positive, that we should not just live with the hope but rather try to be more responsive as we go forward in our discussions in the months ahead.

Mr. MYERS of Indiana. Again, when the District got that ruling, I saw no evidence of that, so I have to raise questions.

I note on page 67 of the report the committee urged FEMA to come forward with a study, and I hope that the study will include something like this so that we will all understand how they make these decisions. I hope and urge them to include the formula so we will all understand whether we are being treated fairly or not. In the meantime I have to say there is a cloud over this program as far as I am concerned.

Mr. LEWIS of California. I think the gentleman is raising a very important

question, particularly as it affects districts like his own, which raise very serious problems. We sometimes wonder whether people know that small communities exist and most obviously urban centers get a lot of attention.

Mr. MYERS of Indiana. The gentleman from California has it down pat, he seems to know how to do it. Of course, the gentleman also had big losses, too.

The CHAIRMAN. If there are no amendments to title I, the clerk will read.

The Clerk read as follows:

TITLE II

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

HOUSING PROGRAMS

HOMEOWNERSHIP AND OPPORTUNITY FOR PEOPLE EVERYWHERE GRANTS (HOPE GRANTS)

For homeownership and opportunity for people everywhere (HOPE grants) program as authorized under title III of the United States Housing Act of 1937 (42 U.S.C. 1437aaa et seq.) and subtitles A, B, and C of title IV of the Cranston-Gonzalez National Affordable Housing Act (Public Law 101-625), $100,000,000, to remain available until expended, of which up to one and one-half percent may be made available for technical assistance to potential applicants, applicants and recipients of assistance under this head as authorized under subtitle E of title I of the Housing and Community Development Act of 1992.

HOME INVESTMENT PARTNERSHIPS PROGRAM

For the HOME investment partnership program, as authorized under title II of the Cranston-Gonzalez National Affordable Housing Act (Public Law 101-625), as amended, $1,275,000,000, to remain available until expended.

ANNUAL CONTRIBUTIONS FOR ASSISTED HOUSING

(INCLUDING RESCISSION OF FUNDS)

For assistance under the United States Housing Act of 1937, as amended ("the Act" herein) (42 U.S.C. 1437), not otherwise provided for, $11,473,019,000, to remain available until expended: *Provided*, That of the total amount provided under this head, $263,000,000 shall be for the development or acquisition cost of public housing for Indian families, including amounts for housing under the mutual help homeownership opportunity program under section 202 of the Act (42 U.S.C. 1437bb); and $598,000,000 shall be for the development or acquisition cost of public housing, of which up to .67 per centum shall be available for technical assistance and inspection of public housing agencies by the Secretary: *Provided further*, That of the total amount provided under this head, $3,600,000,000 shall be for modernization of existing public housing projects pursuant to section 14 of the Act (42 U.S.C. 1437l), including up to .54 per centum for the inspection of modernization units and provision of technical assistance by the Secretary and contract expertise to assist in the oversight and management of the public and Indian housing modernization program, including an annual resident survey: *Provided further*, That of the amounts provided under this head for modernization of existing public housing projects, $85,000,000 may be used for the Tenant Opportunity Program: *Provided further*, That of the total amount provided under this head, $2,643,000,000 shall be for rental assistance under the section 8 existing housing certificate program (42 U.S.C. 1437f) and the housing voucher program under section 8(o) of the Act (42 U.S.C. 1437f(o)): *Provided further*, That those portions of the fees for the costs incurred in administering incremental units assisted in the certificate and housing voucher programs under sections 8(b), 8(o), and 8(e)(2) shall be established or increased in accordance with the authorization for such fees in section 8(q) of the Act: *Provided further*, That of the total amount provided under this head, $17,300,000 shall be available for fees for coordinators under section 23(h)(1) for the family self-sufficiency program (42 U.S.C. 1437u): *Provided further*, That of the total amount provided under this head, $1,202,100,000 shall be for amendments to section 8 contracts other than contracts for projects developed under section 202 of the Housing Act of 1959, as amended, and $555,000,000 shall be for section 8 assistance for property deposition, and $100,000,000 shall be for assistance for State or local units of government, tenant and nonprofit organizations to purchase projects where owners have indicated an intention to prepay mortgages and for assistance to be used as an incentive to prevent prepayment or for vouchers to aid eligible tenants adversely affected by mortgage prepayment, as authorized in the Emergency Low-Income Housing Preservation Act of 1987, as amended: *Provided further*, That 50 per centum of the amounts of budget authority, or in lieu thereof 50 per centum of the cash amounts associated with such budget authority, that are recaptured from projects described in section 1012(a) of the Stewart B. McKinney Homeless Assistance Amendments Act of 1988 (Public Law 100-628, 102 Stat. 3224, 3268) shall be rescinded, or in the case of cash, shall be remitted to the Treasury, and such amounts of budget authority or cash recaptured and not rescinded or remitted to the Treasury shall be used by State housing finance agencies or local governments or local housing agencies with projects approved by the Secretary of Housing and Urban Development for which settlement occurred after January 1, 1992, in accordance with such section: *Provided further*, That of the total amount provided under this head, $156,000,000 shall be for housing opportunities for persons with AIDS under title VIII, subtitle D of the Cranston-Gonzalez National Affordable Housing Act; $150,000,000 shall be for the lead-based paint hazard reduction program as authorized under sections 1011 and 1053 of the Residential Lead-Based Hazard Reduction Act of 1992; and $30,000,000 shall be for service coordinators in public housing pursuant to section 9(a)(1)(B)(ii) of the United States Housing Act of 1937; and $30,000,000 shall be for service coordinators in project-based section 8 housing, pursuant to section 8(d)(2)(F)(1) of the Act, tenant-based section 8 housing, pursuant to section 8(q) of the Act and, for service coordinators in multifamily housing assisted under the National Housing Act, pursuant to section 676 of the Housing and Community Development Act of 1992: *Provided further*, That of the total amount provided under this head, $149,000,000 shall be for moving to opportunity.

AMENDMENT OFFERED BY MR. SMITH OF MICHIGAN

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

The Clerk read as follows:

Amendment offered by Mr. SMITH of Michigan: Page 18, line 18, delete "$598,000,000" and insert "$150,000,000".

Page 19, line 10, delete "$2,643,000,000" and insert "$2,822,653,400".

Mr. SMITH of Michigan. Mr. Chairman, the question that this amendment addresses is whether we should go along with the President's and the administration's request for funding of new construction and major reconstruction of public housing and the Government telling these people what kind of a house they should be living in and what part of the city that should be built in, or we let those individuals decide what kind of a house they want to live in with income rental vouchers.

My amendment would cut funding for new construction and major reconstruction of public housing by $448 million and would adopt the administration's request of $150 million. It would then increase funding for rental assistance, section 8 vouchers, by $180 million to serve the same number of households, 5,240 as reduced under the public housing program.

My amendment would increase the number of section 8 vouchers funded under this bill from 69,000 to 74,000.

As a result, in addition to serving the same number of households, there would be $268 million in savings for the Federal Government.

It becomes a philosophical debate, partially: Should we provide vouchers to low income individuals so they can decide where to live and let market forces start working to fix up those old houses and build new houses, or should we continue the process of public housing in this country, allowing most of our Federal money to go to developers? I know the developers have a strong voice in saying we need more housing; but I would suggest with all humility to my colleagues that it is important that we use Federal money as cost effectively and as efficiently as we can and that we really target our assistance, aiming limited housing resources at the poor people in need of this help.

Historically, the cost of building and maintaining public housing is twice as much as providing rental assistance. Under this bill, each public housing unit costs $85,500. We can serve the same number of low-income families with section 8 vouchers for $34,300.

So, No. 1, it is more cost efficient. No. 2, this is the recommendation of the administration. It brings it back to that level of $150 million for new housing construction.

The Committee on Appropriations raised this requested level to almost four times this amount.

Of the 4.6 million HUD-subsidized households, nearly 3 million are section 8 rental assistance subsidies. The number of public housing units number 1.4 million. It seems to me, in concluding, Mr. Chairman, that vouchers for housing provide the greatest freedom of choice for our low-income population. By working through the market process, vouchers are also the most efficient means of providing housing for the poor. Instead of tax dollars going

to assist developers to produce housing which concentrates low-income families and therefore segregates them, vouchers allow recipients to choose any housing which they can afford in combination with their own resources. The market assures efficient use of resources in the sense that if a landlord does not maintain the dwelling or provide adequate service, the tenant can then take his or her voucher to another landlord and another building. It lets the market system work, it does not have Government saying that we are going to concentrate the poor, the low-income in one section, and segregate them and therefore deprive them of the chance, for encouragement, ideas and support necessary to succeed.

The history of Government construction subsidies for developers in Government-owned housing in my State of Michigan has been checkered. The city of Detroit, in particular, has had a number of problems with its housing projects. Many of these problems could have been avoided if low-income tenants had the option of choosing among all existing low-rental private housing.

Mr. STOKES. Mr. Chairman, I rise in strong disagreement to the gentleman's amendment. If I understand the gentleman's amendment correctly, he takes $598 million out of the Public Housing Program and he transfers $180 million over to the Voucher Program.

□ 1600

What we did in our bill was to provide for public housing at the 1994 level. In doing so, we did disagree with the administration who wanted to cut this particular program. But we felt that as a result of the hearings we conducted and the testimony that was taken during the course of our hearings from the Department of HUD, there was a great need for public housing. We felt it was our responsibility to provide funds for public housing which, as all of us know, is for poor people and low-income people who are unable to obtain any other type of housing.

Our Government does provide what is supposed to be decent housing for people in a decent environment in order to try and care for them because they are unable to care for themselves. But let me just point out a couple of things.

The gentleman made the statement that vouchers are the most efficient means of providing housing for poor people. I do not know what the gentleman relies upon in making such a statement. I do not know of any basis for that. I do know that vouchers are only good for 5 years, and I do know that public housing is available almost forever.

For instance, Mr. Chairman, in the city of Cleveland, public housing, which my brother and I grew up in, was built in 1938. That housing is still good housing in Cleveland and continues to provide an opportunity for poor people to have a place to live.

So, Mr. Chairman, I think we made the right decision in terms of what appears in our bill.

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

Mr. STOKES. I yield to the gentleman from Michigan.

Mr. SMITH of Michigan. Mr. Chairman, the gentleman indicated that I took all of the money out of that construction. That is incorrect. I left $150 million in. That is the same amount that the administration, the President, recommended.

Mr. STOKES. Mr. Chairman, I stand corrected; the gentleman is correct. I said the gentleman took out $598 million; he took out $448 million. So, I stand corrected in that respect.

Mr. FRANK of Massachusetts. Mr. Chairman, will the gentleman yield?

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

Mr. FRANK of Massachusetts. Mr. Chairman, I hope the House will stand by the appropriations subcommittee. As someone who has worked on housing for all of the time that I have been here, I think this is a terribly important issue.

The gentleman from Michigan [Mr. SMITH] says this is better for the poor people, to not build anything or to build very little and to give them vouchers. But I know of no organization representing tenants, or the poor or elderly people, that has come forward to the housing subcommittee and said, "Change this." The overwhelming majority of housing groups have come, those representing tenants, and said to build them because, as the gentleman from Ohio has pointed out, we are talking here about temporary versus permanent housing in our hands, and let me add one other important issue.

Many have asked us to be able to tear down existing public housing. People have said we have got this problem, we want to be able to tear down some of the existing public housing. The law requires that, if public housing is torn down, it be replaced, because otherwise we get a net diminution. If we take away the money that is in the bill of the subcommittee, we are going to make it very difficult for our communities to replace public housing that has become so deteriorated or abandoned that it is an eyesore because the law has, and nobody has been pushing for total change of that successfully, the law still requires some replacement. I say, You need what the gentleman from Ohio has done if you're going to have that replacement. This is the most flexible way to do housing.

Finally, Mr. Chairman, there are parts of the country where the vouchers do not work because the housing market is so tight that the poor people cannot find places to live, and, if we do not do some construction, this is all our elderly housing, housing for people with handicaps. It just does not work.

Mr. STOKES. Mr. Chairman, I would hope we would defeat the amendment offered by the gentleman from Michigan [Mr. SMITH].

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

Mr. Chairman, as my colleagues know, if public housing is destroyed by the tenants and it becomes dilapidated, I think it is a shame that we tear it down, rebuilt it, and go through the same exercise again. That is the law, as the gentleman said, but we ought to change that because it costs so much money.

I remember when we had the White River project in Indianapolis. We had these high-rise buildings that cost tens of millions of dollars to build. They had elevators. It was public housing. It was going to solve the problem in Indianapolis. It was totally destroyed inside, and we ended up, after years of losing taxpayers' dollars, turning it over to a private entrepreneur to redevelop that, using those structures, and selling it on the open market to individual purchasers.

Mr. Chairman, public housing simply has been a disaster in many parts of the country, and this section 8 voucher program is a good constructive alternative to solving the problem, plus it saves the taxpayers $268 million. Instead of $448 million for this program, we put $180 million into the Voucher Program. These poor people can choose where they want to go live. They do not have to live in a ghetto in the middle of the city if they do not want to. They can take that voucher and go out and find a place where there is decent housing and live the kind of life that they want to.

But what do we want to do? Keep creating these public housing projects in parts of the country where there is a terrible crime problem, and, when it becomes dilapidated, what do we do? We tear it down and rebuild it with taxpayers' dollars. What a waste of money, what a waste of money.

This is a good amendment, it is a sound and reasonable amendment, and it is going to save the taxpayer $268 billion, and that is probably why it is going to fail.

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

Mr. BURTON of Indiana. I yield to the gentleman form Michigan.

Mr. SMITH of Michigan. Mr. Chairman, the gentleman from Massachusetts argues there is not enough vacant housing, but we already have the low-income housing tax credit that is building over a hundred thousand homes every year. In addition, the section 811 program for the elderly and the handicapped will provide another 11,600 new homes. Other new construction funds include the assistance available under the home investment partnerships program, funded at just slightly over $1.2 billion in this bill.

Mr. Chairman, my question to the gentleman is: If you were low income and had a choice of living where you wanted to or where the Government built this low-income housing in the deprived area, where would you want to go?

Mr. BURTON of Indiana. Mr. Chairman, I thank the gentleman from Michigan [Mr. SMITH] for the question, and there is no question. I say to the gentleman, if you look at many parts of this country, you'll see these families saying, "My kids are being shot, there's a terrible crime problem, there is a drug warlord in this public housing project that's threatening my kids every day. I want to get out of here." The way this bill is written, they'll never get out of there, but, if we go to the voucher program, they can leave that project, go to someplace else, and it will save the Government $268 million in the process.

Mr. Chairman, this makes sense. It is a good amendment. I urge my colleagues to pass it.

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

Mr. Chairman, the gentleman from Indiana [Mr. BURTON] and the gentleman from Michigan [Mr. SMITH] have argued that this is for the poor, to give them more choice. I would repeat, as a member of the Housing Subcommittee, that we have not had organizations representing low-income tenants, representing the poor, telling us to come and do this, and the reason is that they do want some choices, and choice is what they have in the current bill, and we will lose under this amendment because this amendment will reduce to a very, very low number the amount of new public housing construction. There was some confusion here. When the gentleman talks about the home program or about the low-income tax credits, there are a range of incomes for which we provide housing assistance. Many of those go for mixed income developments. Many of them go for people of moderate income. This, as the gentleman from Ohio pointed out, goes to the poorest of the poor.

Mr. Chairman, public housing is for the people who have nowhere else to go, and to say in many parts of this country, in the crowded housing markets of many metropolitan areas, that we can replace this with vouchers is a joke on them because I can tell my colleagues we know this is a fact:

There are parts of the country where vouchers simply cannot be used by people. The housing market is such that these people are turned away. They do not want to deal with the government. They cannot do it in the private market, and they will not take these people.

The gentleman from Indiana [Mr. BURTON] says, "If the public housing is bad, you're just going to replace the same thing." Of course not. That is caricature that no one thinks. What we are saying is that, because the society did build some public housing units unwisely in some cases, we do want to tear down parts of it, or all of it, but not reduplicate the mistakes.

□ 1610

We do better now with public housing. This argument that all public housing is a terrible thing, most of you know is not true. Elderly housing, for instance, and there are two types of elderly housing, 202 elderly housing, that is a different program, and many of them cost more. There are people who are not wealthy enough as the elderly to live in some of the 202 housing. And the gentleman should understand that much of what you think of as public housing for the poorest of the poor elderly, will be cut from this bill.

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

Mr. FRANK of Massachusetts. I yield to the gentleman from Michigan.

Mr. SMITH of Michigan. Mr. Chairman, still again, that is why you are exactly right. You are right on that point, and that is why we leave $150 million there, because there is need in some areas. This is what the President recommended.

Mr. FRANK of Massachusetts. Reclaiming my time, I wish we could make one rule: We should do it when the President is a Republican, you do it when the President is a Democrat. This extraordinarily temporary fealty to the President is so silly and it just wastes time. For Members on the other side, like the gentleman from Michigan, to make a sudden conversion to a Presidential loyalist and want anyone to believe that is part of this reason, really is not persuasive. I do not understand why anybody would do that.

The point is, we will not be able to build the level of housing for older people that are looking for it. The gentleman is cutting it from $600 million to $150 million. Yes, the President proposed an unwise cut in this regard. But the housing that is needed for the poorest of the poor, our ability to replace housing, will not be there.

Again, the argument that this is in favor of the poor, I think, is wrong. We need a mix. In some markets and in some situations, the voucher system works well. In other cases and for some people, you need construction.

There are, for instance, a shortage of units in many cities for large families, for families with five, six, or seven children. One of the things we have to be able to do in public housing is to build those units. Tell people with five children that they have to do out on the private market with vouchers, and it may be impossible to do.

We are still going to be doing a lot with vouchers. But if you accept the amendment and undo what the gentleman from Ohio has done, you will leave the poor worse off, with fewer options, and the society less able to respond.

Mr. SMITH of Michigan. Mr. Chairman, if the gentleman will yield further, still, there has got to be some area of common agreement that when we build more housing we put more pressure on the inner city to further dilapidate it.

Mr. FRANK of Massachusetts. Mr. Chairman, I reclaim my time. That is simply nonsense. There is nothing in this law that says they can only build in the inner city. That is a product of the gentleman's own misconception. When someone says public housing, why do you automatically think inner city? I do not represent any major city.

Mr. SMITH of Michigan. Mr. Chairman, I think I misspoke.

Mr. FRANK of Massachusetts. Mr. Chairman, the gentleman has now made it very clear why he is so mistaken. He equates public housing with the inner city. I do not have what we call an inner city in my district. I have 35 communities as large as 98,000 people, and public housing is an important resource for them.

It simply is the core of the error to think that all public housing is currently inner city, not that that is a terrible thing, and that is an indication of why the gentleman is wrong.

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

(At the request of Mr. BURTON of Indiana and by unanimous consent, Mr. FRANK of Massachusetts was allowed to proceed for 1 additional minute.)

Mr. FRANK of Massachusetts. I yield to the gentleman from Indiana [Mr. BURTON].

Mr. BURTON of Indiana. Mr. Chairman, I just have one question.

Mr. FRANK of Massachusetts. I do not believe you will have just one, but I will take the one.

Mr. BURTON of Indiana. Does the gentleman believe that the poor people who live in public housing ought to have the right to choose where they want to live like anybody else?

Mr. FRANK of Massachusetts. I do, but I believe in many parts of this country you cannot give them an effective choice with a voucher, because the housing market is so constrained the market for large families is so constrained, the unwillingness of certain private landlords to deal with the Government is so low, that unless you have a mix of choices that includes some public housing and some vouchers, they will not have an effective choice. And anyone who thinks that a voucher gives a large poor family complete choice is mistaken. And for the elderly, they very often prefer to live in elderly-only buildings. For the elderly, many of them, given a choice, would not want a voucher in the private market. They would want a unit built only

for the elderly, potentially with elderly services, and many elderly would prefer to go that way.

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

Mr. Chairman, I have had some experience with the voucher program, because Green Bay, WI was one of two sites selected a number of years ago as a pilot project for the voucher program. I have had a chance to meet with many of the people who have benefited from the vouchers program.

I want you to know that people appreciate the voucher system, and we have had excellent experience with the voucher system.

You see, what the voucher system does is treats people more like intelligent human beings. A voucher gives people an opportunity to pick the area where they want to live. They pick the community they want to live in. And it gives them a choice which they do not have when we have all government housing.

Basically, what I have found over the years debating this issue is that it is really not whether the politicians want to help the people who do not have adequate housing or give them a better place to live, it is really a question of political philosophy. I see it as a question more of ideology rather than economics.

If you believe the Government can best provide for housing and do a better job than the private sector, and so on, you say we have to have more and more government housing. But you know something? The taxpayers pay through the nose, because there is no housing as expensive as government housing. All of you know that, because all of you have had experience with government housing.

Vouchers get away from the stigma. Unfortunately, there is a stigma attached to government housing. With vouchers you get away from that stigma. Plus people have more pride and keep up their house when they have a voucher system. The people feel they are renting a place, it is not given to them. They feel this is part of me, this is my home. This is my home. I know that because I visited many of the people when we were debating this issue in the voucher program some time ago.

Now, you also give people, in my opinion, more options. I do not know what takes place in Chicago and some of these other areas, but I know the place we had it in Indiana and the other pilot project we had in Green Bay, WI, it worked out very well. The surveys done with the people that lived in these homes and housing dealing with vouchers show they were very happy with vouchers, and they asked us to continue the program.

So from my experience and my background, this is a good amendment, because it gives people basically what people are looking for, and that is what we are trying to do with this legislation.

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

Mr. ROTH. I yield to the gentleman from Ohio.

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

The gentleman mentions the success of the voucher program in his city. I do not question the fact that such a program was a success. However, did they take money out of the public housing program in your city in order to do it? Because that is what this gentleman's amendment does. It takes money out of public housing and transfers it over to the voucher program for that purpose.

Mr. ROTH. Mr. Chairman, reclaiming my time, what the gentleman is doing is not taking away housing, because he is giving them a voucher, which is saving the taxpayers money plus giving the people a better place in which to live.

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

Mr. ROTH. I yield to the gentleman from Ohio.

Mr. STOKES. Mr. Chairman, the gentleman is taking $448 million out of the public housing account, and he is transferring only $180 million over to the voucher program. At the same time, the gentleman is not doing anything about the fact that there are still people waiting in line who need public housing, who are being deprived of it, because of the gentleman's amendment.

Mr. ROTH. Mr. Chairman, I thank the chairman, and there isn't a Member in this House I have more respect for than the gentleman from Ohio [Mr. STOKES]. But I must say this in rebuttal. Sure, he is only using $180 million, but he is doing with $180 million what others can do with $480 million. So he is saving the taxpayer money plus taking care of the people that need help. That sort of initiative should be praised rather than scoffed.

Mr. FRANK of Massachusetts. Mr. Chairman, will the gentleman yield?

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

Mr. FRANK of Massachusetts. Mr. Chairman, the gentleman makes one mistake though. He is doing that for a 5-year period only. The public housing that would be built will last 50 and 60 and 70 years. The gentleman's housing lasts only for a 5-year period versus permanent units.

Mr. ROTH. My friend from Massachusetts, if you had a sense of humor, you would be dying laughing at yourself. Public housing lasts 50 years?

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

Mr. ROTH. I yield to the gentleman from Michigan.

Mr. SMITH of Michigan. Mr. Chairman, let us look at this budget for how much we provide existing public housing. Do we each know we provide additional funds for public housing units? We have 1.4 million public housing units in the inventory under HUD. This bill provides $2.5 billion for operating subsidies. That's $1,800 per unit. This bill provides $3.6 billion for modernization. That's $2,500 per unit.

Building more houses is not the solution. Saying we are going to build more public housing to give this money to developers and contractors is not the way to help people who need housing in this country.

□ 1620

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

Mr. Chairman, I rise in opposition to this amendment. This is a good appropriation bill with regards to the housing, urban development budget, and funding that the chairman brings to the House. The fact is, we do not get anything for nothing.

What this Smith amendment purports to do is say we can house all the same people with a rental voucher for 5 years as we could if we constructed the units of housing. Naturally, the truth is, at the end of this day, at the end of the period for the vouchers, we end up with a bunch of rent receipts, as opposed to real public housing.

Some of the gentlemen from the other side of the aisle suggested that public housing does not last for 5 years. I can point out numerous public housing projects in my own district of St. Paul, MN, that, in fact, are close to 50 years old, in very good shape because of the modernization funds that are in this bill and will help other housing authorities do the same thing, and working and dynamic public housing, meeting the needs today and in the future. Not all public housing has the problems that occur in a city or in some of the troubled projects that the gentleman has talked about.

Housing, public housing is one of the most successful programs that we have in the Nation, that is a matter of fact.

Of course, we can concentrate on the problems but we are missing the main point in terms of how this program works. The fact is that the General Accounting Office and others have done studies and analysis for the Congress on this particular purpose. And they found out and they demonstrated for the Congress that it gave us the most housing per dollar. The fact is, this public housing will last 30, 40, 50 years. Obviously, it has to be maintained and properly managed. If we have a poorly constructed or designed building, it will not last that long.

The truth is, of course, that we do not need either public housing or voucher rather; we need both of these programs. Obviously a section 8 voucher and the improved program that exist

today, worked on by the various committees, does serve a very, very important function. It serves a need. Obviously, in various markets, there is not the vacancy rate that occurs in other markets. Some markets have a very large vacancy rate. Others have a very small one. Besides that, the type of public housing units we have may have two, three, four bedrooms in them in order to accommodate the size of the families that are experiencing difficulty for a short period of time. That has to be recognized. Most apartment buildings and other types of housing do not accommodate that type of family.

They have rules dealing with children. They have rules dealing with a variety of other activities that obviously do not accommodate public housing residents.

Mr. FRANK of Massachusetts. Mr. Chairman, will the gentleman yield?

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

Mr. FRANK of Massachusetts. Mr. Chairman, I want to point out again, with regard to choice, because the gentleman has helped make this clear, certainly people who suggest that public housing only lasts 5 years or does not last 5 years are so wrong and so inaccurate as to show that what we are talking about here is using caricatures that kind of just degrade the whole operation.

In many cities in this country the private rental market is so expensive that this argument about choice is simply wrong. If we want to have any degree of social integration in those communities, in effect, we will have public housing because the rules for the voucher program, the rent levels which it holds to, rule out many many communities. I represent some. I know of others even in large cities, if we wanted to do this in Manhattan, if we want to do it in San Francisco, we simply will not be able to build at a rental market situation for rents that vouchers can meet. So having some mix, rather than mischaracterizing public housing as only for the inner city, as not even lasting 5 years, those kinds of degradations of public housing and the people who live there are what is behind this amendment. And they are wrong.

Mr. VENTO. Mr. Chairman, I thank the gentleman for his contribution. The point is that public housing saves the taxpayers money. We have done studies on this. The GAO has done studies. It saves money. Is every individual project a success, no. But by and large, they are. That is why we have these projects remaining.

Furthermore, as we eliminate or replace public housing, we are losing some of the units. It is necessary, therefore, to have a modest program of reconstruction to maintain an adequate level of public housing. We have in this country serious problems with regards to housing. At the request of the Speaker, I led a task force on which the gentleman from Massachusetts and others served dealing with hopelessness. It pointed out that 7 percent of the people in this country, sometime during their life, had been homeless.

We have a serious problem with regards to adequate shelter in this Nation. Public housing plays a key role. The gentlemen are simply mistaken in trying to portray this section 8 voucher-program as a savings to the taxpayer. This is not a savings to the taxpayer at all. The public housing gives us the best for the buck in terms of housing and meeting the needs of people, Mr. Chairman. The amendment cuts over one-quarter of a billion dollars from public housing for the poor—that doesn't help, that hurts the people who have real need.

I would urge the Members, therefore, to reject this amendment. I think it is ill-considered and ill-conceived.

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

Mr. Chairman, let me begin by asking that I be disassociated with the remarks of the previous speaker. I want to also take a moment to thank the gentleman from Michigan [Mr. SMITH] for bringing this amendment to the floor.

I have been involved in this issue of public housing and how to handle public housing since I first came here in 1985. I had the privilege of working for several years on this issue. It seemed like every summer, with Jack Kemp. And I think we made some progress. We have made some progress, but I am afraid there are some areas in which we have not made progress.

The American people give us a privilege to be in this body. That privilege very often is the extraordinary privilege where we get to represent the extraordinary compassion of the American people for people among themselves who are less fortunate. One of those areas in which we get to represent that compassion is in the provision of housing for people of low income and economic hardship.

I believe that it is our duty to represent that compassion with understanding. I think the gentleman from Michigan [Mr. SMITH] is doing that today.

I do not believe it is within our right, as Members of Congress representing the compassion of the American people, to link that compassion with power and dependency. No, ours should be a compassion that is linked with a devotion to freedom and with respect to the people for whom we offer this helping hand. If, in fact, we construct politics and policies of power and dependency, we will most certainly, in fact, develop and create in our community the pathologies of dependency and the pathologies of power.

My colleagues, I am sad to report that despite the very many good public housing projects we can find scattered around this country, we have too many housing projects in America today that are marked by these pathologies. We all know the hard, cruel, mean conditions under which too many American citizens who deserve our respect and deserve our compassion end up living because, in fact, we have decided to serve power and we are willing to accept their dependency as the price for our power.

Let us not make any mistake about it and let us not kid ourselves. The people with a vested interest in public housing are the public housing authorities who gain control over the lives of other people, the politicians that find people that are as easy to put into buses to drive to the polls as their children are to put into buses and drive to school. And just as those children are deprived of the freedom and the joy of walking through their neighborhood with their friends to a safe school on safe streets, those voters are deprived of the freedom and the joy of casting their own independent vote.

No voter in America today should be compelled by a feeling that their vote must be cast as their only means to security for one or the other of a politician that has the gall to promise them security and not the devotion to duty to promise them liberty. That is what public housing gives us. That is a pathology we should stamp out.

□ 1630

Section 8 vouchers give people a sense of freedom, of independence, of self-sufficiency, of neighborhood.

It gives little boys and little girls the right to play in their neighborhood, knowing they are safe to walk to school with school children, their friends, to walk down to the corner drug store, to be safe, to be in fact integrated with people of different income experiences, different races, different cultures, different experiences, and to not live with a stigma of living in the projects.

Mr. Chairman, I cannot tell the Members the pain that I have seen in the face of a little girl who said that her goal in life was to not have to be ashamed that she lived in the projects. Let us have the decency to give people the liberty that comes with section 8 vouchers. Can we be that decent in this body?

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

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 162, noes 269, not voting 8, as follows:

[Roll No. 307]

AYES—162

Allard
Archer
Armey
Bachus (AL)
Baker (CA)
Ballenger
Barrett (NE)
Bartlett
Barton
Bateman
Bentley
Bilirakis
Bliley
Boehner
Bonilla
Bunning
Burton
Buyer
Callahan
Calvert
Camp
Canady
Castle
Clinger
Coble
Collins (GA)
Combest
Condit
Cox
Crane
Crapo
Cunningham
DeLay
Dickey
Doolittle
Dornan
Dreier
Duncan
Dunn
Ehlers
Emerson
Everett
Ewing
Fawell
Fields (TX)
Fish
Franks (CT)
Franks (NJ)
Gallegly
Gekas
Geren
Gilchrest
Gillmor
Gingrich
Goodlatte
Goodling
Goss
Grams
Grandy
Greenwood
Hall (TX)
Hancock
Hansen
Hastert
Hefley
Herger
Hobson
Hochbrueckner
Hoekstra
Hoke
Horn
Huffington
Hunter
Hutchinson
Hyde
Inglis
Inhofe
Istook
Johnson (CT)
Kasich
Kim
King
Kingston
Klug
Knollenberg
Kolbe
Kyl
Leach
Levy
Lewis (KY)
Lightfoot
Linder
Livingston
Manzullo
McCandless
McCollum
McHugh
McInnis
McKeon
McMillan
Meyers
Mica
Michel
Miller (FL)
Minge
Molinari
Montgomery
Moorhead
Moran
Myers
Nussle
Orton
Oxley
Packard
Parker
Paxon
Payne (VA)
Penny
Petri
Pombo
Porter
Portman
Pryce (OH)
Quinn
Ramstad
Ravenel
Regula
Roberts
Rohrabacher
Roth
Royce
Santorum
Saxton
Schaefer
Schiff
Sensenbrenner
Shaw
Shays
Shuster
Smith (MI)
Smith (OR)
Smith (TX)
Snowe
Solomon
Spence
Stearns
Stenholm
Stump
Talent
Tauzin
Taylor (MS)
Taylor (NC)
Thomas (CA)
Thomas (WY)
Upton
Vucanovich
Walker
Weldon
Wolf
Young (AK)
Zeliff
Zimmer

NOES—269

Abercrombie
Ackerman
Andrews (ME)
Andrews (TX)
Applegate
Bacchus (FL)
Baesler
Baker (LA)
Barca
Barcia
Barlow
Barrett (WI)
Becerra
Beilenson
Bereuter
Berman
Bevill
Bilbray
Bishop
Blackwell
Blute
Boehlert
Bonior
Borski
Boucher
Brewster
Brooks
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Byrne
Cantwell
Cardin
Carr
Clay
Clayton
Clement
Clyburn
Coleman
Collins (IL)
Collins (MI)
Conyers
Cooper
Coppersmith
Costello
Coyne
Cramer
Danner
Darden
de la Garza
de Lugo (VI)
Deal
DeFazio
DeLauro
Dellums
Derrick
Deutsch
Diaz-Balart
Dicks
Dixon
Dooley
Durbin
Edwards (CA)
Edwards (TX)
Engel
English
Eshoo
Evans
Farr
Fazio
Fields (LA)
Filner
Fingerhut
Flake
Foglietta
Ford (MI)
Ford (TN)
Fowler
Frank (MA)
Frost
Furse
Gallo
Gejdenson
Gephardt
Gibbons
Gilman
Glickman
Gonzalez
Gordon
Green
Gunderson
Gutierrez
Hall (OH)
Hamburg
Hamilton
Harman
Hastings
Hayes
Hefner
Hilliard
Hinchey
Hoagland
Holden
Houghton
Hoyer
Hughes
Hutto
Inslee
Jacobs
Jefferson
Johnson (GA)
Johnson (SD)
Johnson, E. B.
Johnson, Sam
Johnston
Kanjorski
Kaptur
Kennedy
Kennelly
Kildee
Kleczka
Klein
Klink
Kopetski
Kreidler
LaFalce
Lambert
Lancaster
Lantos
LaRocco
Laughlin
Lazio
Lehman
Levin
Lewis (CA)
Lewis (FL)
Lewis (GA)
Lipinski
Lloyd
Long
Lowey
Lucas
Maloney
Mann
Manton
Margolies-Mezvinsky
Markey
Martinez
Matsui
Mazzoli
McCloskey
McCrery
McCurdy
McDade
McDermott
McHale
McKinney
McNulty
Meehan
Meek
Menendez
Mfume
Miller (CA)
Mineta
Mink
Moakley
Mollohan
Morella
Murphy
Murtha
Nadler
Neal (MA)
Neal (NC)
Norton (DC)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pastor
Payne (NJ)
Pelosi
Peterson (FL)
Peterson (MN)
Pickett
Pickle
Pomeroy
Poshard
Price (NC)
Quillen
Rahall
Rangel
Reed
Richardson
Ridge
Roemer
Rogers
Romero-Barcelo (PR)
Ros-Lehtinen
Rose
Rostenkowski
Roukema
Rowland
Roybal-Allard
Rush
Sabo
Sanders
Sangmeister
Sarpalius
Sawyer
Schenk
Schroeder
Scott
Serrano
Sharp
Shepherd
Sisisky
Skaggs
Skeen
Skelton
Slattery
Slaughter
Smith (IA)
Smith (NJ)
Spratt
Stark
Stokes
Strickland
Studds
Stupak
Sundquist
Swett
Swift
Synar
Tanner
Tejeda
Thompson
Thornton
Thurman
Torkildsen
Torres
Torricelli
Towns
Traficant
Tucker
Underwood (GU)
Unsoeld
Valentine
Velazquez
Vento
Visclosky
Volkmer
Walsh
Waters
Watt
Waxman
Wheat
Whitten
Williams
Wilson
Wise
Woolsey
Wyden
Wynn
Yates
Young (FL)

NOT VOTING—8

Andrews (NJ)
Chapman
Dingell
Faleomavaega (AS)
Machtley
Reynolds
Schumer
Washington

□ 1650

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

Mr. GRANDY and Mr. PAYNE of Virginia changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

□ 1653

The CHAIRMAN. Are there other amendments to this portion of title II?

AMENDMENT OFFERED BY MR. SMITH OF MICHIGAN

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

The Clerk read as follows:

Amendment offered by Mr. SMITH of Michigan: Page 19, line 10, delete "$2,643,000,000" and insert "$2,378,725,000".

Mr. STOKES. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 20 minutes.

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

There was no objection.

The CHAIRMAN. The gentleman from Michigan [Mr. SMITH] will be recognized for 10 minutes, and the gentleman from Ohio [Mr. STOKES] will be recognized for 10 minutes.

The Chair recognizes the gentleman from Michigan [Mr. SMITH].

Mr. SMITH of Michigan. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, if it would help, I would like to call to the Members' attention that I do not intend to ask for a recorded rollcall vote on this amendment.

I offer this amendment in order to question why we are appropriating funds for the Pension Fund Program at a level higher than authorized. It reminds me of the man that had gangrene in one leg, and he went to the doctor, the doctor said, "We have got to cut it off," and after the surgery, the doctor said, "I've got good news and bad news." He said, "Well, give me the bad news first." He said, "Well, we cut off the wrong leg." He said, "My gosh, what is the good news?" He said, "Well, the gangrene was not as bad as we thought, and I think we are going to be able to save the other leg."

Mr. Chairman, that applies to this amendment, because the Committee on Banking, Finance and Urban Affairs will soon come out with an authorization for this Pension Fund Program less than this appropriation.

I would like to ask the chairman, the gentleman from Ohio [Mr. STOKES] if he would consider a colloquy to answer some of my questions. I am concerned that the authorization for this program will be $150 million while this appropriation is $414 million.

Can you tell me why the committee made a decision to bring this up to $414 million when the Committee on Banking, Finance and Urban Affairs is authorizing this at a level of $150 million?

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

Mr. SMITH of Michigan. I am happy to yield to the gentleman from Ohio.

Mr. STOKES. The gentleman is correct. That is what we did. But we did that because of the request to us, and we were simply responding to the President's request.

Mr. SMITH of Michigan. Well, my concern is that it is a 15-year program. It obligates the taxpayers of this country to spend additional funds over the next 15 years and it seems to me there is considerable risk involved. Has there been an evaluation of the soundness of this idea? When the Committee on Banking, Finance and Urban Affairs authorizes it at $150 million and we jump this up to $414 million, it seems reasonable that we should be concerned. This is especially true at a time when the Government is jumping into a public debt load approaching $6.3 trillion within the next 5 years and we

are looking at ways to cut money. It seems to me there needs to be overwhelming justification if we are going to appropriate at a greater level than what is authorized.

Mr. STOKES. If the gentleman will yield further, I will try to answer the gentleman's question.

First, the authorization bill assumes $150 million of the $2.7 billion for section 8 rental assistance for the Pension Program.

I would say to the gentleman that it is unknown at this time how this issue will come out in conference. The point is we are providing funds for the section 8 Rental Assistance Program, which is within the amount in the recommendation of the Committee on Banking, Finance and Urban Affairs.

If an authorization bill is enacted that only provides $150 million for the Pension Fund Program, then that would be the amount of funds that would be available. But additional funds could be available for regular section 8 units.

The gentleman's amendment only addresses one part of the section 8 rental assistance recommendation. It does not address the point that additional funds are assumed in the authorization bill for regular incremental units.

Mr. SMITH of Michigan. Let me follow up with one more question. Has there been any evaluation of risk as we expand this demonstration pension fund money in relation to these housing developments? Has there been an evaluation of risk as we jump this money up to this level of $414 million?

□ 1700

Mr. STOKES. Will the gentleman yield? I think, as the gentleman knows, this program is just beginning. There is no way for us to have that type of data available at this time. We are reacting to the authorizing committee's actions here. At some point, I assume that type of data evaluation will be accumulated.

Mr. SMITH of Michigan. Mr. Chairman, allow me to conclude by saying I would hope that my colleagues would return the funding level of the Pension Program to $150 million, which, as I understand, is the authorized amount.

Mr. COLEMAN. Mr. Chairman, I rise today in support of H.R. 4624, the VA-HUD-Independent Agencies Appropriations Act for fiscal year 1995, but in opposition to the gentleman's amendment.

This amendment would have a devastating effect on a program that has just been started called the Community Investment Demonstration Program, also known as the Pension Investment Program. The Investment Program, as established in the HUD Demonstration Act of 1993, sets aside section 8 project-based subsidies for multifamily rental and limited equity co-op housing projects whose construction or rehabilitation will be financed with pension fund capital.

This new program is designed to build bridges to pension fund managers and forge new investment partnerships for affordable housing. The AFL-CIO Housing Investment Trust helped conceive and refine the idea based on their experience investing in affordable multifamily housing. The idea is simple. HUD makes available to pension funds, on a competitive basis, Section 8 project based rental assistance to support construction and rehabilitation of affordable multifamily housing. The subsidy reduces the risk by ensuring more predictable cash flows from project rents. Thus, making pension fund financing more secure both for portfolio yield and more liquid for sale to secondary market investors such as Fannie Mae and Feddie Mac.

HUD has already received applications from throughout the country. Other pension funds participating in the program are: California Public Employees Retirement System working with the BRIDGE Housing Corp., the Board of Pensions and Retirement of the city of Philadelphia working with the Philadelphia Redevelopment Authority, and others.

HUD is currently expecting to receive numerous additional applications for the Section 8 Community Investment Demonstration funds, including from the AFL-CIO Housing Investment Trust. The trust solicited project proposals to package investments for its own application to HUD, including one for a housing project in the city of El Paso. The trust received 191 proposals to build or rehabilitate over 21,000 affordable housing units, more than half of them to be for Section 8 tenants. These proposals cover 34 States and 110 cities, from California to Florida, Maryland to Massachusetts, Virginia to Wisconsin, New Jersey to Illinois, Texas to Michigan, and more.

Therefore, Mr. Chairman, I urge my colleagues to defeat this amendment and support these types of initiatives in the future. With housing dollars becoming more scarce, this is the best method to proceed.

The CHAIRMAN. Is there further debate? If not, the question is on the amendment offered by the gentleman from Michigan [Mr. SMITH].

The amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Of the total amount provided under this head, $1,158,000,000 shall be for capital advances, including amendments to capital advance contracts, for housing for the elderly, as authorized by section 202 of the Housing Act of 1959, as amended, and for project rental assistance, and amendments to contracts for project rental assistance, for supportive housing for the elderly under section 202(c)(2) of the Housing Act of 1959: *Provided*, That $22,000,000 shall be for service coordinators pursuant to section 202(q) of the Housing Act of 1959 and subtitle E of title VI of the Housing and Community Development Act of 1992, other than section 676 of such Act and section 8(d)(2)(F)(i) of the Act.

Of the total amount provided under this head, $387,000,000 shall be for capital advances, including amendments to capital advance contracts, for supportive housing for persons with disabilities, as authorized by section 811 of the Cranston-Gonzalez National Affordable Housing Act; and for project rental assistance, and amendments to contracts for project rental assistance, for supportive housing for persons with disabilities as authorized by section 811 of the Cranston-Gonzalez National Affordable Housing Act.

ASSISTANCE FOR THE RENEWAL OF EXPIRING SECTION 8 SUBSIDY CONTRACTS

(INCLUDING TRANSFER OF FUNDS)

For assistance under the United States Housing Act of 1937 (42 U.S.C. 1437) not otherwise provided for, for use in connection with expiring section 8 subsidy contracts, $3,705,000,000, to remain available until expended: *Provided*, That to the extent the amount in this appropriation is insufficient to fund all expiring section 8 contracts, the Secretary may transfer to and merge with this appropriation such amounts from the "Annual contributions for assisted housing" appropriation as the Secretary shall determine, and amounts earmarked in the foregoing account may be reduced accordingly, at the Secretary's discretion: *Provided further*, That the Secretary may maintain consolidated accounting data for funds disbursed at the public housing agency or Indian housing authority or project level for subsidy assistance regardless of the source of the disbursement so as to minimize the administrative burden of multiple accounts.

Further, for the foregoing purposes, $800,000,000, to become available for obligation on October 1, 1995, and to remain available for obligation until expended.

RENTAL HOUSING ASSISTANCE

(RESCISSION)

The limitation otherwise applicable to the maximum payments that may be required in any fiscal year by all contracts entered into under section 236 of the National Housing Act (12 U.S.C. 1715z-1) is reduced in fiscal year 1995 by not more than $2,000,000 in uncommitted balances of authorizations provided for this purpose in appropriations Acts: *Provided*, That up to $66,000,000 of recaptured section 236 budget authority resulting from the prepayment of mortgages subsidized under section 236 of the National Housing Act (12 U.S.C. 1715z-1) shall be rescinded in fiscal year 1995.

HOMEOWNERSHIP ASSISTANCE

(INCLUDING RESCISSION OF FUNDS)

For payments under section 235(r) of the National Housing Act, as amended (12 U.S.C. 1715z) for incentives to mortgagors to refinance mortgages that are insured under such section 235 and for closing and other costs in connection with such refinancing, $6,875,000, to remain available until expended: *Provided*, That up to $50,000,000 of recaptured section 235 budget authority resulting from reducing the interest rate on such refinanced mortgages shall be reused for payments under this heading: *Provided further*, That up to $184,000,000 of additional recaptured section 235 budget authority from refinancing section 235 mortgages shall be rescinded in fiscal year 1995.

CONGREGATE SERVICES

For contracts with and payments to public housing agencies and nonprofit corporations

for congregate services programs, $6,267,000, to remain available until September 30, 1996, in accordance with the provisions of the Congregate Services Act of 1978, as amended.

PAYMENTS FOR OPERATION OF LOW-INCOME HOUSING PROJECTS

For payments to public housing agencies and Indian housing authorities for operating subsidies for low-income housing projects as authorized by section 9 of the United States Housing Act of 1937, as amended (42 U.S.C. 1437g), $2,900,000,000.

SEVERELY DISTRESSED PUBLIC HOUSING

For the revitalization of severely distressed public housing program, as authorized by section 24 of the United States Housing Act of 1937, as amended (42 U.S.C. 1437), $500,000,000, to remain available until expended, of which up to one-half of one percent may be used for technical assistance under this program, to be made available directly, or indirectly under contracts or grants, as appropriate.

DRUG ELIMINATION GRANTS FOR LOW-INCOME HOUSING

For grants to public housing agencies for use in eliminating drug-related crime in public housing projects authorized by 42 U.S.C. 11901–11908, and for drug information clearinghouse services authorized by 42 U.S.C. 11921–11925, $265,000,000, to remain available until expended, of which $10,000,000 shall be for grants, technical assistance, contracts and other assistance training, program assessment, and execution for or on behalf of public housing agencies and resident organizations (including the cost of necessary travel for participants in such training) and of which $1,500,000 shall be for grants for an after school demonstration program in public housing projects, run by the 4H Clubs of America and co-sponsored by private sector firms.

INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM ACCOUNT

For the cost of guaranteed loans, $3,000,000, as authorized by section 184 of the Housing and Community Development Act of 1992 (106 Stat. 3739): *Provided*, That such costs, including the costs of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed $22,388,000.

YOUTHBUILD PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For youthbuild program activities authorized by subtitle D of title IV of the Crantson-Gonzalez National Affordable Housing Act, as amended, $50,000,000, to remain available until expended. In addition, the unexpended balances from the $28,000,000 made available for subtitle D of title IV of such Act under the head "Homeownership and opportunity for people everywhere grants (HOPE Grants)" in the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1994 shall be transferred to and merged with this appropriation.

HOUSING COUNSELING ASSISTANCE

For contracts, grants, and other assistance, other than loans, not otherwise provided for, for providing counseling and advice to tenants and homeowners—both current and prospective—with respect to property maintenance, financial management, and such other matters as may be appropriate to assist them in improving their housing conditions and meeting the responsibilities of tenancy or homeownership, including provisions for training and for support of voluntary agencies and services as authorized by section 106 of the Housing and Urban Development Act of 1968, as amended, $50,000,000.

FLEXIBLE SUBSIDY FUND

For assistance to owners of eligible multifamily housing projects insured, or formerly insured, and under the National Housing Act, as amended, or which are otherwise eligible for assistance under section 201(c) of the Housing and Community Development Amendments of 1978, as amended (12 U.S.C. 1715z–1a), in the program of assistance for troubled multifamily housing projects under the Housing and Community Development Amendments of 1978, as amended, $50,000,000, and all uncommitted balances of excess rental charges as of September 30, 1994, and any collections and other amounts in the fund authorized under section 201(j) of the Housing and Community Development Amendments of 1978, as amended, during fiscal year 1995, to remain available until expended: *Provided*, That assistance to an owner of a multifamily housing project assisted, but not insured, under the National Housing Act may be made if the project owner and the mortgagee have provided or agreed to provide assistance to the project in a manner as determined by the Secretary of Housing and Urban Development.

FEDERAL HOUSING ADMINISTRATION

FHA—MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

During fiscal year 1995, commitments to guarantee loans to carry out the purposes of section 203(b) of the National Housing Act, as amended, shall not exceed a loan principal of $100,000,000,000.

During fiscal year 1995, obligations to make direct loans to carry out the purposes of section 204(g) of the National Housing Act, as amended, shall not exceed $180,000,000: *Provided*, That the foregoing amount shall be for loans to nonprofit and governmental entities in connection with sales of single family real properties owned by the Secretary and formerly insured under section 203 of such Act.

For administrative expenses necessary to carry out the guaranteed and direct loan program, $308,846,000, to be derived from the FHA-mutual mortgage insurance guaranteed loans receipt account, of which not to exceed $302,056,000 shall be transferred to the appropriation for salaries and expenses; and of which not to exceed $6,790,000 shall be transferred to the appropriation for the Office of Inspector General.

FHA—GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For the cost of guaranteed loans, as authorized by sections 238 and 519 of the National Housing Act, as amended (12 U.S.C. 1715z–3(b) and 1735c(f)), $152,000,000, to remain available until September 30, 1996, of which up to $132,903,000 is to be derived from the FHA—general and special risk, negative subsidies receipt account: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize total loan principal any part of which is to be guaranteed of not to exceed $20,885,072,000.

Gross obligations for the principal amount of direct loans, as authorized by sections 204(g), 207(l), 238(a), and 519(d) of the National Housing Act, shall not exceed $220,000,000; of which not to exceed $200,000,000 shall be for bridge financing in connection with the sale of multifamily real properties owned by the Secretary and formerly insured under such Act; and of which not to exceed $20,000,000 shall be for loans to nonprofit and governmental entities in connection with the sale of single-family real properties owned by the Secretary and formerly insured under such Act.

In addition, for administrative expenses necessary to carry out the guaranteed and direct loan programs, $197,470,000, of which $193,299,000 shall be transferred to the appropriation for salaries and expenses; and of which $4,171,000 shall be transferred to the appropriation for the Office of Inspector General.

GOVERNMENT NATIONAL MORTGAGE ASSOCIATION

GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN GUARANTEE PROGRAM ACCOUNT

(INCLUDES TRANSFER OF FUNDS)

During fiscal year 1995, new commitments to issue guarantees to carry out the purposes of section 306 of the National Housing Act, as amended (12 U.S.C. 1721(g)), shall not exceed $142,000,000,000.

For administrative expenses necessary to carry out the guaranteed mortgage-backed securities program, $8,824,000, to be derived from the GNMA—guarantees of mortgage-backed securities guaranteed loan receipt account, of which not to exceed $8,824,000 shall be transferred to the appropriation for salaries and expenses.

HOMELESS ASSISTANCE

HOMELESS ASSISTANCE GRANTS

For the emergency shelter grants program (as authorized under subtitle B of title IV of the Stewart B. McKinney Homeless Assistance Act (Public Law 100–77), as amended); the supportive housing program (as authorized under subtitle C of title IV of such Act); the section 8 moderate rehabilitation single room occupancy program (as authorized under the United States Housing Act of 1937, as amended) to assist homeless individuals pursuant to section 441 of the Stewart B. McKinney Homeless Assistance Act; the shelter plus care program (as authorized under substitle F of title IV of such Act); and the innovative homeless initiatives demonstration program (as authorized under section 2 of the HUD Demonstration Act of 1993 (Public Law 103–120)), $1,120,000,000, to remain available until expended.

COMMUNITY PLANNING AND DEVELOPMENT

COMMUNITY DEVELOPMENT GRANTS

For grants to States and units of general local government and for related expenses, not otherwise provided for, necessary for carrying out a community development grants program as authorized by title I of the Housing and Community Development Act of 1974, as amended (42 U.S.C. 5301), $4,600,000,000, to remain available until September 30, 1997: *Provided*, That $46,000,000 shall be available for grants to Indian tribes pursuant to section 106(a)(1) of the Housing and Community Development Act of 1974, as amended (42 U.S.C. 5301), and $61,500,000 shall be available for "special purpose grants" pursuant to section 107 of such Act: *Provided further*, That not to exceed 20 per centum of any grant made with funds appropriated herein (other than a grant using funds under section 107(b)(3) of such Act or funds set aside in the following provisos) shall be expended for "Planning and Management Development"

and "Administration" as defined in regulations promulgated by the Department of Housing and Urban Development: *Provided further*, That $35,000,000 shall be made available from the total amount provided to carry out an early childhood development program under section 222 of the Housing and Urban-Rural Recovery Act of 1983, as amended (12 U.S.C. 1701z-6 note), including services for families that are homeless or at risk of becoming homeless: *Provided further*, That $10,000,000 shall be made available from the total amount provided to carry out a neighborhood development program under section 123 of said Act (42 U.S.C. 5318 note).

During fiscal year 1995, new commitments to issue guarantees to carry out the purposes of section 108 of the Housing and Community Development Act of 1974, as amended (42 U.S.C. 5301), shall not exceed $2,054,000,000.

POLICY DEVELOPMENT AND RESEARCH

RESEARCH AND TECHNOLOGY

For contracts, grants, and necessary expenses of programs of research and studies relating to housing and urban problems, not otherwise provided for, as authorized by title V of the Housing and Urban Development Act of 1970, as amended (12 U.S.C. 1701z-1 et seq.), including carrying out the functions of the Secretary under section 1(a)(1)(i) of Reorganization Plan No. 2 of 1968, $40,000,000, to remain available until September 30, 1996.

FAIR HOUSING AND EQUAL OPPORTUNITY

FAIR HOUSING ACTIVITIES

For contracts, grants, and other assistance, not otherwise provided for, as authorized by title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988, and section 561 of the Housing and Community Development Act of 1987, as amended, $33,375,000, to remain available until September 30, 1996: *Provided*, That $26,000,000 shall be available to carry out activities pursuant to section 561 of the Housing and Community Development Act of 1987.

MANAGEMENT AND ADMINISTRATION

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary administrative and nonadministrative expenses of the Department of Housing and Urban Development, not otherwise provided for, including not to exceed $7,000 for official reception and representation expenses, $962,173,000, of which $495,355,000 shall be provided from the various funds of the Federal Housing Administration, and $8,824,000 shall be provided from funds of the Government National Mortgage Association.

OFFICE OF INSPECTOR GENERAL

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $47,388,000, of which $10,961,000 shall be transferred from the various funds of the Federal Housing Administration.

OFFICE OF FEDERAL HOUSING ENTERPRISE OVERSIGHT

SALARIES AND EXPENSES

(INCLUDING TRANSFER OR FUNDS)

For carrying out the Federal Housing Enterprise Financial Safety and Soundness Act of 1992, $15,451,000, to remain available until expended, from the Federal Housing Enterprise Oversight Fund: *Provided*, That such amounts shall be collected by the Director as authorized by section 1316 (a) and (b) of such Act, and deposited in the Fund under section 1316(f).

ADMINISTRATIVE PROVISIONS

None of the funds provided under this title to the Department of Housing and Urban Development, which are obligated to State or local governments or to housing finance agencies or other public or quasi-public housing agencies, shall be used to indemnify contractors or subcontractors of the government or agency against costs associated with judgments of infringement of intellectual property rights.

Of the budgetary resources available to the Department of Housing and Urban Development during fiscal year 1995, $3,538,000 are permanently canceled. The Secretary of Housing and Urban Development 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. For the purpose of this paragraph, 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 service and ending with contract completion and closeout as specified in 41 U.S.C. 403 (2).

Of the $150,000,000 earmarked in Public Law 102-139 for special purpose grants (105 Stat. 736, 745), $1,000,000 made available to the Pennsylvania Housing Finance Agency to complete renovation and revitalization of the Saquoit Silk Mills in Scranton into low-income elderly apartments shall instead be made available for such low-income elderly apartments on the site of the existing Lackawanna Junior College in Lackawanna County, Pennsylvania.

Notwithstanding any provision of law or regulation thereunder, the requirement that an amendment to an urban development action grant agreement must be integrally related to the approved project is hereby waived for project numbers B87AA360540 and B87AA360521.

None of the funds made available in this Act may be used in violation of section 214 of the Housing and Community Development Act of 1980 or of any applicable Federal law or regulation of the United States.

Subparagraph (A) of the first sentence of section 203(b) (2) of the National Housing Act is amended by striking clause (ii) and all that follows through "1992;" and inserting in lieu thereof the following——

"(ii) 85 percent of the dollar amount limitation determined under section 305(a)(2) of the Federal Home Loan Mortgage Corporation Act for a residence of the applicable size; except that the applicable dollar amount limitation in effect for any area under this subparagraph (A) may not be less than the greater of—

"(I) the dollar amount limitation in effect under this section for the area on the date of enactment of the Housing Choice and Community Investment Act of 1994; or

"(II) the applicable average area purchase price determined under section 143(e)(2) of the Internal Revenue Code of 1986, adjusted by the Secretary to reflect a single amount using purchase prices for residences that have been previously occupied, and for residences that have not been so occupied, which amount shall be adjusted by the Secretary annually on the basis of the Constant Quality Housing Price Index;".

Notwithstanding subsection 306(g) (3) of the National Housing Act, as amended, fees charged for the guaranty of, or commitment to guaranty, multiclass securities backed by a trust or pool of securities or notes guaranteed by the Government National Mortgage Association prior to February 1, 1993, and other related fees, shall be charged in an amount the Association deems appropriate.

AMENDMENT OFFERED BY MR. BARRETT OF WISCONSIN

Mr. BARRETT of Wisconsin. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BARRETT of Wisconsin: Page 38, after line 19, insert the following:

Notwithstanding any other provision of law, no community development grant provided in fiscal year 1994 or any succeeding fiscal year under title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.) may be used for any activity (including any infrastructure improvement) that is intended, or likely, to facilitate the relocation or expansion of any industrial or commercial plant, facility, or operation, from one area to another area, if the relocation or expansion will result in a loss of employment in the area from which the relocation or expansion occurs.

Mr. STOKES. Mr. Chairman, I reserve a point of order on the amendment.

Mr. BARRETT of Wisconsin. Mr. Chairman, the amendment that Mr. KLECKZA and I propose would add an antipiracy provision to the Community Development Block Grant Program in the Department of Housing and Urban Development. It would prevent the use of community development grant funds from being used for any activity that is intended, or likely, to facilitate the relocation of jobs from one area to another area.

Just days ago, we learned that almost a quarter of a million dollars in Federal funds will be used to help pay for a $23 million plant relocation that will cost jobs in the Milwaukee area. This is not an appropriate use of the CDBG Program, and is an incredible misuse of Federal funds. Unfortunately, under current law, this scenario could happen in any State.

The CDBG Program is a good program that greatly assists our State and local governments in implementing effective community development plans. But these funds are supposed to be used to help communities and States promote community and economic development.

CDBG funds should not be used simply to shift jobs from one State to another. This is robbing Peter to pay Paul.

Our amendment is very similar to provisions in the Housing and Community Development Act of 1974 that prohibited the use of urban development action grants for projects intended to move jobs from one area to another area. It extends the same protections to CDBG funds and will prevent grants from being used to shift jobs from one part of the country to another area.

□ 1710

If the antipiracy language is adopted, Wisconsin taxpayers and other taxpayers across our country would no

longer be forced to pick up the tab for transferring jobs from their State. Let us work to end this misuse of Federal dollars.

The chairman of the HUD authorizing committee, the gentleman from Texas [Mr. GONZALEZ], has expressed his support for this amendment. The gentleman from Wisconsin [Mr. KLECZKA] and I will be working with Chairman GONZALEZ and hope to work with our colleagues to ensure that this language is enacted into law.

Mr. Chairman, I concede the point of order. The gentleman from Wisconsin [Mr. KLECZKA] and I offer this amendment because it is good public policy. We will pursue other avenues to deal with the misguided use of CDBG funds.

Mr. KLECZKA. Mr. Chairman, while we will unfortunately have to accede to this point of order, let me comment briefly on what the Barrett-Kleczka amendment would have done. The amendment is an effort to right a serious wrong and to ensure that Federal CDBG funds are not used for piracy.

The Briggs and Stratton Corp., of the Milwaukee area has recently announced that it will be moving 2,000 jobs out of Wisconsin in order to expand its operations into Missouri, with the help of a $209,000 Community Development Block Grant. Therefore, the said irony is that Wisconsin taxpayers have unknowingly played a role in the loss of their own jobs.

We all know the purpose of the Community Development Block Grant: to spur economic growth and improve life for low- and moderate-income residents of an area. There are many examples of the positive use of these funds in the Milwaukee area alone. In a typical year, examples include improvements to more than 4,000 housing units, job training or placement assistance to several hundred residents, and expansion or improvements to approximately 100 Milwaukee businesses.

The Walkers Point Development Corp., was recently awarded a grant to aid in housing acquisition, rehabilitation, and disposition to first-time homebuyers. The Milwaukee Christian Center was the recipient of a $500,000 Community Development Block Grant. The funds will be used to operate an owner-occupied rehabilitation program for low-income homeowners. Last year, the program was able to improve almost 50 units with CDBG funds. Journey House, a youth center in Milwaukee, was provided $85,000 for its programming for inner-city youth.

So, you can see that the Community Development Block Grant Program is indeed a worthy, commendable program that assists our communities in providing much-needed neighborhood services and clearly betters the lives of many residents. That is why it is so outrageous to me that CDBG funds could be distorted to lure jobs from State to State. The program was meant to create jobs, not to snatch them.

In fact, I have already been contacted by several constituents who will personally suffer due to this move. They are angry that Wisconsin taxpayer funds are being used to take jobs away from Wisconsin. I agree with my constituents that this is clearly not an appropriate use of this commendable program. The amendment we are offering today is a clear, honest attempt to right this wrong and to disallow future use of CDBG funds to lure companies.

What should we tell those loyal employees who will clearly suffer as a result of Federal funds being spent in this manner? What about their families who will suffer?

Mr. Chairman, we need to let our constituents know that we recognize the worthiness of the Community Development Block Grants benefitted by the program, not harmed by it.

POINT OF ORDER

The CHAIRMAN. Does the gentleman from Ohio [Mr. STOKES] insist on his point of order?

Mr. STOKES. Yes, Mr. Chairman, I do.

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

Mr. STOKES. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law. It constitutes legislation in an appropriations bill. Therefore, Mr. Chairman, it violates clause 2 of rule XXI. That rule states in pertinent part:

"No amendment to a general appropriation bill shall be in order if changing existing law."

Mr. Chairman, the amendment would modify the Housing and Community Development Act of 1974. I, therefore, Mr. Chairman, ask for a ruling from the Chair.

The CHAIRMAN. Does the gentleman from Wisconsin [Mr. BARRETT] concede the point of order?

Mr. BARRETT of Wisconsin. Yes, I do, Mr. Chairman.

The CHAIRMAN (Mr. BEILENSON). The gentleman from Wisconsin concedes the point of order, and the point of order is sustained.

The Clerk will read.

The Clerk read as follows:

TITLE III

INDEPENDENT AGENCIES

AMERICAN BATTLE MONUMENTS COMMISSION

SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, including the acquisition of land or interest in land in foreign countries; purchases and repair of uniforms for caretakers of national cemeteries and monuments outside of the United States and its territories and possessions; rent of office and garage space in foreign countries; purchase (one for replacement only) and hire of passenger motor vehicles; and insurance of official motor vehicles in foreign countries, when required by law of such countries; $20,265,000, to remain available until expended: *Provided*, That where station allowance has been authorized by the Department of the Army for officers of the Army serving the Army at certain foreign stations, the same allowance shall be authorized for officers of the Armed Forces assigned to the Commission while serving at the same foreign stations, and this appropriation is hereby made available for the payment of such allowance: *Provided further*, That when traveling on business of the Commission, officers of the Armed Forces serving as members or as Secretary of the Commission may be reimbursed for expenses as provided for civilian members of the Commission: *Provided further*, That the Commission shall reimburse other Government agencies, including the Armed Forces, for salary, pay, and allowances of personnel assigned to it: *Provided further*, That section 509 of the general provisions carried in title V of this Act shall not apply to the funds provided under this heading: *Provided further*, That not more than $125,000 of the private contributions to the Korean War Memorial Fund may be used for administrative support of the Korean War Veterans Memorial Advisory Board including travel by members of the board authorized by the Commission, travel allowances to conform to those provided by Federal travel regulations.

CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

SALARIES AND EXPENSES

(RESCISSION)

Of the funds made available under this heading in Public Law 103-124, $1,730,000 are rescinded.

CONSUMER PRODUCT SAFETY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Consumer Product Safety Commission, including hire of passenger motor vehicles, services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for GS-18, purchase of nominal awards to recognize non-Federal officials' contributions to Commission activities, and not to exceed $500 for official reception and representation expenses, $43,486,000.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

NATIONAL AND COMMUNITY SERVICE PROGRAMS

OPERATING EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for the Corporation for National and Community Service in carrying out the programs, activities, and initiatives under the National and Community Service Act of 1990, as amended (Public Law 103-82) (hereinafter referred to as "the Act"), $490,388,000 to remain available until September 30, 1996, except as provided hereafter: *Provided*, That not more than $27,400,000 is available for administrative expenses authorized under section 501(a)(4) of the Act, of which not more than $13,700,000 shall be for administrative expenses for State commissions pursuant to section 126(a) of subtitle C of title I of the Act: *Provided further*, That not more than $2,500 shall be for official reception and representation expenses: *Provided further*, That not more than $125,900,000, to remain available without fiscal year limitation, shall be transferred to the National Service Trust Fund for educational awards as authorized under subtitle D of title I of the Act.

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, $1,000,000.

COURT OF VETERANS APPEALS

SALARIES AND EXPENSES

For necessary expenses for the operation of the United States Court of Veterans Appeals as authorized by 38 U.S.C. sections 7251-7292, $9,289,000, to be available without regard to section 509 of this Act, of which not to exceed $650,000, to remain available until September 30, 1996, shall be available for the purpose of providing financial assistance as

described, and in accordance with the process and reporting procedures set forth, under this head in Public Law 102-229.

DEPARTMENT OF DEFENSE—CIVIL CEMETERIAL EXPENSES, ARMY

SALARIES AND EXPENSES

For necessary expenses, as authorized by law, for maintenance, operation, and improvement of Arlington National Cemetery and Soldiers' and Airmen's Home National Cemetery, including the purchase of two passenger motor vehicles for replacement only, and not to exceed $1,000 for official reception and representation expenses; $12,017,000 to remain available until expended.

ENVIRONMENTAL PROTECTION AGENCY

RESEARCH, PREVENTION AND PROGRAM ACTIVITIES

For research and development, prevention, abatement, compliance and enforcement activities, including hire of passenger motor vehicles, hire, maintenance, and operation of aircraft; purchase of reprints, library memberships in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members, construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed $75,000 per project; and not to exceed $9,000 for official reception and representation expenses; $1,600,300,000, to remain available until September 30, 1996: *Provided*, That not more than $250,000,000 of these funds shall be available for operating expenses, including not more than $55,000,000 for procurement of laboratory equipment, supplies, and other operating expenses in support of research and development: *Provided further*, That none of the funds appropriated under this heading shall be available to the National Oceanic and Atmospheric Administration pursuant to section 118(h)(3) of the Federal Water Pollution Control Act, as amended: *Provided further*, That from funds appropriated under this heading, the Administrator may make grants to federally recognized Indian governments for the development of multimedia environmental programs.

AMENDMENT OFFERED BY MR. UPTON

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

The Clerk read as follows:

Amended offered by Mr. UPTON: On page 43, line 10, after "1996" insert: "except that none of this amount shall be available for a grant of $285,000 for a further study on methane and ruminant productivity".

Mr. UPTON. Mr. Chairman, at this point I ask unanimous consent that I be able to offer this same amendment after the debate and vote on the space station amendment.

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

There was no objection.

The CHAIRMAN. The gentleman withdraws his amendment at this point.

The Clerk will read.

The Clerk read as follows:

PROGRAM AND RESEARCH OPERATIONS

For necessary expenses, not otherwise provided for, for personnel and related costs and for travel expenses, including uniforms, or allowances therefor, as authorized by 5 U.S.C. 5901-5902; and for services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for GS-18; $935,000,000

OFFICE OF INSPECTOR GENERAL

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, and for construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed $75,000 per project, $44,595,000, of which $15,384,000 shall be derived from the Hazardous Substance Superfund trust fund and $669,000 shall be derived from the Leaking Underground Storage Tank trust fund: *Provided*, That not more than $41,150,000 of these funds shall be available for administrative expenses.

FACILITIES AND NATIONWIDE SUPPORT

For construction, repair, improvement, extension, alteration and purchase of fixed equipment or facilities of or for use by the Environmental Protection Agency, and for nationwide support of facilities-related activities, $174,700,000, to remain available until expended.

HAZARDOUS SUBSTANCE SUPERFUND

For necessary expenses to carry out the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended, including sections 111(c)(3), (c)(5), (c)(6), and (e)(4) (42 U.S.C. 9611), and for construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed $75,000 per project; $1,425,000,000 to remain available until expended, consisting of $1,185,000,000 as authorized by section 517(a) of the Superfund Amendments and Reauthorization Act of 1986 (SARA), as amended by Public Law 101-508, and $250,000,000 as a payment from general revenues to the Hazardous Substance Superfund as authorized by section 517(b) of SARA, as amended by Public Law 101-508, plus sums recovered on behalf of the Hazardous Substance Superfund in excess of $229,391,000 during fiscal year 1995: *Provided*, That funds appropriated under this heading may be allocated to other Federal agencies in accordance with section 111(a) of CERCLA: *Provided further*, That notwithstanding section 111(m) of CERCLA or any other provision of law, not to exceed $69,000,000 of funds appropriated under this heading shall be available to the Agency for Toxic Substances and Disease Registry to carry out activities described in sections 104(i), 111(c)(4), and 111(c)(14) of CERCLA and section 118(f) of the Superfund Amendments and Reauthorization Act of 1986: *Provided further*, That none of the funds appropriated under this heading shall be available for the Agency for Toxic Substances and Disease Registry to issue in excess of 40 toxicological profiles pursuant to section 104(i) of CERCLA during fiscal year 1995: *Provided further*, That no more than $308,000,000 of these funds shall be available for administrative expenses of the Environmental Protection Agency: *Provided further*, That none of the funds appropriated in this Act may be made available for program management of Alternative Remedial Contracting Strategy (ACS) contracts exceeding 11 percent of the total cost of such contract.

LEAKING UNDERGROUND STORAGE TANK TRUST FUND

For necessary expenses to carry out leaking underground storage tank cleanup activities authorized by section 205 of the Superfund Amendments and Reauthorization Act of 1986, and for construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed $75,000 per project, $70,000,000 to remain available until expended: *Provided*, That no more than $8,150,000 shall be available for administrative expenses.

OIL SPILL RESPONSE

(INCLUDING TRANSFER OF FUNDS)

For expenses necessary to carry out the Environmental Protection Agency's responsibilities under the Oil Pollution Act of 1990, $20,000,000, to be derived from the Oil Spill Liability trust fund, and to remain available until expended: *Provided*, That not more than $8,420,000 of these funds shall be available for administrative expenses.

WATER INFRASTRUCTURE/STATE REVOLVING FUNDS

For necessary expenses for capitalization grants for State revolving funds to support water infrastructure financing, and to carry out the purposes of the Federal Water Pollution Control Act, as amended, the Water Quality Act of 1987, and the Public Health Service Act, $2,732,000,000, to remain available until expended, of which $1,787,000,000 shall not become available until December 31, 1995: *Provided*, That of the amount which becomes available on October 1, 1994, $22,500,000 shall be for making grants under section 104(b)(3) of the Federal Water Pollution Control Act, as amended; $100,000,000 shall be for making grants under section 319 of the Federal Water Pollution Control Act, as amended; $52,500,000 shall be for section 510 of the Water Quality Act of 1987; and $70,000,000 shall be for making grants under section 1443(a) of the Public Health Service Act: *Provided further*, That the grant awarded from funds appropriated under the paragraph with the heading "Construction grants" in title III of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1990 (103 Stat. 858) for construction of a connector sewer line, consisting of a main trunk line and 4 pump stations for the town of Honea Path, South Carolina, to the wasterwater treatment facility in the town of Ware Shoals, South Carolina, shall include demolition of Chiquola Mill Lagoon, Clatworthy Lagoon, Corner Creek Lagoon, and Still Branch Lagoon.

AMENDMENT OFFERED BY MR. STOKES

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

The Clerk read as follows:

Amendment offered by Mr. STOKES: On Page 47, lines 17-18, strike: "December 31, 1994" and insert in lieu thereof: "authorized by law".

On page 47, line 23, after the word "amended" add: ", and shall not become available until authorized by law".

Mr. STOKES. Mr. Chairman, this amendment will delete the language in the water infrastructure/State revolving funds account stating that the wastewater funding is delayed until December 31, 1994, and instead makes the availability of such funds subject to authorization.

Further, Mr. Chairman, the amendment states that the nonpoint-source grants funding will not become available until those funds are authorized in consultation with the gentleman from California [Mr. MINETA] of the Committee on Public Works and Transportation. We have agreed to include language which would subject the availability of funds to authorizing legislation. We had included language in the

bill and the report addressing this matter, but after further consultation, we have agreed to the modification proposed by the gentleman from California [Mr. MINETA].

Mr. Chairman, I urge my colleagues to support this amendment.

Mr. PETE GEREN of Texas. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would like to engage the gentleman from Ohio [Mr. STOKES] in a colloquy.

Mr. Chairman, as a member of the authorizing committee, let me commend the chairman of the Appropriations subcommittee for his efforts to insure that the programs he is funding are fully authorized. Let me point out, however, that this is the end of June and we are still working on clean water reauthorization. The issues before us are complex, and, despite everyone's best intentions and efforts on the authorizing committee, we have not moved the bill. We all want a bill. The gentleman from California [Mr. MINETA] wants a bill. The members of the committee supporting a bipartisan alternative to his bill want a bill. We all want to get it done as soon as possible. But to date, Mr. Chairman, we have not agreed on what the bill should look like. Given that fact, Mr. Chairman, there is a risk that reauthorization will not happen this year.

I would like the distinguished chairman's assurance that, as this appropriations bill moves forward, he will reexamine what progress has been made on clean-water legislation and do what he can to try to ensure funds for States and local governments.

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

Mr. PETE GEREN of Texas. I yield to the gentleman from Ohio.

Mr. STOKES. Mr. Chairman, the gentleman has my assurance that this issue will be carefully considered in conference, that we will take into account where the reauthorization process stands at that time, what the likelihood of reauthorization is, if it has not been accomplished at that time, as well as the needs of the available communities and States. Obviously I cannot today prejudge the outcome of the conference, but those are the factors that we would take into account.

Mr. PETE GEREN of Texas. Mr. Chairman, I certainly appreciate the contribution of the gentleman from Ohio [Mr. STOKES] and his hard work in bringing this bill to the floor.

□ 1720

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

Mr. Chairman, I rise in support of this amendment. I think it is a good amendment, and it is in keeping with the fundamental principle that we should be authorizing appropriations before the funds are appropriated, and any appropriations should be subject to authorization.

I certainly commend the distinguished gentleman from Ohio [Mr. STOKES], the chairman of the appropriations subcommittee, for the assurances which he has given us concerning his recognition of the importance of clean water funding to be continued.

There are mandates levied upon our States and our localities well in excess of $100 billion. Therefore, for us not to continue this highly successful environmental program for clean water improvement would be very irresponsible.

Now, there are some who have argued that this is a cynical ploy to put in place the argument that States and localities must back away from their interest in seeing us reform this program, their interest in seeing us reform the wetlands problems facing this country, their interest in seeing us reform the unfunded mandates and seeing us reform the various regulations, the onerous regulations imposed upon not only our States and localities, but private institutions and people as well.

I reject the notion that that is the reason for this amendment. I reject the notion that this is simply a cynical ploy to tell the States and localities that the clean water bill will be a take-it-or-leave-it proposition. I believe, indeed, that everyone is proceeding in good faith, that everyone recognizes that we need legislation, that the Committee on Public Works and Transportation will have the opportunity to work its will on this legislation. Once we have worked our will on this legislation, that legislation will be brought to the floor, and we will have an open and fair debate.

So, recognizing and believing that indeed there is no undercurrent, sub rosa effort here to simply use this amendment as a mechanism to force States and localities to be whipped into line to support legislation that they really would like to see reformed, believing, rather, that everybody is acting in good faith and we will indeed have the opportunity to work our will on clean water legislation, I strongly support this amendment offered by the distinguished chairman of the subcommittee.

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

Mr. Chairman, I rise in support of the amendment offered by Mr. STOKES.

This bill would appropriate nearly $1.8 billion for wastewater treatment State revolving funds and $100 million for nonpoint pollution programs under the Clean Water Act.

The problem is that neither of these programs is authorized, and under House rules they may not be appropriated unless they have been authorized.

Now I fully understand the importance of these programs. In fact one of the main reasons I and many of my committee colleagues have been working so hard to get the Clean Water Act reauthorized in a form which can be enacted is that I not only want this spending authorized, I want it substantially increased.

I would have been within my rights to insist that this spending not be protected under the rule and be knocked out on a point of order. That would have left us with no money at all for these programs. Because I recognize the importance of these programs, I did not do that. Instead, with Mr. STOKES and Mr. OBEY, I worked out a compromise under which the funding would not be knocked out and the amendment now offered would make it subject to authorization. This compromise was designed to preserve the funding as the appropriations process moves forward and to avoid a confrontation over the issue.

Anyone opposing this amendment is telling me and everybody else that we should not work out these compromises, we should just strike the funding outright and we should not reach any accommodations with anyone. It that's what you want, we can do business that way, but I would not recommend it.

I would also add that the amendment being offered is designed to help us achieve reauthorization of the Clean Water Act, and many of you have reason to hope that that reauthorization is enacted. The most important reason in my view is that the burdens of cleaning our Nation's waters now fall only on the municipalities and industries which hold discharge permits. The future burden on those permit holders will continue to increase without a bill, because they are the only ones doing the cleanup. Under our reauthorization bill that burden would be spread more evenly and more efficiently, so that those who now hold permits would not have to bear the entire future burden. Anybody who now holds a discharge permit, or who discharges to somebody who does, needs a reauthorization bill and has good reason to support Mr. STOKES' amendment.

And finally, to those who are concerned about fiscal responsibility and careful scrutiny of spending, the Stokes amendment stands for the proposition that before we spend money around here the spending ought to be fully reviewed by both the authorizing process and by the appropriations process. If we start giving a bye to a billion here and a billion there, letting spending just go through the appropriations review without going through the authorizing review, then, what we are doing is allowing the taxpayer's money to be spent in a far more casual way, with far less scrutiny and far less accountability. That is not the way to protect the taxpayer's best interests.

I therefore urge a "yes" vote on the Stokes amendment.

[Mr. LEWIS of California addressed the Committee. His remarks will appear hereafter in the Extensions of Remarks.]

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

Mr. Chairman, I rise in strong support of the Stokes amendment, and say what a refreshing change it is from last year.

Mr. Chairman, this amendment is critical to the procedural integrity of this institution. Last

year the Public Works Committee and the Appropriations Committee fought a long and contentious battle on the issue of appropriating unauthorized funds for transportation. This fall the authorization for the funding of the CWA runs out and to appropriate unauthorized funds would place us in the same awkward position we were in last year.

Chairman STOKES, to his credit, has taken a critical step in preventing a battle over unauthorized funding and has crafted an amendment that makes the appropriation of CWA funding contingent on an authorization. As the ranking member of the Water Resources and Environment Subcommittee, I applaud Chairman STOKES' efforts. It is critical to preserving the authorizing committee's role in determining the most cost-effective way to direct our Nation's limited water infrastructure dollars.

FISCAL RESPONSIBILITY

In these fiscally tough times it simply makes no sense to appropriate nearly $2 billion without giving thorough consideration on how this money can best be used to meet our Nation's water quality needs. As over 2 years of hearings before our committee have shown, we can get significantly greater bang for our buck by putting resources into reducing nonpoint source pollution instead of continuing to ratchet down on municipalities and industry. Without a new authorization we will not be applying our water resources in the most effective way.

I urge all of my colleagues to support the Stokes amendment. It is a vote for fiscal responsibility and a vote to preserve the authorizing process.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. STOKES].

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

ADMINISTRATIVE PROVISION

Of the budgetary resources available to the Environmental Protection Agency during fiscal year 1995, $7,525,000 are permanently canceled. The Administrator of the Environmental Protection Agency shall allocate the amount of budgetary resources canceled among the agency'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. For the purposes of this paragraph, 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 service and ending with contract completion and closeout, as specified in 41 U.S.C. 403(2).

EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF SCIENCE AND TECHNOLOGY POLICY

For necessary expenses of the Office of Science and Technology Policy, in carrying out the purposes of the National Science and Technology Policy, Organization, and Priorities Act of 1976 (42 U.S.C. 6601 and 6671), hire of passenger motor vehicles, services as authorized by 5 U.S.C. 3109, not to exceed $2,500 for official reception and representation expenses, and rental of conference rooms in the District of Columbia, $4,981,000: *Provided*, That the Office of Science and Technology Policy shall reimburse other agencies for not less than one-half of the personnel compensation costs of individuals detailed to it.

COUNCIL ON ENVIRONMENTAL QUALITY AND OFFICE OF ENVIRONMENTAL QUALITY

For necessary expenses to continue functions assigned to the Council on Environmental Quality and Office of Environmental Quality pursuant to the National Environmental Policy Act of 1969, the Environmental Quality Improvement Act of 1970, and Reorganization Plan No. 1 of 1977, $997,000.

FEDERAL EMERGENCY MANAGEMENT AGENCY

DISASTER RELIEF

For necessary expenses in carrying out the functions of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), $320,000,000, to remain available until expended.

DISASTER ASSISTANCE DIRECT LOAN PROGRAM ACCOUNT

For the cost of direct loans, $2,418,000, as authorized by section 319, and $1,980,000, as authorized by section 417 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.): *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed $175,000,000 under section 319 and not to exceed $3,000,000 under section 417 of the Stafford Act: *Provided further*, That any unused portion of the direct loan limitation and subsidy shall be available until expended.

In addition, for administrative expenses to carry out the direct loan program, $145,000.

SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, including hire and purchase of motor vehicles (31 U.S.C. 1343); uniforms, or allowances therefor, as authorized by 5 U.S.C. 5901–5902; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for GS–18; expenses of attendance of cooperating officials and individuals at meetings concerned with the work of emergency preparedness; transportation in connection with the continuity of Government programs to the same extent and in the same manner as permitted the Secretary of a Military Department under 10 U.S.C. 2632; and not to exceed $2,500 for official reception and representation expenses; $165,000,000.

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, $4,400,000.

EMERGENCY MANAGEMENT PLANNING AND ASSISTANCE

For necessary expenses, not otherwise provided for, to carry out activities under the National Flood Insurance Act of 1968, as amended, and the Flood Disaster Protection Act of 1973, as amended (42 U.S.C. 4001 et seq.), the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), the Earthquake Hazards Reduction Act of 1977, as amended (42 U.S.C. 7701 et seq.), the Federal Fire Prevention and Control Act of 1974, as amended (15 U.S.C. 2201 et seq.), the Federal Civil Defense Act of 1950, as amended (50 U.S.C. App. 2251 et seq.), the Defense Production Act of 1950, as amended (50 U.S.C. App. 2061 et seq.), section 107 and 303 of the National Security Act of 1947, as amended (50 U.S.C. 404–405), and Reorganization Plan No. 3 of 1978, $220,345,000.

EMERGENCY FOOD AND SHELTER PROGRAM

There is hereby appropriated $130,000,000 to the Federal Emergency Management Agency to carry out an emergency food and shelter program pursuant to title III of Public Law 100–77, as amended: *Provided*, That total administrative costs shall not exceed three and one-half per centum of the total appropriation.

NATIONAL FLOOD INSURANCE FUND

(TRANSFERS OF FUNDS)

Of the funds available from the National Flood Insurance Fund for activities under the National Flood Insurance Act of 1968, and the Flood Disaster Protection Act of 1973, $14,913,000 shall be transferred as needed to the "Salaries and expenses" appropriation for administrative costs of the insurance and flood plain management programs and $49,229,000 shall be transferred as needed to the "Emergency management planning and assistance" appropriation for flood plain management activities, including $4,720,000 for expenses under section 1362 of the National Flood Insurance Act of 1968, as amended (42 U.S.C. 4103, 4127), which amount shall be available until September 30, 1996. In fiscal year 1995, no funds in excess of (1) $32,000,000 for operating expenses, (2) $253,641,000 for agents' commissions and taxes, and (3) $12,000,000 for interest on Treasury borrowings shall be available from the National Flood Insurance Fund without prior notice to the Committees on Appropriations.

ADMINISTRATIVE PROVISIONS

The Director of the Federal Emergency Management Agency shall promulgate through rulemaking a methodology for assessment and collection of fees to be assessed and collected in fiscal year 1995 applicable to persons subject to the Federal Emergency Management Agency's radiological emergency preparedness regulations. The aggregate charges assessed pursuant to this section during fiscal year 1995 shall approximate, but not be less than, 100 per centum of the amounts anticipated by the Federal Emergency Management Agency to be obligated for its radiological emergency preparedness program for such fiscal year. The methodology for assessment and collection of fees shall be fair and equitable, and shall reflect the full amount of costs of providing radiological emergency planning, preparedness, response and associated services. Such fees will be assessed in a manner that reflects the use of agency resources for classes of regulated persons and the administrative costs of collecting such fees. Fees received pursuant to this section shall be deposited in the general fund of the Treasury as offsetting receipts. Assessment and collection of such fees are only authorized during fiscal year 1995.

Of the budgetary resources available to the Federal Emergency Management Agency during fiscal year 1995, $1,441,000 are permanently canceled. The Director of the Federal Emergency Management Agency shall allocate the amount of budgetary resources canceled among the Agency'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 allocate to such account. For the purposes of this paragraph, 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 service and ending with contract completion and closeout, as specified in 41 U.S.C. 403(2).

GENERAL SERVICES ADMINISTRATION

CONSUMER INFORMATION CENTER

For necessary expenses of the Consumer Information Center, including services authorized by 5 U.S.C. 3109, $2,008,000, to be deposited into the Consumer Information Center Fund: *Provided*, That the appropriations, revenues and collections deposited into the fund shall be available for necessary expenses of Consumer Information Center activities in the aggregate amount of $7,500,000. Administrative expenses of the Consumer Information Center in fiscal year 1995 shall not exceed $2,454,000. Appropriations, revenues, and collections accruing to this fund during fiscal year 1995 in excess of $7,500,000 shall remain in the fund and shall not be available for expenditure except as authorized in appropriations Acts.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

OFFICE OF CONSUMER AFFAIRS

For necessary expenses of the Office of Consumer Affairs, including services authorized by 5 U.S.C. 3109, $2,166,000: *Provided*, That notwithstanding any other provision of law, that Office may solicit, accept and deposit to this account, during fiscal year 1995, gifts for the purpose of defraying its costs of printing, publishing, and distributing consumer information and educational materials; may expend up to $1,100,000 of those gifts for those purposes, in addition to amounts otherwise appropriated; and the balance shall remain available for expenditure for such purposes to the extent authorized in subsequent appropriations Acts: *Provided further*, That none of the funds provided under this heading may be made available for any other activities within the Department of Health and Human Services.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

HUMAN SPACE FLIGHT

For necessary expenses, not otherwise provided for, in the conduct and support of human space flight research and development activities, including research; development; operations; services; maintenance; construction of facilities including repair, rehabilitation, and modification of real and personal property, and acquisition or condemnation of real property, as authorized by law; space flight, spacecraft control and communications activities including operations, production, and services; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft; $5,592,900,000, to remain available until September 30, 1996.

AMENDMENT OFFERED BY MR. HEFLEY

Mr. HEFLEY. Mr. Chairman, I offer an amendment, and ask unanimous consent that it be considered out of order, notwithstanding that the paragraph has not been read.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. HEFLEY: On page 57, line 4, delete the following, "$5,901,200,000," and insert "$5,889,200,000".

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

Mr. STOKES. Mr. Chairman, reserving the right to object, I do so to inquire if we could have an agreement to have a limit on debate time.

Mr. HEFLEY. Mr. Chairman, if the gentleman will yield, I think a time limit would be appropriate. What would the gentleman have in mind?

Mr. STOKES. Mr. Chairman, I would suggest 20 minutes, to be divided equally between the gentleman from Colorado [Mr. HEFLEY] and myself.

The CHAIRMAN. Is there objection to the request of the gentleman from Colorado [Mr. HEFLEY] with regard to taking up this amendment out of order?

There was no objection.

The CHAIRMAN. Is there objection to the proposed time limit, 20 minutes, to be divided 10 minutes on each side, on this amendment and any amendments thereto?

There was no objection.

The CHAIRMAN. The gentleman from Colorado [Mr. HEFLEY] will be recognized for 10 minutes and the gentleman from Ohio [Mr. STOKES] will be recognized for 10 minutes.

The Chair recognizes the gentleman from Colorado [Mr. HEFLEY].

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

Mr. Chairman, the amendment before us is intended to limit spending for the Consortium for International Earth Science Network in Saginaw, MI, to $6 million. Offering this amendment has become almost a tradition with me. The reasons for offering it have not changed.

Five years ago this project, like so many others, simply appeared in the NASA budget. Over the past few years, this body has okayed nearly $100 million on a facility of questionable merit, and this year we apparently intend to spend $18 million more. That is $12 million more than NASA requested before the Committee on Appropriations began its deliberations.

□ 1730

Let me repeat that. NASA requested $6 million, the figure that I am saying we should move back to. In the bill we are offering to give them $1 million more than they requested.

I know the Michigan delegation is going to answer these remarks by saying that CIESIN is necessary to process the information NASA will receive from mission to Planet Earth. But last year, its defenders said CIESIN was meant to accomplish an exciting new mission.

Get what the exciting new mission is, Mr. Chairman. The exciting new mission was to study the impacts of environmental change on society. In its report last year the Committee on Science, Space, and Technology said CIESIN needed to refocus its mission from local economic development and university support to international data collection. This year it is being presented as one of eight distributive archives centers for the Earth observing system, the only one specializing in socioeconomic data.

What will it be next year? Mission control? Who knows what it will be. Let me read from a report by NASA's own inspector general office on CIESIN.

Initially, CIESIN conducted research in the field of earth sciences in support of NASA's EOS program. However, it has evolved into an organization specializing in the acquisition and distribution of human dimensions data. As such, CIESIN's primary focus is outside of NASA's earth science expertise, thereby affecting NASA's ability to provide adequate oversight and focus. CIESIN has also received funding through NASA to construct a $7 million facility that may not be needed, especially considering the questionable basis being used to justify the construction.

That is not something that I said. This comes from the inspector general's report, Mr. Chairman. I charge that the only purpose CIESIN has is to pump Federal dollars into Saginaw, MI. If we need a center to interpret environmental data from satellites or study interactions between society and the environment or to do any of the other missions CIESIN supporters have dreamed up for it over the years, I am sure there are existing laboratories and universities that can do the work more cheaply and efficiently than this thing can be done. I am sorry that the only way I can make this point is to cut $12 million from the science, aeronautics, and technology account. I would like to take that money and put it back into that account in some more productive way, but I cannot do that. The thrust of most of the debates on NASA has been that we are asking the space agency to do too much, that they do not have any money. In a perfect world, we could simply amend this bill to ban funding for CIESIN and let NASA use the money for more sensible purposes. Instead, cutting money is the only way I can make my point.

No one should be under any illusion that CIESIN is an integral part of NASA's mission. This is one manifestation of an insidious game. Somebody's pet scheme gets planted in appropriations not just at NASA but at a lot of other agencies, particularly the energy department. The agency attempts to humor Congress by working around the request, but it grows and grows in seemingly reasonable limiting increments.

Eventually it begins to erode the agency's ability to do the job that it was meant to do. A million here, a million there, pretty soon we are talking about a lot of money. And CIESIN is talking about a lot of money. CIESIN should not have been funded in the first place, and it does not belong in this budget. If Members care about restraining government spending, if they believe in the space program or even if we still harbor the faintest belief that government can do something right, then Members will vote for this amendment.

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

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

Mr. Chairman, I rise in opposition to the gentleman's amendment to decrease funding for CIESIN, the Consortium for International Earth Science Information Network from $18 million down to $6 million.

The committee has included $18 million for CIESIN in 1995, which is approximately the 1994 funding level.

Mr. Chairman, for a number of years there has been some disagreement about the funding level for CIESIN, but there is absolutely no disagreement about its need. As others who are familiar with the Mission to Planet Earth Program have said, "if we did not have a CIESIN, we would have to invent one."

During the 1995 budget hearings, I inquired as to NASA's position regarding CIESIN. Dr. Kennel, the associate administrator for Mission to Planet Earth stated, and I want to quote him:

> Now, for the record, I think it is important to state that we are very happy with the objectives of CIESIN, and we believe they play an important role in global change research.

The overall goal of CIESIN is to increase our understanding of the human dimensions of global change by providing a framework for the integration of social and natural science data for research. This program will facilitate the access to and use of Mission to Planet Earth data for earth science research and public policymaking.

Mr. Chairman, over the next few years this Nation will spend billions of dollars to collect data to improve our understanding of the processes in the atmosphere, oceans, and on land surfaces and the interactions between these components. This effort would generate and unbelievable amount of data. To be of any real value, this data must remain available in a readable and usable form and must be disseminated to researchers across the United States and around the world. That is what CIESIN is set up to accomplish.

I would urge the Members to support the CIESIN effort at the current level of $18 million and to defeat the gentleman's amendment.

Mr. Chairman, I yield 5 minutes to the gentleman from Michigan [Mr. BARCIA].

Mr. BARCIA of Michigan. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Colorado. It is a misrepresentation of what CIESIN needs, and would be a blow to appropriately using the billions of dollars worth of environmental data that is stored throughout the Federal Government.

It is true that CIESIN received an appropriation of $5 million last year. It is also true that this House on three occasions voted to sustain CIESIN with an authorization and an appropriation of $18 million.

The situation last year was that when one added the $5 million appropriated in the conference agreement to the $13 million in fiscal 1993 funds that carried over to fiscal 1994, CIESIN was able to operate at an $18 million level in fiscal 1994.

The amount provided by the appropriations committee is a continuation of the current level of effort for this worthwhile program. I have talked with NASA Administrator Dan Goldin, and he has told me that the administration has no objection to the $18 million for CIESIN. I have talked with Vice President GORE, and he has told me that the administration understands CIESIN's mission and is supportive of it.

Mr. Chairman, CIESIN wants to provide one-stop access to environmental science data bases. It makes it technically possible for scientists, educators, policymakers, and the public to search diverse data bases, and for the first time permits the integration of physical science data with social science data including economic, health, and ecological data. CIESIN works with NASA, the Department of Defense, EPA, the Department of Agriculture, the Office of Science and Technology Policy, the Department of State, the Agency for International Development, and the list goes on.

CIESIN has 24 points of correlation with the stated goals of the administration on environmental policy and data management. Forty-four U.S.-based and international data holding institutions have agreed to unify their catalogs and share data on the CIESIN network worldwide, including the United Nations, the World Bank, and the World Health Organization. CIESIN has competitive applications pending with the OAS, the United Nations, the World Bank, the Soros Foundation, and several other Federal agencies.

CIESIN is good science, it is necessary science, it is cost-conscious science, and it is cost-effective science. Please oppose the Hefley amendment.

□ 1740

Mr. HEFLEY. Mr. Chairman, I yield myself such time as I may consume, to respond to the comments that have been made.

For several years, Mr. Chairman, I have tried to cut out CIESIN altogether. The reason I have is when we first went to NASA and we said "What is CIESIN?" and they said "We do not know." I said, "Why is it in the budget?" They said, "We do not know why it is in the budget."

The gentleman who just spoke, his predecessor put it in the budget; Mr. Traxler, I believe, put it in the budget. That is why it is in the budget.

What is it supposed to do? They told us, 2 or 3 years ago when they started this, they told us one thing it was supposed to do. Last year it was something else it was supposed to do. Now it is a third thing it is supposed to do.

All people get up and talk about it being such a vital, important part of the overall NASA program. Yet NASA says, "We do not know what it is. We do not know why it is. We do not know why it is here."

As I understood it, there was a deal struck last year to provide CIESIN with $6 million a year over the coming years. Somehow that deal has broken down, because we are talking not $6 million, not twice that, not $12 million, but three times that. We are talking $18 million.

How much money, now that NASA has been reminded that there is a CIESIN and it is part of their budget, how much does NASA think they ought to have for it? NASA thinks they ought to have $6 million, not $18, not $12 million. NASA thinks they ought to have $6 million for it.

The gentleman mentioned that there was no disagreement regarding the need. There is tremendous disagreement regarding the need. This is not a unique organization, where this information flows only here. There are eight centers where this kind of information flows.

Mr. Chairman, we do not have to have this one. Let me read, if I might, from the NASA Inspector General's report on evaluation of CIESIN. Its headline is: "CIESIN Funding Could Be Reduced."

It said, "The consortium had not spent", and Mr. Chairman, I would like to emphasize this, "The consortium had not spent its entire fiscal year 1992 appropriations, and a substantial amount of 1993 operating funds, as of September 30, 1993. This occurred because NASA held up fiscal year 1993 funds until CIESIN had submitted an acceptable, revised budget proposal. At current spending levels, the unexpended funds could allow CIESIN to operate through the majority of fiscal year 1994. Therefore, NASA can significantly reduce," get this, the Inspector General, not JOEL HEFLEY, not someone who just likes to cut the budget, but NASA's Inspector General says, "Therefore, NASA can significantly reduce or eliminate CIESIN's fiscal year 1994 funding," because they have not spent all the money. There is still money there in the bank, drawing interest. We have not spent all the money.

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

Mr. STOKES. Mr. Chairman, may I inquire as to how much time I have remaining, and how much time the gentleman from Colorado has remaining?

The CHAIRMAN. The gentleman from Ohio [Mr. STOKES] has 4 minutes remaining, and the gentleman from Colorado [Mr. HEFLEY] has 2 minutes remaining.

Mr. STOKES. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from California [Mr. BROWN]

the chairman of the Committee on Science, Space, and Technology.

Mr. BROWN of California. Mr. Chairman, first may I compliment the author of this amendment for his continuing scrutiny of earmarks and unnecessary programs in the budget. I had the same feelings about this program initially several years ago, and as Members may recall, I strenuously resisted its continuation in the form that it existed.

I have, however, working with both NASA and the gentleman from Michigan [Mr. BARCIA], who now represents this district in which CIESIN exists, been seeking very diligently to bring this program into line with the overall goals of NASA and with the proper procedures of the House.

Mr. Chairman, I would feel very badly, after we have worked so hard to have this program authorized, have it requested by the administration, have it examined by the GAO, and having found it to be now in accordance with the best standards that we have, I would feel very badly if the House would not turn on this project and say, "We are going to cut it out of the budget." I think that would be wrong.

I am going to continue to focus on earmarks, I am going to preach the gospel that we can work to authorize these programs, and we can make them better and stronger, and I hope my colleagues on both sides will agree with me that we can do that. If so, I think we can bring a much more orderly process to the House, protect good programs, and continue to support the kind of processes that are good for legislation.

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

Mr. BROWN of California. I am glad to yield to the gentleman from Michigan.

Mr. UPTON. Mr. Chairman, I agree with the remarks of the gentleman from California, and would like to make this point. As a supporter of a number of the things NASA does, we need to have a downlink in this country to decipher the information collected. Without something like CIESIN we lose the capability and it is worthless, the stuff that it would otherwise be sending back.

This facility does in fact decipher that data. It allows our scientists to figure out what is going on and what we can do, and because of that, I would urge my colleagues to vote no on this amendment.

Mr. BROWN of California. The gentleman's comments are very well taken. The management of CIESIN now is in the hands of the best professionals that can be found. I have discussed the program with them. I know it is an evolving program, Mr. Chairman, but it will fit a very important need.

Mr. HEFLEY. Mr. Chairman, I yield 30 second to the gentleman from Michigan [Mr. CAMP], who is not supportive of my amendment. The gentleman is from Michigan and I think he ought to have a right to have his say.

Mr. CAMP. Mr. Speaker, I want to thank the gentleman from Colorado [Mr. HEFLEY] for yielding time to me.

Mr. Chairman, the actions of the House are at times hard to understand. Yesterday in an almost unanimous vote we supported legislation allowing the continuation of the information superhighway. Today we are faced with an amendment that can only be seen as a detour.

CIESIN, which is funded by NASA, a research institution, provides this country with the research advantage that other countries can only dream of attaining. It is a computer network filled with critical information for individuals, businesses, and educational institutions.

I have joined my friend, the gentleman from Colorado, on this floor to fight against government waste. CIESIN has maintained its operating costs.

I urge a "no" vote on this amendment.

The CHAIRMAN. The gentleman from Colorado [Mr. HEFLEY] has 1½ minutes remaining, and the gentleman from Ohio [Mr. STOKES] is entitled to close.

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

Mr. LEWIS of California. Will the gentleman yield?

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

Mr. LEWIS of California. Mr. Chairman, the gentleman has been more than helpful, and I appreciate that, regardless of his position.

While I do support the statement of the gentleman from Michigan [Mr. UPTON], I think the way the gentleman from Colorado [Mr. HEFLEY] has handled himself is highly professional and very helpful to the process.

Mr. HEFLEY. Reclaiming my time, Mr. Chairman, I thank the gentleman very much. I appreciate that, particularly coming from a dear friend such as the gentleman from California [Mr. LEWIS].

Another dear friend, the gentleman from Michigan [Mr. UPTON] just made a statement that I think we ought to deal with. That is, if we lose this, the data that is coming down is worthless.

Mr. Chairman, let me point out again that we have at least eight other centers that collect this data. This is not the only one. They do not have a unique capacity that no place else has.

In fact, we cannot find any reason through NASA as to why this exists, except that a powerful member of the Committee on Appropriations wanted it in his district. That is all we can find. If we talk to some of the NASA people privately, they will not come in here and say that to us, but they will tell us, though, that that is the case.

Mr. Chairman, let me point out a second thing, and then I will close, because we do not want to prolong this too long.

The second thing is, Mr. Chairman, I am not trying to cut out the budget for CIESIN. What I am doing is asking us to exercise a little fiscal restraint, and to cut out the amount of money that NASA did not request.

□ 1750

Let us give NASA every penny they requested, but let us cut out the $12 million they did not request.

Mr. STOKES. Mr. Chairman, I yield the balance of my time, for the purpose of closing debate, to the gentleman from Michigan [Mr. BARCIA].

Mr. BARCIA of Michigan. Mr. Chairman, I would just like to comment briefly with regard to the remarks of the gentleman from Colorado regarding the Inspector General's report. It is true that NASA did, in fact, evaluate the effectiveness of CIESIN and there was an interim report which I think the gentleman made reference to on the floor this evening relative to what were perceived deficiencies in the administration at CIESIN.

I do want to tell the gentleman that the final version of the inspector general's report gave what is in my opinion a glowing recommendation to the program and the necessity. I will concede the point that perhaps CIESIN is fulfilling a role that is even broader than perhaps NASA's mission. This is the actual final document that the inspector general published and all of the concerns have been answered by CIESIN. They did publish this reply to the NASA audit report. I would be happy to share that with the gentleman from Colorado [Mr. HEFLEY]. I know certainly the gentleman from Colorado is well intentioned and concerned about the expenditures. I am absolutely confident that the work that CIESIN is doing is critical to the overall mission of NASA and several other Federal agencies.

It is my hope that the gentleman's amendment will be turned down, and I pledge my cooperation in working with the gentleman to answer any unresolved questions that may have been raised by the inspector general's interim report as well as any other concerns the gentleman has.

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

Mr. BARCIA of Michigan. I yield to the gentleman from California.

Mr. LEWIS of California. Mr. Chairman, I would like to rise in support of the gentleman's statement. NASA's position regarding CIESIN funding has been talked about earlier in this debate. I must say that since that time, NASA has had reason to readjust their thinking about CIESIN and that should be noted in the RECORD as well.

Mr. BARCIA of Michigan. I thank the gentleman. Dr. Goldin has been very

supportive in recent discussions of CIESIN and I am hopeful that the climate with NASA will be much better in the future.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Colorado [Mr. HEFLEY].

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

RECORDED VOTE

Mr. HEFLEY. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 169, noes 264, not voting 6, as follows:

[Roll No. 308]

AYES—169

Allard
Andrews (NJ)
Archer
Armey
Bachus (AL)
Baker (CA)
Ballenger
Barrett (NE)
Barrett (WI)
Barton
Bentley
Bereuter
Bilirakis
Bliley
Blute
Boehner
Bonilla
Bunning
Burton
Buyer
Calvert
Canady
Castle
Clinger
Coble
Collins (GA)
Combest
Coppersmith
Costello
Cox
Crane
Crapo
Cunningham
DeLay
Deutsch
Dickey
Doolittle
Dornan
Dreier
Duncan
Dunn
Emerson
English
Everett
Fawell
Fields (TX)
Fowler
Franks (CT)
Franks (NJ)
Gallegly
Gekas
Gilman
Gingrich
Glickman
Goodlatte
Goodling
Goss
Grams
Grandy
Greenwood
Gunderson
Hamilton
Hancock
Hansen
Hastert
Hefley
Herger
Hobson
Hoke
Horn
Houghton
Huffington
Hunter
Hutchinson
Hyde
Inglis
Inhofe
Istook
Johnson, Sam
Kasich
Kim
King
Kingston
Klug
Kolbe
Kyl
Lazio
Levy
Lewis (FL)
Lewis (KY)
Lightfoot
Linder
Lucas
Maloney
Manzullo
Margolies-Mezvinsky
McCandless
McCollum
McCurdy
McHugh
McInnis
McKeon
McMillan
Meyers
Mica
Michel
Miller (FL)
Minge
Molinari
Moorhead
Nussle
Orton
Oxley
Packard
Pallone
Paxon
Penny
Petri
Pombo
Porter
Portman
Poshard
Pryce (OH)
Quinn
Ramstad
Regula
Ridge
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Royce
Santorum
Saxton
Schaefer
Schenk
Schiff
Schroeder
Sensenbrenner
Shaw
Shays
Shuster
Skelton
Slattery
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solomon
Spence
Stearns
Stump
Synar
Talent
Taylor (NC)
Thomas (CA)
Thomas (WY)
Torkildsen
Vucanovich
Walker
Walsh
Weldon
Wolf
Young (FL)
Zeliff
Zimmer

NOES—264

Abercrombie
Ackerman
Andrews (ME)
Andrews (TX)
Applegate
Bacchus (FL)
Baesler
Baker (LA)
Barca
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Barlow
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Blackwell
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Brown (CA)
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Bryant
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Cantwell
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Coleman
Collins (IL)
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Cramer
Danner
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de la Garza
de Lugo (VI)
Deal
DeFazio
DeLauro
Dellums
Derrick
Diaz-Balart
Dicks
Dingell
Dixon
Dooley
Durbin
Edwards (CA)
Edwards (TX)
Ehlers
Engel
Eshoo
Evans
Ewing
Farr
Fazio
Fields (LA)
Filner
Fingerhut
Fish
Flake
Foglietta
Ford (MI)
Ford (TN)
Frank (MA)
Frost
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Gallo
Gejdenson
Gephardt
Geren
Gibbons
Gilchrest
Gillmor
Gonzalez
Gordon
Green
Gutierrez
Hall (OH)
Hall (TX)
Hamburg
Harman
Hastings
Hayes
Hefner
Hilliard
Hinchey
Hoagland
Hochbrueckner
Hoekstra
Holden
Hoyer
Hughes
Hutto
Inslee
Jacobs
Jefferson
Johnson (CT)
Johnson (GA)
Johnson (SD)
Johnson, E.B.
Johnston
Kanjorski
Kaptur
Kennedy
Kennelly
Kildee
Kleczka
Klein
Klink
Knollenberg
Kopetski
Kreidler
LaFalce
Lambert
Lancaster
Lantos
LaRocco
Laughlin
Leach
Lehman
Levin
Lewis (CA)
Lewis (GA)
Lipinski
Livingston
Lloyd
Long
Lowey
Mann
Manton
Markey
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McHale
McKinney
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Meek
Menendez
Mfume
Miller (CA)
Mineta
Mink
Moakley
Mollohan
Montgomery
Moran
Morella
Murphy
Murtha
Myers
Nadler
Neal (MA)
Neal (NC)
Norton (DC)
Oberstar
Obey
Olver
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Owens
Parker
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
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Pickett
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Price (NC)
Quillen
Rahall
Rangel
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Reed
Richardson
Roemer
Romero-Barcelo (PR)
Rose
Rostenkowski
Rowland
Roybal-Allard
Rush
Sabo
Sanders
Sangmeister
Sarpalius
Sawyer
Scott
Serrano
Sharp
Shepherd
Sisisky
Skaggs
Skeen
Slaughter
Smith (IA)
Spratt
Stark
Stenholm
Stokes
Strickland
Studds
Stupak
Sundquist
Swett
Swift
Tanner
Tauzin
Taylor (MS)
Tejeda
Thompson
Thornton
Thurman
Torres
Torricelli
Towns
Traficant
Tucker
Underwood (GU)
Unsoeld
Upton
Valentine
Velazquez
Vento
Visclosky
Volkmer
Waters
Watt
Waxman
Wheat
Whitten
Williams
Wilson
Wise
Woolsey
Wyden
Wynn
Yates
Young (AK)

NOT VOTING—6

Bartlett
Faleomavaega (AS)
Machtley
Reynolds
Schumer
Washington

□ 1814

Messrs. BILBRAY, DINGELL, EWING, MFUME, and RAVENEL changed their vote from "aye" to "no."

Ms. SCHENK and Messrs. PENNY, BARRETT of Wisconsin, SMITH of New Jersey, and DEUTSCH changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

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

Mr. Chairman, no one comes to Congress without working very hard to get here. There are an endless variety of reasons behind all of that hard work, but I would venture to guess that a common thread is our desire to contribute a little something toward influencing the future. We each want to help build something toward tomorrow better than what we see today.

The nature of those contributions takes different forms depending on our priorities or our district's needs. Some of us seek to build a strong economic foundation; some to help the unfortunate; some to build infrastructure; some to promote and defend national interests; some to educate, and some to protect. But all of us think about the future because as President Teddy Roosevelt once said:

* * * policy rests upon the fundamental law that neither man nor nation can prosper unless, in dealing with the present, thought is steadily taken for the future.

Today's decision is about the future. Today's decision is about doing something that will be remembered as a step into humankind's destiny. Today's decision is about contributing to the never-ending quest of human exploration. Today's decision is about looking beyond our present problems and building something toward tomorrow.

The space station, like all the other vehicles that have carried us toward the future, is surrounded by controversy. Its easy to dispute, even mock, the unknown, Because what we will learn by going to the frontier is more about imagination and hope that it is about hard, cold fact, the potential of space station often defies description; and that is a problem in legislative debate.

But history, rather than science, is instructive. The easy argument against exploration always has been not here, not now because there are too many other needs which must be met first with limited resources. Invariably, throughout history, that easy argument has been wrong. Men and women who have bought the easy argument have become defenders of the status quo and their dreams have been lost. Nations which have bought the easy argument have lost their sense of destiny and declined in both power and prestige.

Between now and the year 2002, we will spend something less than two-tenths of 1 percent of our projected national outlays to build, orbit, and man a space station. In the same period, we will spend almost nine times more on food stamps. We will spend at least 12 percent of total national outlays, or more than 70 times what we spend on space station, paying interest on the national debt. Massive commitment to

debt and welfare without small investments in exploration and imagination is not the foundation on which great nations are built or sustained.

Still, putting men and women in space to live and work takes real money. We owe the American people no less than an assurance that the money will be well-spent. I believe those assurances are really apparent.

We will do completely unique scientific work aboard space station that holds the promise of new discoveries. The payoff could be enormous.

We will develop new technologies in order to build the space station which will allow us to build world-class products here on earth. The payoffs will be immediate and real.

We will forge a partnership with the Russians which will build mutual trust and respect. The payoff is a promise of peace.

We will cooperate in an international venture which may prove a model for other scientific endeavors. The payoff will be a triumph of American leadership.

Are the payoffs worth the price? For some here, the answer is obviously no. But they would have us give up a lot.

When you abandon space station, you stop 30 years of progress in human spaceflight.

When you abandon space station, you leave the space shuttle as a magnificent flying machine without its original mission.

When you abandon space station, you kill off the last major science project being done with international partners and jeopardize any future cooperative efforts.

When you abandon space station, you abandon American leadership in the arena of the future and leave the potential of space to others.

When you abandon space station, the dream is no longer alive.

"Without vision, the people perish." So states Biblical wisdom. Where is the vision in spending vastly more for debt service than we spend for dreams?

If you came to Congress to, in some small way, touch the future, here is your chance. Somewhere out there, on the endless frontier, is the destiny of humankind. We can step toward that destiny, or we can step back, away from it. I hope most of us choose to step forward. For as T.S. Eliot tells us in "Little Gidding," in exploration is fulfillment. He wrote:

We shall not cease from exploration
And the end of all our exploring
Will be to arrive where we started
And know the place for the first time.

Your support for space station will allow Americans to know a new and unique frontier for the first time. And in knowing that frontier, America will define the future.

Mr. BATEMAN. Mr. Chairman, I rise today in opposition to this amendment and want to express my strong support for the space station. As cochair of the space caucus and the representative of a district which includes NASA's Langley Research Center, I have spent a great deal of time involved in the activities of the U.S. space program, and I believe that the space station project is essential to the future of our Nation.

Some would argue that the future of our Nation is here on Earth rather than in space. However, technology developed through the U.S. space program already benefits us in many ways and the space station will enable us to develop new and more advanced technologies that will help make life here on Earth better and safer. This spinoff technology is employed regularly in computers and communications, health and medicine, the environment, home and recreation, and public safety. For example, some rescue services are better able to monitor the exact location of their units and greatly reduce response time. Firefighters now have lighter and more efficient breathing apparatus. And, spinoff technology is used to enhance scanning devices used in hospitals and airports. There are thousands of examples of spinoff technology from which we reap daily benefits. Money spent on the space station is indeed an important investment in our future here on Earth.

Now let me turn to those who have dubbed the space station as a wasteful program that only will add to the deficit. I am extremely concerned about the deficit and believe it is essential for the Federal Government to practice fiscal responsibility to stop spending from spiraling out of control. I would like to point out that this amendment will not cut any spending from the fiscal year 1995 NASA budget—it simply will reapportion funds and bar the use of any NASA funds in this bill for the space station program. This is not a deficit reduction amendment.

In addition, the space station program recently has undergone a significant redesign effort that has produced a more streamlined and more efficient project that is operating within reduced budgetary constraints and on schedule. The reorganized project also includes the participation of the Russians, who bring with them 20 years of space station technology. While not depending on Russian technology, the program will reap the benefits of enhanced efficiency and scientific payoff.

The international space station is a project that will enable the United States to maintain its position as a world leader in technology. It also will serve as an important foreign policy initiative, bringing together countries across the globe to share in the costs and add experience and technology to the effort. Abandoning the space station will hurt the national economy and the economies of 39 States and the District of Columbia, which will gain revenue from the project. In addition, it would endanger the jobs of roughly 70,000 U.S. workers employed in space station-related activities.

Again, I express my strong opposition to this amendment. It does not reduce the deficit. it endangers the United States ability to compete in the world economy and high-tech arena. And it would send a signal that the United States is not committed to openness and cooperation in its foreign policy efforts.

□ 1820

AMENDMENT OFFERED BY MR. TRAFICANT

Mr. TRAFICANT. Mr. Chairman, I ask unanimous consent that my amendment, which would appear at page 75, be allowed to be offered out of order to expedite the matters this evening.

The CHAIRMAN. Does the gentleman wish to offer his amendment at this time?

Mr. TRAFICANT. Yes, Mr. Chairman, I do.

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

There was no objection.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. TRAFICANT: Page 75, strike lines 14 through 19 and insert the following:

SEC. 518. (a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—It is the sense of the Congress that, to the greatest extent practicable, all equipment and products purchased with funds made available in this Act should be American-made.

(b) NOTICE REQUIREMENT.—In providing financial assistance to, or entering into any contract with, any entity using funds made available in this Act, the head of each Federal agency, to the greatest extent practicable, shall provide to such entity a notice describing the statement made in subsection (a) by the Congress.

Mr. TRAFICANT (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

Mr. TRAFICANT. Mr. Chairman, this is a Buy-American amendment that has been on all the appropriations bills.

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

Mr. TRAFICANT. I yield to the gentleman from Ohio.

Mr. STOKES. Mr. Chairman, I have discussed this Buy-American amendment with the gentleman from Ohio [Mr. TRAFICANT]. We would accept his amendment.

Mr. TRAFICANT. With that, Mr. Chairman, I urge an aye vote, and I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. TRAFICANT].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. ROEMER

Mr. ROEMER. Mr. Chairman, I offer an amendment made in order by House Resolution 465.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. ROEMER: Page 56, line 16, strike "$5,592,900,000" insert "$4,653,200,000".

Page 57, line 4, strike "$5,901,200,000" and insert "$6,727,587,000".

Page 57, line 25, strike "$2,549,587,000" and insert "$2,662,900,000".

Page 60, after line 12, insert the following:

None of the funds made available in this Act to the National Aeronautics and Space Administration may be used for the space station program.

The CHAIRMAN. Pursuant to the rule, the gentleman from Indiana [Mr. ROEMER] will be recognized for 1 hour, and a Member opposed will be recognized for 1 hour.

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

Mr. ROEMER. Mr. Chairman, I yield 30 minutes to the gentleman from New Jersey [Mr. ZIMMER] and ask unanimous consent that he be allowed to control that time.

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

There was no objection.

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

Mr. Chairman, we will debate for the next 2 hours one of the most serious topics that a people can debate, our future, what we decide to invest in as a Congress and as a people, and there will be tough choices, tough choices about what we come here to vote on. What we decide is important.

The gentleman from Pennsylvania [Mr. WALKER] just gave a beautiful speech quoting Isaiah from the Bible, without vision the people will perish, but with bad vision, with bad science, with bad investments, the people will perish.

I offer this amendment, Mr. Chairman, with the distinguished gentleman from New Jersey [Mr. ZIMMER], and our amendment is different from last year's amendment. Last year our amendment cut the $2.1 billion from NASA to eliminate the space station and put the money immediately toward deficit reduction. This year we cut the $2.1 billion from the space station, thereby eliminating the space station, and put the money for this year only, 1 year, $2.1 billion, back into the NASA account.

Now that, Mr. Chairman, is significant deficit reduction. That, Mr. Chairman, according to the Citizens Against Government Waste, writing their letter to us and to Congress, they say,

We strongly support and urge every Member to vote for the Roemer-Zimmer amendment to kill the Space Station. The Roemer-Zimmer amendment will save more than $60 billion in the outyears and may be the best vote for deficit reduction you will cast this year.

So, Mr. Chairman, we have significant deficit reduction in this amendment. I am not sure that we will have a more significant or serious effort to reduce the deficit than we have put together tonight and put before our colleagues. But I think it is important to talk a little bit about the space station itself, Mr. Chairman, and why we are opposed to it.

We will hear very, very grandiose claims of what the space station can do, and if it was the space station that was designed in 1984 by Mr. Reagan as President, I would vote for that space station. That space station was going to cost $8 billion. That space station was going to be finished in 1994. That space station was going to achieve eight scientific objectives. It was going to have a telescope on it to help us understand the solar system. It was going to have a telescope pointed toward Earth to help us understand environmental problems. It was going to be a stepping stone to exploring Mars and other planets. It was going to help us repair problems in space like the Hubble.

Now sadly, Mr. Chairman, that great idea that President Reagan had in 1984 has already cost us $12 billion. We are not going to be done with it in 1994 because we have not even turned the first screw on putting it together, and now projections are for the year 2002. The science has gone from eight missions to one-and-a-half, and the total cost, Mr. Chairman, has escalated from $8 billion to $71 billion.

Now, Mr. Chairman, if we had that original design and those scientific objectives, I would say this is worth the while and worth the risk. But today, Mr. Chairman, with the huge budget deficit, with us cutting $490 million out of our income for Head Start, with the other various choices that this committee has made, like a $120 cut in national service, we cannot afford this space station at this time.

I think most of the people watching this debate on TV ask, as they might ask before they invest in the stock market or buy something at the grocery store, what is the track record of this space station, and what is the future prospect of this space station? How would I want my Congressman or Congresswoman to vote on this?

Mr. Chairman, I have just told my colleagues the track record. It is abysmal.

What about the future?

There is an article that appeared this week in the front page of the New York Times by William Broad that said that there is a one-in-five chance that this space station will be hit by debris.

□ 1830

Now, I am not very good with statistics. I readily admit that. A one-in-five chance. What does that mean? How does that relate to our other space programs? How does that relate to riding on an airplane?

Riding on an airplane, there is a one-in-two-million chance that something bad will happen. For the shuttle, there is a 1 in 78 chance. For the space station, 1 in 5. That is a 20-percent chance, with $71 billion.

Now, Mr. Golden has admitted that that is a problem. He says he will spend money to shield it. That shield will weigh down the space station and make it more expensive than the $71 billion. I do not think we can risk $71 billion for a 20-percent chance.

What has changed this year from last year when we had this debate? Last year when we debated this, we had a one-vote margin. What things have changed which may add or detract from votes for or against this space station?

First of all, we now have a Russian design, and we are sending NASA dollars, $400-million precious NASA dollars, to the former Soviet Union to subsidize their space program.

What else has changed? Because we are going to hear a lot about international partnerships. The Canadians are now saying you are going to subsidize the Russian program, we are going to cut back our commitment to the space station by $700 million. So whereas the international partners are cutting back, we are blindly moving forward.

What else has changed about cost? Because the administrator, Mr. Golden, who I greatly respect and admire for the job he is trying to do at NASA, has said they are trying to save and shave costs on this program.

He says $2 billion. And in a just published report by GAO, they say this about those projected $2-billion savings:

When all space station related elements are considered, current estimates would indicate that much of the savings NASA attributes to expanded Russian participation will not be achieved. Furthermore, if only part of NASA's estimated $2 billion savings is attributable to the Russian participation, it is possible that expanded Russian involvement could result in little or no net savings.

Much of those $2 billion in savings Mr. Golden projects will come in the form of $1.6 billion. He projects that because the space station will be completed 14 to 15 months earlier, from the year 2003 to 2002. We have not completed it with a U.S. effort in 10 years, yet now we are going to expedite completing this, with the complexities of doing engineering and technology with another country? We are going to expedite this by 15 months and save $1.6 billion?

That is baloney, Mr. Chairman. There is no savings from that expedited schedule.

Finally, Mr. Chairman, let me conclude by saying this budgetary environment is very different from last year. We in the House are $527 million in this budget below the 1994 level. The Senate is $310 million below that, $800 million. Senator MIKULSKI is saying even if we can try to save Cassini or AXAF, she has said to the administrator, make your choice. Start cutting other programs if you keep the space station.

So, Mr. Chairman, we cannot afford this poorly designed and pedestrian

space station. If it had the vision, if it had the accomplishment, if it had the science of President Reagan's 1984 venture, then we might consider that. But given the reality of the budget, given the problems with the science, given the GAO report, I urge my colleagues to cast a tough vote and cut, finally, this space station.

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

Mr. STOKES. Mr. Chairman, I yield one-half of my time to the ranking minority member, the gentleman from California [Mr. LEWIS] and ask unanimous consent the gentleman be allowed to control that time.

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

There was no objection.

The CHAIRMAN. The gentleman from Ohio [Mr. STOKES] will be recognized for 30 minutes, and the gentleman from California [Mr. LEWIS] will be recognized for 30 minutes.

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

Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Indiana [Mr. ROEMER] to terminate the space station—but keep those funds in NASA. I will keep my remarks brief so as to permit others to also speak in opposition to this amendment.

Mr. Chairman, the bill we have before us today includes $2,120,900,000 in fiscal year 1995 for the International Space Station *Alpha* proposed by the President.

Mr. Chairman, I support my President and intend to vote for this redesigned space station.

Let me speak for a moment regarding our cooperation with Russia. I think we will benefit from working with a nation with so much experience in long-duration space travel. Further, the Russians have a track record of honoring international agreements even through the most difficult of economic and political times. The President believes that this cooperative venture with Russia is important for foreign policy reasons. I support the President in his efforts to help stabilize the potential for technology migration.

There is concern that the space station will take funds away from other worthwhile science projects. I would remind the Members that the committee has provided the full budget request of $2.1 billion for space station—and we have done it without cutting back on space science, aeronautical research, or mission to planet Earth activities. In fact, the committee did not recommend any reduction in the science, aeronautics, and technology account which funds these activities.

The reductions to NASA's requests are in the human space flight account which funds space station and space shuttle activities and the mission support account which primarily funds NASA employees and facilities.

Earlier this year, the chairman and ranking minority member of the Committee on Science, Space, and Technology were seriously examining whether to support the space station program. After intense examination, both members now support the space station program.

I urge members to vote against the amendment to terminate the space station.

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

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

Mr. Chairman, a year ago this body came within a single vote of canceling the space station project, a project that has been grounded on the drawing board for 10 long and expensive years.

In 1993, we had an American space station with participation by several international partners. This year we have a space station that relies heavily on Russia to get it off the ground.

Although NASA has announced plans to buy the Russian control module, we will be dependent on Russian rockets to provide the fuel to keep the station aloft. Russia's Government is, as we all know, unstable. A friendly regime may not last past the elections scheduled for early 1996, much less through construction of the station and operating it for 10 years through the year 2012.

It is also unclear whether Russia's shaky economy and industrial base will allow it to live up to its commitments.

In recent years, Congress has been faced by enormous budgetary constraints, and so we have agonized over every single dollar that we have committed to foreign aid for anyone, anywhere. But the State Department has admitted in testimony to our committee, the Committee on Science, Space, and Technology, that there are absolutely no safeguards in place to assure that the money that we send Russia to pay for this program will not be siphoned off by corrupt bureaucrats or to support the Russian military establishment.

□ 1840

We are getting very little for this investment in terms of domestic improvement in the nation of Russia.

Mr. Chairman, I wrote the section of the Freedom Support Act that made it easier for us to import space hardware and technology from the former Soviet Union. I commend the idea of joining with the Russians in any worthwhile project that will help secure democracy and free markets in that country. But touting this repackaged space station as the vehicle for that effort demeans this noble objective.

Just within the past week there have been a number of very disquieting news reports about new risks that we are encountering because of Russia's involvement with the space station project.

The gentleman from Indiana [Mr. ROEMER] referred to the article in the New York Times on Monday explaining that we have doubled the risk of collision with orbital debris by our new orbital inclination that is required in order to do this project together with the Russians.

Instead of a 1 in 10 chance of a major collision, we have a 1 in 5 chance of a major collision. That is very serious. It is a new risk. It has intruded into the project because of the Russian involvement.

This week's edition of Aviation Week and Space Technology has an article about the difficulty in building the new lightweight fuel tank for more than $400 million that is going to be required to be added to the shuttle in order for us to get the full payload up into the new orbit. There are some major difficulties which will result in delays or unreliability or expanded costs or all of those things.

There is another article in the same issue headlined "Russian Management Worries Station Team." There are going to be very major difficulties in working with Russian bureaucrats in getting this project completed. And finally, in this week's Space News, there is an article that is headlined, "New Plan Poses Higher Risks For Station." In order to build the joint space station with available funds, we are cutting back on spare parts, on testing, on all the things that we need to assure the reliability of this program, increasing the risk to humans as well as to machinery, increasing the cost and, in all likelihood, stretching out the completion date.

Mr. Chairman, the United States has poured $11.4 billion into this orbiting boondoggle. We have nothing to show for all that expense except a few pieces of hardware and a decimated space program. As originally conceived, the space station was a marvelous creation that would cost $8 billion and would perform a remarkable array of functions.

It would be a staging base to launch deep space missions. It would be our doorway into space. It would be a factory in space where products could be manufactured with greater precision and quality. It would be an observatory not just for the stars but also for the Earth, so it would combine the functions now performed by the Hubble Telescope and other observatories with those planned for the multibillion-dollar Earth Observing System. It was designed to be a transportation node, a loading dock, and a spacecraft servicing center. The station was to be a facility where spacecraft would be assembled. Fuel and supplies for use in future mission would be stored in it.

Finally, its eighth function was as a research facility for life sciences and microgravity. That was the original conception. That was the dream. Now here is the reality.

The total cost has escalated from $8 billion to more than $70 billion, and the crew size has been cut from eight to six. It will no longer be a staging base. The manufacturing facility is gone. The space-based observatory is gone. The transportation node is gone. The servicing facility is gone. The assembly facility is gone. The storage facility is gone. All that is left is that eighth function, the research laboratory, doing work that is interesting but not worth $70 billion.

Mr. Chairman, the life sciences research that is part of the residual function of the space station is intended to prepare us for long-duration space missions. But NASA currently has absolutely no plans to send humans back to the Moon and beyond to Mars or even beyond Earth orbit. These programs were canceled in order to pay for the space station. And microgravity research can more easily be done at less cost on the space shuttle or on smaller, less expensive spacecraft than it can on the space station. In fact, our leading scientists in this field tell us that it is a mistake to try to do microgravity research on the same platform where you are doing life sciences research, because the presence of astronauts knocking around will interfere with the experiments being done in the microgravity module.

Mr. Chairman, it is time for this Congress to do what it should have done years ago, cut our losses and the losses of our international partners and put an end to this budgetary black hole in space.

NASA has tried relentlessly to salvage this project in the face of growing political and scientific opposition. In doing so, it has choked off a host of more cost-effective research efforts and other space programs. NASA is being forced to scale back the shuttle program. It is canceling shuttle missions and considering mothballing an orbiter. The satellite surveying Venus will be turned off while in perfect working order in order to save money because NASA cannot afford to keep operating it.

Even with modest inflation, NASA will face a 20-percent cut in science spending over the next 4 years. That means NASA will have to cancel or scale back even more programs than it has to date.

A recent study by the Congressional Budget Office verifies what I have been arguing for years, that the space station has become an enormous parasite, consuming resources from every other NASA program in order to feed its evergrowing hunger for funds. As a result, some of the space station's most devoted proponents are reluctantly coming to the conclusion that in this era of shrinking discretionary budgets, the only way we can save the space program is by killing the space station.

Mr. Chairman, if the administration's intent is truly to promote democracy and free markets in Russia and close relations with that nation, there are surely better ways to achieve that, both in space and on Earth. We have already sunk more than $11 billion into a space station that now would achieve only one-eighth of its original mission at more than eight times its original cost.

To commit even a dollar more, much less billions more, to a project whose success hinges on an unstable and unpredictable foreign government is sheer folly.

I urge this Congress to do what it came so close to doing last year, kill this space station and salvage our space program.

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

Mr. LEWIS of California. Mr. Chairman, I yield such time as he may consume to the gentleman from Utah [Mr. HANSEN].

Mr. HANSEN. Mr. Chairman, I rise in strong support of the space station.

Mr. Chairman, 10 years from now there is no doubt that we will be using new items invented because of the space station.

When we discuss NASA, and especially the space station, we are usually so focused on the future that we sometimes forget the past, and what it can teach us about the benefits of continuing our investment in the space program. We all remember the major events of the past 30 years, like Neil Armstrong's "Giant Leap for Mankind" in 1969, but some of the greatest, long-term benefits from the space program can be found outside of NASA, in the businesses and industries that have grown up around the technologies developed for the space program.

The need for light-weight materials for space launch technology led to the development of a composite materials industry. Medical break-throughs, like CAT scans, MRI scanning, programmable pacemakers, lasers for surgical procedures, implantable insulin pumps for diabetics, vision diagnostic equipment, and fiberoptics technology have saved thousands of lives and improved the lives of perhaps millions of patients throughout the world. And that's just a partial list of such inventions that have grown out of the space program. How do you put a price tag on that sort of benefit, Mr. Chairman?

We could spend literally hours here on the floor describing the benefits of our past investment in space research. I have no doubt that 20 or 30 years from now our successors in this body will be able to do the same, discussing the benefits and inventions and spin-offs that will by then have come out of the space station program and our ongoing exploration in space.

Let us vote today to make sure that will happen. Vote to support the space station appropriations.

Mr. LEWIS of California. Mr. Chairman, I yield such time as he may consume to the gentleman from Texas [Mr. BARTON].

Mr. BARTON of Texas. Mr. Chairman, I rise in support of the space station and in opposition to the pending amendment.

Mr. LEWIS of California. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise to express my strongest support for International Space Station *Alpha*. I'd just like to stress three specifics.

□ 1850

First, we hear arguments that the scientific capability of station is not worth the investment. Let me share just one example. And its not just a possibility it's a new development that will be a concrete result of station's unique capability in microgravity research. Researchers at NASA's Johnson Space Center have developed a device called the rotating wall vessel. They have flown it on shuttle and experienced enormous success in using the vessel in a microgravity environment to grow cancer cells outside the body.

Prior to the use of the rotating wall vessel, breast tumors had never been cultured successfully outside the body. Fifty thousand women will die of breast cancer this year and another 182,000 will be diagnosed with it. The ability to watch cancer cells grow and change gives scientists insight into their genetic material. It's not a huge leap from understanding cancer cells in that form to improving the survival rate for these cancers. The key to progress in this unique microgravity research vessel, however, is the ability to expose these cells to microgravity over an extended period of time. This is just one more concrete reason to support station.

Second, I want Members to dismiss outright the argument that full funding of station is responsible for reductions in the costs associated with the shuttle.

Nothing in the current International Space Station *Alpha* has caused a reduction. Funding for shuttle operations and upgrades has been declining in real terms at about 3 percent per year since 1990. That reflects two things—an insistence by this subcommittee that NASA eliminate questionable overhead in the program and a willingness by the agency to demonstrate that it can be more cost efficient.

Opponents can not have it both ways. They would suggest that we kill station because it can not be managed within costs. Then, when a major space program like shuttle has a concrete record of reductions over a period of years, they would slyly imply that it is not cost efficiency or legislative oversight but rather reflects station putting a squeeze on the shuttle budget.

In anticipation of this argument, I asked the Associate Administrator for Space Flight—Jeremiah Pearson—to comment in writing.

I ask unanimous consent to include his letter to the subcommittee of June 27, at this point in the RECORD. I'll read only one sentence from it.

The FY 95 appropriations mark is adequate to operate the space shuttle safely and productively and keep the program on schedule to support NASA's science objectives.

Lastly, next year when we have this debate an American astronaut will have flown in space for 3 months on a Russian station. He will arrive on the Russian Soyuz vehicle and return on the shuttle after it has docked with the Soviet station. Our astronaut will be in space for 90 days—breaking the previous American record of 84 days on skylab. That is a most concrete result and we will have it with your help when we debate this bill next year. Even 2 years ago, this Member would not have imagined we could be in this position. With your help it will be a reality. Please join me in supporting this bill and in defeating the Roemer amendment.

NATIONAL AERONAUTICS AND
SPACE ADMINISTRATION,
Washington, DC, June 27, 1994.

Hon. JERRY LEWIS,
House of Representatives, Washington, DC.

DEAR MR. LEWIS: I am writing to thank you for your support of NASA's FY 1995 budget request. Specifically, the Subcommittee on VA-HUD-Independent Agencies has allocated a mark of $5.6 billion for the Human Space Flight program. This FY 1995 appropriations mark is adequate to operate the Space Shuttle safely and productively and keep the program on schedule to support NASA's science objectives.

Thank you for your continued support of this critical program. I look forward to working with you to ensure full funding for the Space Station and NASA's other important programs.

Please let me know if you need any further information.

Sincerely,

JEREMIAH W. PEARSON III
Associate Administrator for Space Flight.

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

Mr. ROEMER. Mr. Chairman, I am happy to yield 1 minute and 30 seconds to the distinguished gentleman from Minnesota [Mr. PENNY], who has devoted his career to real deficit reduction.

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

Mr. Chairman, we need to bring this discussion back down to Earth. We have heard from previous speakers a long list of the virtues of the space station project, but frankly, most of the promised opportunities I think could be handled through research programs here on the ground.

This year alone, Mr. Chairman, in a very tight budget, we have allocated in this spending bill $2.1 billion for the space station. I know that the chairman of this committee and the chairman of the authorizing committee have expressed concern throughout the years about the potential of this project crowding out other important research items.

Mr. Chairman, $2.1 billion this year is perhaps manageable in their view, but things will not get better. The budget caps are going to be even more austere as each year goes by, and if we can barely handle $2.1 billion this year, we certainly cannot handle continued appropriations of this level in the years to come. Undoubtedly, the space station will crowd other important research items as time goes by.

Mr. Chairman, I also want to speak to the question of deficit reduction, because some of my friends on the Democratic side of the aisle have suggested that they are not happy that we are cutting this program, and allowing the money to stay in the NASA budget. They want to see this money, or at least part of this appropriation cut, go toward deficit reduction.

If we take the space station out, if we have the courage to cancel this big ticket science program we then free up the money for the long term. Some dollars may stay within NASA research, some may be reallocated to other domestic needs, and some certainly could go toward deficit reduction. I urge a yes vote on the Roemer-Zimmer amendment.

Mr. STOKES. Mr. Chairman, I yield such time as he may consume to the gentleman from Texas [Mr. HALL], chairman of the Subcommittee on Space of the Committee on Science, Space, and Technology.

Mr. HALL of Texas. Mr. Chairman the gentleman from California [Mr. LEWIS] and others have covered the medical aspect. I rise in opposition to the amendment, and ask that the Members vote no.

Mr. Chairman, I rise in strong opposition to the amendment to kill the space station program. We have been down this road many, many times in the last few years. It is time for the opposition to accept the fact that the House thinks that the space station is good for America and good for the American taxpayer. We need to stop debating the space station and get on with building it.

My position on the space station is no secret. I strongly support the station and believe that it will deliver important long term benefits to the Nation. Many of my colleagues will be describing those benefits in detail, so I would like to mention just one—but one that is very close to my heart.

It is clear that the space station has enormous potential to advance our understanding of a number of terrestrial medical conditions—including dreaded diseases like cancer and diabetes. The advances made possible by the ability to do medical research in space will inevitably lead to breakthroughs that will benefit all of our citizens: young and old, female and male, and our veterans.

Why do I feel so positive about the contributions that the space station can make to the Nation's medical research program? As chairman of the Subcommittee on Space, I have asked some of America's leading researchers to testify on what they think, and their testimony has been remarkable.

Listen to what Dr. Michael Debakey, the famed heart surgeon had to say:

Better health care for our citizens is not at odds with a space station. As a physician, teacher, and explorer, I must emphasize that our space program and space station are not frivolous, because they may provide keys to solving some of the most vexing problems that affect our people.

or to Dr. Charles Lemaistre, president of the M.D. Anderson Cancer Center and former president of the American Cancer Society:

In [the space] environment where we have a unique approach to weightlessness, toward purifying many of the agents that are already effective here on Earth, toward removing the toxicity of many of the cancer chemotherapeutic agents, there is opportunity there. It is that opportunity we all want to see made possible to biomedical research by the creation of space station *Freedom*.

I would like to share with you a recently approved resolution of the American Medical Association's House of Delegates:

The AMA supports the continuation of the NASA and other programs for conducting medical research and other research and other research with potential health care benefits on manned space flights including the continued development and subsequent operation of the international space station.

It is not just the American Medical Association and the distinguished physicians whose testimony I quoted that see the value of research conducted in space. Eight of the Institutes of the National Institutes of Health see enough potential benefit from NASA's research activities in space to justify entering into agreements for cooperative research and to undertake a joint NIH–NASA shuttle research flight in 1997. That shuttle flight will be just the first step in a vigorous research program that will ultimately be carried out on the space station.

I have another reason for my confidence. Looking back over the last 35 years of the space program, it is clear that the civil space program, in meeting its immense engineering and scientific challenges, has consistently delivered technologies and research that have directly improved the medical care of our citizens. In fact, just last month NASA and the Multiple Sclerosis Association signed an agreement to collaborate on using NASA space suit technology to help ease the suffering of MS patients. Medical telemetry systems, materials for hip replacements, medication systems—the list of beneficial spinoffs goes on and on, and will continue as long as we have a robust space program.

As well intentioned as the amendment may be, it threatens to choke off the space program just as we are starting to realize exciting research benefits. The space station is an important investment in our future, and I urge my colleagues to support the station and defeat the amendment.

Mr. STOKES. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from West Virginia [Mr. MOLLOHAN], a member of the subcommittee.

Mr. MOLLOHAN. Mr. Chairman, I rise in strong opposition to Congressman ROEHMER's amendment to terminate funding for the space station program. While I trust that the gentleman intends to help the space program with this amendment, I cannot stress how painfully misdirected his efforts are.

Do not be fooled by the Roehmer amendment. A vote for the amendment is not a deficit reduction vote—your vote would shift funding to other spending programs within NASA.

A vote for the Roemer amendment is not a vote to help NASA—the space station is critical to our civil space program. And NASA's friends are working with the agency to help them carefully scope their priorities to match the treacherous fiscal climate we face.

This is a vote in support of preserving our industrial base—and related jobs—right here in America;

Yes, Mr. Chairman, a vote in support of preserving our industrial base—and our technology advantages.

Mr. Chairman, when Members think about their vote on space station, sometimes they think only of mission control in Houston, the launch sites in Florida, or they have visions of the space shuttle landing at Edwards Air Force Base in California—but what they do not consider is that many of the materials for the space program are made by basic industry in the Mid-Atlantic and Midwestern States.

Over the last several weeks, I have heard from union workers in both the ferrous and nonferrous industries. These workers are engaged in metal fabrication and other manufacturing processes which make the space program possible. They make specialty steels and futuristic aluminum alloys that go into everything from satellites, shuttles, to the space station.

At a future point in consideration of this bill, I would like to submit, for the record, a very persuasive letter from the United Steelworkers of America, urging my continued support for the space station—on behalf of basic industry America. They urge me to encourage all members of the steel caucus to help the industry by supporting the space station program.

It should be simple for you to support NASA—it is deserving of our vote of confidence. Under the able leadership of Administrator Dan Goldin, NASA has sharpened the technical reliability and capability of the space station program to unprecedented levels over the last year. Accordingly, the scientific merit for continuing the program is stronger now than ever—and they have achieved this within the cost caps set for the program.

The Clinton administration has incorporated the space station program as a critical piece of our United States and Russian foreign policy. Space station is a perfect model of post cold war international cooperation with Russia, as well as with our other important international partners—from Europe, Canada, and Japan.

And, we are not spending dollars in space, we are spending them on jobs right here in America.

Mr. Chairman, I urge my colleagues to defeat the Roemer amendment.

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Mr. Chairman, I include for the RECORD the letter I referenced, as follows:

UNITED STEELWORKERS OF AMERICA,
DISTRICT 23, LOCAL UNION NO. 1190,
Steubenville, OH, June 6, 1994.

Hon. ALAN MOLLOHAN,
House of Representatives,
Washington, DC.

DEAR REPRESENTIVE MOLLOHAN: I'm writing as a member of a national workforce coalition. The member unions in the coalition are fighting to preserve the industrial base in this country. I'm writing today to get your help to fund the space station because steel and aluminum workers have an interest in this program. Our industries supply the specialty steel and aluminum alloy metals used in the space program. It's important for members of the Steel Caucus to know how important the space station and shuttle programs are to the tri-state region. Right now, the ferrous and non-ferrous metal industries that employ steelworkers throughout the Midwest contribute to aerospace products. If commercial space programs like the space station are continued. We have a chance to reinvigorate the steel and aluminum industries in the country.

People don't realize that the space program relies on the basic industries for materials. These materials aren't made in California and Texas where everybody thinks the space program is. They're made in the Midwest. Our brother steelworkers at Reynold's Aluminum in Illinois make the aluminum skins for the new lightweight shuttle tank that's assembled by our UAW brothers all the way down in Louisiana. So we're all connected.

If the space station is not given full funding, the cutbacks will go all the way through our members here in the Midwest. If the program continues and is expanded, steel and aluminum companies in the Midwest will make the investments needed for space exploration. This would give our members the opportunity to become more involved in the new technologies that will produce the new jobs. We think this message ought to be given to all the members in your Steel Caucus.

You have always been a champion of the steel and aluminum workers in the tri-state region. We understand that you have been a strong supporter of the space station. We want you to know that the workers in your region are counting on you. When you return from the Memorial Day recess and your subcommittee takes up funding for the space station, we hope you will take the lead in getting other members of the Steel Caucus to understand the importance of this program to the basic industries.

Sincerely,

JOSEPH SMARRELLA,
Treasurer.

Mr. ZIMMER. Mr. Chairman, I yield 3 minutes to the gentlewoman from New Jersey [Mrs. ROUKEMA].

Mrs. ROUKEMA. Mr. Chairman, as I rise today in strong support of the Roemer-Zimmer amendment to terminate funding for the space station, I cannot repress the sinking feeling that another $2.1 billion has been wasted on this program since the last time the House had this debate. The space station has been given a new name for fiscal year 1995. It is now the International space station *Alpha* [ISSA]. But new name or not, the plain fact is, the space station's scientific mission has continued to shrink while its cost has continued to escalate exponentially.

The space station's new name has successfully added a foreign aid component to the highly questionable arguments for funding of this scientifically dubious project. Quite simply, the poor state of the Russian economy and the Yeltzin government's tenuous grip on power make Russia an unreliable partner in a multiyear, multi-billion-dollar venture. Canada has realized this fact and voted to reduce its financial commitment to the space station. We should see the handwriting on the wall and cancel it now.

One year ago, I was very optimistic the U.S. House of Representatives was going to come to its senses and terminate this prime example of Government waste. Today the House must not delay—take a major step toward fiscal responsibility by adopting the Roemer-Zimmer amendment.

My constituents in New Jersey's Fifth District continue to demand that Congress make tough budget choices and cut spending before raising taxes. Continued funding of over-budget and problem-plagued boondoggles, like the space station, only serve to keep voter discontent with Congress at historically high levels. If the House fails to adopt the Roemer-Zimmer amendment, another $2.1 billion of hard-earned taxpayers' money will be wasted on the space station in 1995.

Despite arguments to the contrary, the space station is siphoning funds from other basic science programs, cancer research, environmental protection, housing needs, emergency food and shelter programs, veterans programs, and—most of all—deficit reduction. We need the space station's $2.1 billion here on Earth.

The space station program is so fundamentally flawed that when President Clinton selected a new scaled-back design for the space station last year, the chosen design satisfied only one of the eight original design objectives. This was admirably documented by our colleague from New Jersey [Mr. ZIMMER]. I do not believe Russian cooperation will improve this situation. Moreover, NASA currently estimates the latest space station design will cost American taxpayers between $40 and $71 billion to complete and operate over 10 years. But with NASA's poor track record on cost overruns, it is doubtful that NASA has any idea how much it will cost American taxpayers to maintain and operate the space station.

Taxpayers have already spent $11.4 billion on the space station since 1984, with few tangible results. Each time NASA redesigns the space station its utility diminishes, its cost escalates, and it directs desperately needed funding away from other scientifically

valid programs. The space station has always been of dubious scientific worth, and the scientific benefit to be derived from the current space station design is even more illusive.

All the lofty arguments aside, the space station is a luxury "pork project" the United States cannot afford when the Federal Government has accumulated a national debt of approximately $5 trillion.

It seems ironic that proponents of the space station argue it is a gift for future generations when, in reality, the space station's greatest gift to future generations is its contribution to our Nation's enormous Federal debt.

Mr. Chairman, I urge my colleagues to use their common sense and vote for fiscal responsibility by supporting the Roemer-Zimmer amendment to terminate the space station. In a time of real budgetary restraint, this is money that could be used much more beneficially for cancer research, veterans health care, women's health research, the Home Investment Partnership Program, or environmental protection and cleanup.

Mr. Chairman, let us stop this taxpayer ripoff right now, before more Federal dollars are wasted. Vote "yes" on the Roemer-Zimmer amendment.

Mr. LEWIS of California. Mr. Chairman, I yield 5 minutes to the gentleman from Texas [Mr. DELAY].

Mr. DELAY. Mr. Chairman, I thank the gentleman for yielding me the time. I compliment the chairman of the subcommittee and my ranking member for the work they have done on this.

Mr. Chairman, I rise in strong support of the international space station and in strong opposition to the short-sighted and ill-conceived amendment offered by the gentlemen from Indiana and New Jersey.

You will find no one more committed than myself to deficit reduction, cost effectiveness, the prudent use of taxpayer dollars and outright stinginess in Federal spending.

Let me make this very clear: This is not an amendment for deficit reduction. Read the amendment. Make no mistake, this amendment will kill the space station but not one dime will go for deficit reduction. The amendment leaves enough money in human space flight for shutdown costs and reallocates the balance back into NASA, for the most part into the Science, Aeronautics, and Technology section of the NASA appropriation from which no cuts were taken during the committee's consideration.

The authors of this amendment claim that the space station is eating away at NASA's science budget. I don't know who is giving them their numbers, but the Appropriations Committee fully funded the President's request for Science, Aeronautics, and Technology at an increase of $113 million over fiscal year 1994.

Although this amendment does not allocate any savings for deficit reduction, I want my colleagues to know clearly that NASA has done its part for deficit reduction. In last year's request, NASA reduced its 5 year budget plan by 18 percent. This year, NASA reduced it again by another 12 percent.

The funding level for NASA in this bill is $526 million under fiscal year 1994. All other agencies in this VA/HUD bill are receiving increases over last year.

Mr. Chairman, this space station has been redesigned, the management has been streamlined and Russia, our former cold war enemy, has joined the program as a full international partner. And I have to say I am particularly pleased with the dramatic streamlining of the management structure. Lines of authority and accountability are direct and simple. Excessive bureaucratic layers have been eliminated.

The assertion that station has lost its primary scientific mission and has turned into simply a foreign policy program is absurd. While the new station will cost $5 billion or 23 percent less than space station *Freedom*, this space station has 85 percent more pressurized volume, 50 percent larger crew, and double the power of the previous design. All the science objectives ever envisioned for our space station are fully achievable with this space station.

Moreover, NASA has responded well to the concerns that a Russian pull-out could jeopardize the program and has modified the plans; the Russians have been removed from the critical path. The United States will provide guidance, navigation, control, and reboost capability, an independent environmental control and life support system, and accelerated power capability. The international space station will not be dependent upon Russia's contribution but will benefit greatly from Russia's expansive experience in space.

I ask my colleagues not to fool themselves—without the space station there is no shuttle program and without that, there is no NASA. I submit to my colleagues that the space station is a program we cannot afford not to fund.

Mr. Chairman, the American people support this critical program and I believe that today, as it has for the past several years, the space station will receive the support of the majority of my colleagues.

I said this last year and I will say it again—let this be the end. I implore my colleagues, look at the progress, study the design, follow the budget—and where problems arise, by all means, let's fix them. But let's not return any more to this same place. If this amendment fails, I urge space station opponents to accept the will of this country and let us move forward on this monumental project.

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Ms. DUNN. Mr. Chairman, will the gentleman yield?

Mr. DELAY. I am happy to yield to the gentlewoman from Washington.

Ms. DUNN. Mr. Chairman, as a strong supporter of the space station, I rise in opposition to this amendment.

Fiscal responsibility is no joke, and getting the most for the taxpayer's hard-earned dollars is one of the main missions of Congress. Voting against the space station will not reduce the deficit. Those moneys designated for the station will simply be devoured by other programs within VA-HUD and other agencies. You save nothing, and risk losing our preeminence in space and technology.

The international space station is better managed, has more lab space, more power, more crew area, and will use at least 75 percent of the *Freedom* station. If this is not cheaper, faster, and better, I don't know what is.

When it came to budget prioritizing within the Agency, NASA tightened its belt and made the tough cuts. NASA is committed to cut 3,000 civil service staff from current levels by the end of this decade, and the overall NASA budget is below 1994 budget levels.

Ladies and gentleman, here is a Government agency that has cut its budget 30 percent in 2 years. As one of my favorite Presidents use to say, "not bad—not bad at all."

It has become apparent to many that this isn't the same space station program we saw last year. Even the vest oversight committee that turned its back on the station a year ago has done a 180-degree turn in support of the new station program.

We have gone from four NASA centers and four prime contractors to a single center in Houston and one prime contractor.

Now, the prime contractor for the station is the Boeing Co., and even if they weren't in my own back yard, I'd give them high marks for the job they have done to help reign in the costs of the station.

Our space station continues the largest scientific cooperative program in history. We are drawing on the scientific expertise from 13 nations in this joint venture and we are proving that former adversaries can join forces behind peaceful initiatives that will help build mutual trust and support shared goals.

One of the defining reasons for my support for the station is that we will be able to conduct research on the station that cannot be done on Earth. In the microgravity environment of space we will study new and exciting approaches to diagnosing and treating ovarian and breast cancer tumors. Truly, we have had the best of both worlds—biomedical research on Earth and in space, working hand-in-hand to help eradicate the terrible disease of breast cancer that strikes one out of eight women in America.

As we weigh the future of America's space leadership, and the future of our international partnerships, I urge my colleagues to support the space station, and vote against this amendment.

Mr. MOLLOHAN. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. TORRES] who serves very ably on the subcommittee.

Mr. TORRES. Mr. Chairman, last year we came to a crossroads on the space station.

We chose to fund a reengineered, fiscally responsible, and scientifically focused international space station. Our international partners—Canada, France, Japan and Russia—have already committed $3 billion to completing the space station.

We cannot turn back.

The space station is our Nation's most important scientific initiative that will lead the global community into the 21st century. It is a laboratory to engage in new scientific endeavours for the benefit of future generations. It is a unifying force that will bring the world's economic and military superpowers together in pursuit of scientific discovery.

To turn back now would severely and irreversibly damage the progress we are achieving in these areas.

We cannot turn back.

We are also talking about engaging our best scientists, computer programmers, and engineers to keep our Nation's lead in the space.

We have over 13,000 direct jobs committed to the space station and over 55,000 when supplies and other indirect jobs are included.

In my home State of California, over 4,000 individuals work directly on the space station—and the number soars to 17,000 jobs when subcontractors and indirect jobs are included. These are the kind of jobs we want to keep—highly skilled and well paid.

A Wharton Econometric Forecasting Associates study has shown that eliminating the entire space station would only improve the Federal budget by $260 million after accounting for lower tax receipts and new transfer costs from higher unemployment. This does not take into account the numerous critical technologies that NASA develops and the technology spinoffs that benefit from NASA's research.

Mr. Chairman, I have spent many hours listening to testimony in the VA-HUD subcommittee, visiting with NASA scientists, and reviewing NASA's reorganization. The space station team has pushed the envelope in terms of fiscal constraint and scientific integrity. We must not allow the promise of discovery to be exchanged for short-term political gain.

My colleagues are sorely misguided in their attempts to eliminate the space station. They are naive to think that taking a sledgehammer to science and thousands and thousands of highly skilled jobs, will somehow benefit our economy, the Federal budget, and our children.

I commend the work of NASA scientists and management and their commitment to a sound space station. They deserve the full support of this Congress.

We cannot turn back, I say to my friends.

Mr. Chairman, I urge my colleagues to oppose efforts to kill the space station and kill our Nation's commitment to science.

Mr. ROEMER. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Ohio [Mr. BROWN].

Mr. BROWN of Ohio. Mr. Chairman, I rise in support of the Roemer-Zimmer amendment to terminate the space station.

I would rather that this cut go directly toward deficit reduction, but the fact is today we have an opportunity to kill a $75 billion project.

Over and over in this Chamber we hear people talk about cutting spending. We hear those same people defend project after project in our districts, the super collider which we had to vote against 3 times before we actually killed it last year, farm subsidies, defense projects, now the space station.

I did not come to my decision to oppose the space station lightly. It will cost jobs in my State in northeast Ohio, but we simply cannot afford it.

I believe that the United States should be in space. But right now the return a manned space station offers on our investment just is not enough. Americans can continue to be leaders in technology by advancing the work we have already begun in unmanned satellites. The space station may be good science, but we simply cannot afford it.

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

Mr. Chairman, I would just like to respond to one of the comments made by my friend, the gentleman from Texas [Mr. DELAY], who said, as I recall, not one dime will go to deficit reduction if this amendment is passed, because it is an amendment that reallocates money to other programs within NASA.

Last year the gentleman from Indiana [Mr. ROEMER] and I proposed a straight cutting amendment, and at that time the gentleman from Texas had this to say about that amendment, "If you are voting for this amendment as deficit reduction, make no mistake about it, not a dime of the $2.1 billion will go to deficit reduction. That money will go to other programs. We all know it. Those of us who have been here for years understand it, and there is no doubt that that is what will happen."

So, Mr. Chairman, we took the gentleman from Texas at his word. We proposed an amendment this year that was different from the last one, and now he is criticizing us for not proposing the kind of amendment that he attacked a year ago.

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

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

Mr. DELAY. I just simply would point out that I was right. This year you are being honest. Last year you were not.

Mr. ZIMMER. Mr. Chairman, I yield 2 minutes to the gentlewoman from New York [Mrs. MALONEY].

Mrs. MALONEY. Mr. Chairman, 10 years ago when we began funding the space station, we were promised that it would cost only $8 billion, and be finished by 1994. Well, it is 1994, we have spent $11 billion, and we have zilch. We have no modules in space. We have no flight-ready hardware. And we are being told that the total cost of the space station will exceed $70 billion, more than 8 times the original estimate.

Nor does it consider that our tenuous agreement with the Russians may actually cost us rather than save us money.

Now we are told that even if we spend all of this money, the space station has a 20-percent chance of being smashed to pieces by space debris. Can we really afford to play Russian roulette?

Many space station advocates are claiming proposed benefits for women's health research. Let us take a look at what the $70 billion space station really amounts to: 235 times what the National Institutes of Health and the Department of Defense will spend next year for breast cancer research; 1,300 times what the National Institutes of Health and the Department of Defense will spend next year for cervical cancer research; 1,870 times what the NIH and DOD will spend next year for ovarian cancer research; 8,850 times what the NIH and DOD will spend next year for uterine cancer research.

Dr. David Rosenthal, speaking for the American Cancer Society has said, "Statements have been made and published to the effect that vital cancer research would be done in space, and that is cited as a reason for supporting space station funding. We cannot find valid scientific justification for these claims."

We all believe in women's health research. It is very important. But if we want to increase funding for it, why should we spend billions of dollars for one laboratory in space when we could use this money to fund hundreds or thousands of laboratories here on Earth? That is bad science and bad judgment.

The space station's cost is out of this world, and we should mothball it.

Mr. MOLLOHAN. Mr. Chairman, I yield such time as he may consume to the gentleman from Texas [Mr. ANDREWS].

Mr. ANDREWS of Texas. Mr. Chairman, I rise in opposition to the amendment and in support of the space station.

Mr. Chairman, once again we are faced with a vote not just on our commitment to the space station but on our commitment to the future. The potential scientific, educational, and economic benefits of the station are well documented. However this year there is an important new factor that makes the space station an even better investment in the future.

Thirty-five years ago competition from the Soviet Union's Sputnik provided a major impetus to build our Nation's space program.

Today, our conflict is not against a rival power, but rather against our own limitations. Competition with the Soviet Union has turned into cooperation with Russia, a cooperation that brings together the best and brightest minds in an endeavor that will greatly expand the boundaries of human achievement.

As our relationship with Russia continues to evolve in this post-cold-war world, the space station provides a catalyst for building mutual trust and cooperation. Today, this partnership is more important than ever. Finding solutions to world problems such as regional instability, arms technology proliferation, and environmental degradation require that we work in close concert with both friends and former adversaries.

In addition to these global considerations, Russian participation in the space station will make a substantial and immediate contribution to the project itself. One such payoff will come from the U.S. Shuttle-Mir missions, which will give us extremely valuable on-orbit experience. It is impossible to understate the importance of this type of experience—it is exactly what made the Hubble Telescope repair mission such an astounding success.

Russian involvement in the space station has already resulted in a more robust and capable station. The new station has more electrical power and pressurized volume than the previous designs, allowing for both a larger crew and a wider range of experiments. Working with the Russians is going to save us both money in developing this station and time in deploying it. Russian long-term experience in space and the addition of their own network of communications, control, and launch centers will add to the station's margin of safety.

The cold-war competition between the Soviet Union and the United States helped launch our exploration of space. Today the contest has changed, but our goals of scientific advancement and human progress are stronger than ever. We must now act here in this Chamber to seize this historic opportunity and join with the Russians and our international partners in an endeavor in space that holds great promise for life on Earth.

Mr. MOLLOHAN. Mr. Chairman, I yield such time as he may consume to the gentleman from Florida [Mr. HASTINGS].

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

Mr. MOLLOHAN. Mr. Chairman, I yield 1 minute to the gentleman from Alabama [Mr. BEVILL], the distinguished chairman of the Energy and Water Subcommittee of the Committee on Appropriations.

□ 1920

Mr. BEVILL. Mr. Chairman, I rise today in strong support of the VA–HUD appropriations bill and I am especially pleased with the funding level for NASA and the International Space Station. As you know, the space station is the largest cooperative science program in the world. It has become a premier international undertaking with the participation of the United States, Canada, Japan, the European Space Agency and Russia.

NASA has made great strides in the past year to streamline the Space Station Program and the changes have been extremely positive.

The partnership with the Russians, who have worked in space longer than anybody else, will bring a new dimension to this program. We welcome this opportunity to work with the Russians on this program, to gain their insight and expertise in this multi-country effort.

Our cooperation on this project could have a far-reaching impact in terms of better international relations. We certainly need to support the International Space Station.

As you know, this program has made excellent progress. More and more of the actual flight hardware is being completed, despite what you may have heard from the critics of this program.

The estimated cost of the space station has been reduced and we anticipate getting more bang for the buck. Certainly, we expect that greater scientific capability will be generated through this project.

The space station is important to the future of high technology in this country. It will help us advance into the 21st century and keep us on the cutting edge in our scientific endeavors.

I am also very pleased to note that this bill contains full funding for the Advanced X-ray Astrophysics Facility [AXAF] Program. This is the top priority NASA mission for astrophysics and a program of great importance to the Marshall Space Flight Center in Huntsville, AL.

AXAF is an x-ray observatory which will probe fundamental questions about the origin and fate of our universe.

This is a very well-managed program which was recently restructured to reduce costs substantially while maintaining scientific integrity.

It is well on its way toward its scheduled launch date in 1998 and is an outstanding example of NASA's commitment to maximizing return for the taxpayers' investment.

I want to commend my good friend and colleague, Chairman LOUIS STOKES for his outstanding work on this bill. I appreciate his commitment to the space station. He has kept this program alive without sacrificing any important science program.

I urge my colleagues to support this bill, including the funding for the space station and the AXAF program.

Mr. Chairman, the full Appropriations Committee supported this bill unanimously. Everybody who has spoken here has not served 1 day on that committee, has not heard one bit of testimony. I think we ought to support Chairman LOUIS STOKES, who has done a great job with this committee. He is one of the best chairmen of this Congress and the committee is one of the best committees in Congress under his leadership.

We need to support this committee. They are people who know what they are doing.

Mr. LEWIS of California. Mr. Chairman, I yield 2 minutes to my leader in the House, the gentleman from Illinois [Mr. MICHEL].

Mr. MICHEL. I thank the gentleman for yielding this time to me.

Mr. Chairman, I rise in support of the new space station and in opposition to the Roemer amendment.

Thirty years ago, a television series based on the premise that space was the final frontier became an international phenomena.

In fact, "Star Trek" was such a hit it spawned another successful television series that just recently completed its mission, "Star Trek: The Next Generation."

I like to think of this new redesigned effort as "Space Station: the Next Generation."

This next generation of space station is cheaper, more powerful and bigger than the original design.

Because of effective and efficient management techniques, the new space station will cost $5 billion less than the old design, while accommodating 2 more scientists on the crew.

And because of strong international cooperation, the new space station will benefit from the expertise of the Russian Space Agency to help meeting the goals of the program.

Mr. Chairman, I have long supported the space program and space station *Freedom* in all its redesigns.

Looking at my distinguished friend from California [Mr. BROWN] and I, roughly in the same age bracket, in the early days of the program we supported this from the very beginning. I am rather troubled by the fact that the younger Members of this House take the view that, what we heard in those days, "We can't afford to explore the outer frontier," if we had taken that attitude 30 years ago, where would we be today in this world? I cannot understand it, quite frankly. As the distinguished gentleman from Pennsylvania [Mr. WALKER] eloquently pointed out earlier in the evening, the reasons for my support are that we cannot reap the fruits of the future without planting the seeds of invention.

Mr. Chairman, we cannot expect a better tomorrow without investing in our future today. And we cannot move forward by standing still.

Supporting the Roemer amendment is worse than standing still. It is taking a giant step backward as we face the end of the 20th century.

Supporting "Space Station: The Next Generation" means taking a bold step forward to solve the problems of today with the technology of tomorrow.

I urge my colleagues to join me in supporting the space station and opposing the Roemer amendment. Vote no on the Roemer amendment.

Mr. ROEMER. Mr. Chairman, I yield 1 minute to the gentleman from New York [Mr. NADLER], a Member of the freshman class.

Mr. NADLER. I thank the gentleman for yielding this time to me.

Mr. Chairman, I believe in human space flight, and I believe that eventually we should and will make a commitment to go back to the moon, to occupy it, to utilize its resources for the benefit of humanity.

As part of such a commitment, we would need a space station. But in the absence of that commitment, it is quite clearly far in the future, a space station has to be justified in terms of the scientific research that can be done on it and not in any other place.

All the scientific research that I have seen advanced to justify the space station could be done in other places and in other manners except for investigations of the long-term physiological effects of space flight on human beings. And that research need not be done until we make that commitment to reoccupy the moon.

In the meantime we would be much, much better not building the space station, which has no valid scientific justification, no necessity, and use the money for our needs here at home for the people who live on this planet.

Mr. ZIMMER. Mr. Chairman, I yield 2 minutes to the gentleman from Michigan [Mr. SMITH].

Mr. SMITH of Michigan. I thank the gentleman for yielding this time to me.

When I was growing up, if scientists had said that the U.S. was going to build a permanent space station, people would have said, "Sure, when pigs fly." But when I look at this project, I think that is just about right because the pork is really flying.

The bottom line is that we cannot afford the $70.8 billion needed to build and launch the space station. Under the budget resolution we passed May 5, the debt will climb to $6.3 trillion in 5 years. This year, we will pay $298 billion in interest on the debt. That is nearly $10,000 a second in interest on the national debt. Under these conditions, we cannot have everything we want. We have to cut spending.

Space station supporters stress its scientific benefits. Undoubtedly, the space station would facilitate some scientific research. But is that worth $70 billion that we do not have? The space station steals money away from the other science programs in the Federal budget. Since 1984, NASA has had to cancel, delay, or shrink many of the other scientific projects in the budget to preserve the downsized space station. Yet, much of the proposed space station research could be performed for less money on Earth, on the space shuttle, or on unmanned spacecraft.

Finally, we have to decide what the Government should be doing. Congress has plenty to do right here on Earth. We need to control crime, reform welfare, and improve our schools. We need to protect private property and provide for the Nation's defense. And of course, we need to get Federal spending under control. But, instead, of fixing these problems, Congress finds itself lost in space.

Mr. ROEMER. Mr. Chairman, I yield 2 minutes to the gentleman from Vermont, [Mr. SANDERS].

□ 1930

Mr. SANDERS. Mr. Chairman, I rise this evening, not to attack the space station, but to speak about priorities, to speak about hungry children in America, elderly citizens unable to afford their prescription drugs, veterans sleeping out on the streets, underfunded school systems and overtaxed working people.

Mr. Chairman, we are asked today to continue a project which will cost over $70 billion. How do I go home to Vermont and tell the elderly people of my State that there are Members of Congress who want to cut their Medicare, cut their Medicaid, cut their Social Security because of the deficit, but somehow there are tens of billions of dollars available to build the space station?

Mr. Chairman, how do I go home to Vermont and tell the veterans of my State who put their lives on the line in Korea, in Vietnam, in the Persian Gulf, that there are Members of Congress who want to cut back on veterans programs, who want to cut back on the quality of care they receive in the VA hospitals because of the deficit, but somehow there are tens of billions of dollars available to build the space station?

Mr. Chairman, it is an absolute national disgrace that the United States today has the highest rate of childhood poverty in the industrialized world. Twenty-two percent of our kids live in poverty. Five million children go hungry. How in God's name can we continue to let American children go hungry because of the deficit, but at the same time we have tens of billions of dollars to fund the space station?

Mr. Chairman, I hope that the day will come when I will be able to vote for the space station because in many ways it is a good and useful program. But that day is not today, Mr. Chairman. Let us get our priorities straight. Let us ease the pain and suffering being experienced by tens of millions of Americans today before we put our money into outer space. Let us feed the hungry, let us shelter the homeless, let us tend to the sick, and let us tend to the weak and vulnerable, and, when we do all of that, when we are living well on the planet Earth, everyone together, proud, united, then let us go to outer space.

Mr. STOKES. Mr. Chairman, I yield 1½ minutes to the gentleman from Florida [Mr. BACCHUS].

Mr. BACCHUS of Florida. Mr. Chairman, I say to the gentleman from Ohio, "Thank you for your friendship and support, Mr. STOKES."

Mr. Chairman, 25 year ago Neil Armstrong took one small step for man, one giant leap for mankind. That was a giant leap forward. I say to my colleagues, "Don't take a giant leap backward tonight by killing the space station."

This vote tonight, Mr. Chairman, offers a stark choice of our Nation celebrating the 25th anniversary of our landing on the Moon. Will we take the first real steps to a permanent human presence in space, and do it together with other nations, including Russia, the very nation against which we raced to the Moon? Or will we abandon leadership in space to other nations eager to take it away from us?

I was looking through the New York Times a few weeks ago when I saw this headline that reminded me of a vote we cast a year ago this summer. The headline says: Panel Urges U.S. to Join Europe's Collider Project. We killed the superconducting super collider. That was a mistake. I think many people who voted to kill it a year ago realize now it was a mistake. Do we want to see a headline this time next year that says: Panel Urges U.S. to Join a Japanese or a Russian Space Station?

Mr. Chairman, I do not think so.

Once the Soviet military-industrial complex built rockets pointed at us. Today the Russians work with us. If my colleagues think cooperation in space is too risky and too expensive, think how much riskier and how much more expensive it will be if superpower confrontation were to be renewed here on Earth.

Vote against this amendment. Support, save, and build the space station.

Mr. LEWIS of California. Mr. Chairman, I yield 3 minutes to the gentleman from Wisconsin [Mr. SENSENBRENNER].

Mr. SENSENBRENNER. Mr. Chairman, I rise in opposition to the amendment in support of space station *Alpha*. Much has been said expressing concern about the Russian participation in the International Space Station, and that concern will be well founded if Russia were in the critical path that the space station could not fly without Russia and if Russia should get out of the space station because of political and economic changes there and the rest of the world would be literally left up in space. But Russia is no longer in the critical path in the International Space Station.

Last week President Clinton himself sent a letter to me which says in part:

However, in keeping with the concerns raised by you and other Members of the House and Senate, I want to assure you that the United States will maintain in-line autonomous U.S. flight and life support capability during all phases of the space station assembly.

That takes Russia out of the critical path, and that is a statement of administration policy which is binding upon NASA.

Now this House has sent a lot of money over to Russia in the Freedom Support Act, and most of that has gone into the Russian central bank, and, quite frankly, disappeared. What we are getting here is concrete Russian hardware and technology. We are getting back something for our money, and the Russians have been much better than the United States at long-term space flight as well as in heavy lift capability.

Second, Mr. Chairman, this Congress has a challenge. Many of the redesigns and cost overruns, previous designs of the space station, were ordered right here in the Congress of the United States. NASA Administrator Golden has said that, if we maintain the $2.1 billion appropriation, this space station will be completed on time and on budget. The danger is cutting the $2.1 billion to something less than that which will mean a stretch-out and a guaranteed cost overrun.

My support for the station is conditioned upon the conference coming back at $2.1 billion so we do not fall into the trap that we put ourselves into several times in the past.

Finally, Mr. Chairman, this amendment is not the same amendment that was voted upon last year in both the authorization and appropriation bills. This amendment does not cut the deficit by a dime. It reallocates the $2.1 billion to pet scientific programs of the authors of the amendment.

Mr. Chairman, I am a deficit hawk, and I rank No. 1 in the National Taxpayers Union roll call on who is a pinchpenny here in the Congress of the United States.

This is a different amendment. It spends the $2.1 billion elsewhere. It does not reduce the budget deficit.

Let us stick with the space station rather than the pork of the gentleman from Indiana [Mr. ROEMER] and the gentleman from New Jersey [Mr. ZIMMER].

Mr. ROEMER. Mr. Chairman, before yielding to the gentleman from Wisconsin, I yield myself such time as I may consume just to say that the rating of the gentleman from Wisconsin [Mr. SENSENBRENNER] may be in jeopardy after this next vote. Certainly Citizens Against Government Waste, in fact, score this, and this may be the best vote for deficit reduction the gentleman could cast this year. I say to the gentleman, "Certainly you cannot argue that, if you cancel 55, to 60, to $70 billion, whatever the cost of this space station is which is going up every day, and that is no longer in the budget, that is deficit reduction in anybody's vocabulary or dictionary."

Mr. Chairman, I yield 1 minute to the gentleman from Wisconsin [Mr. BARRETT].

Mr. BARRETT of Wisconsin. Mr. Chairman, the history of the space station best resembles the play "Waiting for Godot". When the space station was first proposed in 1984 during the Reagan administration, its supporters predicted that the project would cost a total of $8 billion and would be operational by 1994. Nineteen ninety-four has arrived, and yet we are still paying, and we are still waiting. In fact, the project remains in the planning stages, having already cost the taxpayers $11 billion, with no end in sight, and we are still waiting. NASA now estimates that the total cost of construction and operation for 10 years will be more than $70 billion. If this program is allowed to continue, this debate will be repeated for the next 10 years, and $70 billion will be wasted.

Space Station *Alpha*, as it is now known, also brings to mind a giant black hole orbiting the Earth, sucking in taxpayers; funds and siphoning in money from the rest of the space programs. In fact, Mr. Chairman, a vast majority of the objectives of the space station can be accomplished through existing technology.

I would love the United States to build and operate a successful space station, but, Mr. Chairman, we must be realistic, we must know the limits of our resources, and we must cut this wasteful program.

Let us not wait any longer.

□ 1940

Mr. STOKES. Mr. Chairman, I yield 3½ minutes to the distinguished Chairman of the Committee on the Judiciary, the gentleman from Texas [Mr. BROOKS].

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

Mr. Chairman, I rise in strong support of International Space Station *Alpha*, which is home-based at the Johnson Space Center in my congressional district, and in strong opposition to the Roemer amendment. Space Station *Alpha* is an integral part of NASA's epic journey into space and vital to the United States' best interest. Eliminating the space station will do nothing but relegate NASA to a minor role in the exploration of space and force the United States to suffer the consequences of not being the most technologically advanced country in the world.

While insuring the United States leadership role in the 21st century will be the ultimate benefit from Space Station *Alpha*, the practical benefits that we'll recognize today, here on Earth, are reason enough to support the space station. Anytime we can generate a $7 increase in economic activity for every dollar spent, we've made a wise investment. Anytime we can walk into a hospital emergency room and see a person's life being saved because of the devices developed through manned space exploration, we've made a wiser investment. Anytime we can enter into a peaceful, cooperative effort with a former adversary, we've made an ever wiser investment. Anytime we can stir the imagination of our Nation's youth and encourage them to study the areas of math, science, and engineering, we've made still a wiser investment.

On the other hand, when we cut the heart and soul out of our most forward-looking and risk-taking organization, how wise of an investment have we made? The Roemer amendment purposes to do just that, to eliminate the space station while maintaining NASA's current funding level. This isn't an issue of fiscal responsibility, or seeing to our more immediate needs, it is simply an issue of whether we, the United States, intend to march boldly into the 21st century or hesitantly crawl backwards.

For America to lead, we must have the courage to take chances and continue to challenge our collective abilities. History has shown that nations who refuse to meet the challenges of their day, nations that are averse to taking risks, nations that yearn for the status quo are nations in decline. We demand more in this country. We demand that our country meet the challenges of our day head on, mindful that we take these risks for the sake of our children and our grandchildren, because if we don't, they will be the ones who will ultimately suffer from our lack of courage and foresight.

Mr. Chairman, I urge my colleagues to oppose this amendment, and encourage them to demonstrate the fortitude that is necessary for this Nation to continue its greatness.

Mr. LEWIS of California. Mr. Chairman, I rise to associate myself with the very fine statement of the gentleman from Texas [Mr. BROOKS].

Mr. Chairman, I yield 1½ minutes to the gentlewoman from Connecticut [Mrs. JOHNSON].

Mrs. JOHNSON of Connecticut. Mr. Chairman, I rise in strong opposition to the Roemer amendment. I want to urge Members to consider the ramifications for our manufacturing base—and good jobs—of building a space station which must last 10 to 30 years in space with little repair or maintenance.

Our first concrete advancement in manufacturing produced by space station research is what is called rapid prototyping techniques which has reduced the time required to produce parts for the space station by integrating design and manufacturing in a truly revolutionary way.

Using rapid prototyping it is now possible to make metal castings of unique parts directly from the design without drawings or special tooling. What does this mean to our manufacturers? It means a 24-week process can now be accomplished in 2.4 weeks. This

is a major advancement that will have a huge impact on the productivity and competitiveness of all U.S. manufacturers, allowing them to reduce costs and make ideas into reality faster.

Second, space station hardware requirements have forced manufacturers to invent new material joining techniques that allow them to weld aluminum and titanium to fabricate small, complex heat exchangers consistently and with outstanding reliability. Both the new joining and welding processes and the miniaturization of heat exchangers have applications throughout manufacturing and will enable us to upgrade, miniaturize, and in other ways improve our products.

Last, manufacturing processes have been developed to apply and bond coatings to space hardware surfaces that inhibit the growth of microbiological organisms in space. These same techniques, applied to Earth hardware, can improve our indoor and outdoor air and water quality.

The fundamental question as Sen. KAY BAILEY HUTCHINSON puts it, is simple: Do we want the kind of spending that is one time only, that will provide jobs for 10 months or 18 months, or do we want to spend money where it is going to reap benefits twentyfold, and even hundredfold, as space research had already shown it will do? The International Space Station is precisely where we should be prioritizing our spending.

I urge Members to consider the beneficial impacts building Space Station *Freedom* will have upon U.S. leadership in manufacturing and product design and I urge you to vote down this amendment.

Mr. ZIMMER. Mr. Chairman, I yield 1 minute to the gentleman from Minnesota [Mr. RAMSTAD].

Mr. RAMSTAD. Mr. Chairman, every single year since I was elected to Congress we have had this same debate: Should we blindly continue to funnel money into the space station or should we finally face up to fiscal reality?

This year, I urge my colleagues to closely and carefully consider the arguments presented by my colleagues from New Jersey and Indiana.

If you do, you will see that it makes no sense to keep pouring billions of dollars year after year into a dubious science project we simply cannot afford.

So far, we have already spent over $11 billion with no space hardware to show for it. What we do have, however, is a $4 trillion debt.

The American people are demanding that Congress stop spending money we don't have. But somehow, President Clinton has decided there is another $70 billion in the budget for this risky venture with the Russians.

But this $70 billion is only what NASA projects the new International Space Station *Alpha* will cost.

As we all know, NASA is notoriously poor at estimating future costs—so much so that its projects habitually run 77 percent over budget.

Mr. Chairman, it is time to bring space station supporters down to Earth where the air is not so thin and remind them that we have a $4.4 trillion national debt.

It is time to place fiscal responsibility ahead of space-based pork. It is time to pass the Zimmer-Roemer amendment.

Mr. ROEMER. Mr. Chairman, much has been said about the foreign policy implications of this space station. I now yield 3 minutes to the very distinguished gentleman from Indiana [Mr. HAMILTON], chairman of the Committee on Foreign Affairs.

Mr. HAMILTON. Mr. Chairman, I thank my friend and colleague, the gentleman from Indiana for yielding.

Mr. Chairman, I rise in strong support of the Roemer Amendment to delete funding for the space station project.

I. DOMESTIC REASONS

I oppose the space station project primarily for domestic and fiscal reasons:

First, funding of the space station project will have an adverse impact on other worthy scientific and space programs in the NASA budget.

Second, it is not fiscally responsible to move ahead with the space station at this time. To accommodate the space station, other important accounts in this appropriations bill—and future appropriations bills—must be cut;

Third, the cost of the space station program continues to rise. The station has been redesigned at least five times. It has suffered from delays and significant cost overruns. Cost projections run as high as $75 billion; and

Fourth, the scientific community is divided on the need for this space station. Many experts state that the space station cannot achieve the basic research requirements for which it is intended. The scientific merits are not persuasive.

II. FOREIGN POLICY REASONS

I also oppose the space station project for foreign policy reasons. The Administration has made several claims about the foreign policy value of this project. I am not convinced. This project is peripheral to United States and Russian policy objectives.

I meet with Russian officials all the time. I hear testimony from the Administration on Russia all the time. I certainly do not ever remember the space station mentioned as a priority by Russians. I do not ever remember it mentioned as a priority for U.S. policy—until recent months. Suddenly, it has become a priority.

Second the space station is neither consistent with the goals of U.S. policy toward Russia, nor the purposes of U.S. assistance.

Look closely at the Freedom Support Act. The purpose of U.S. assistance is to support democracy and market economic reform. Nowhere is space cooperation listed.

Look at the most successful U.S. assistance projects in Russia. They support privatization.

Our proposed partner in this space station project is the Russian Space Agency, a large state enterprise.

The United States will be spending $100 million a year over 4 years to support a Russian state enterprise—directly contradicting the goals of U.S. policy and assistance toward Russia.

Look at how the United States provides assistance to Russia. We fund exchanges. We provide technical assistance. We do not provide cash transfers. This $400 million is a cash transfer. We will have little ability to keep track of how that $400 million is spent.

Third the foreign policy assumptions governing this project are unrealistic.

Each of us want to see a steady, forward trend, in U.S.-Russian relations. But that is not something we can count on, given the time fame of the space station project. No one can ensure that U.S.-Russian relations will be stable through the year 2002, or the subsequent 30 years of the space station's operation.

The next time there is a crisis in U.S.-Russian relations, the space station will be a tempting target for cancellation.

The next time the Russians sell missile components outside the Missile Technology Control Regime guidelines, the space station will be a target for sanction.

Russia's proposed role is critical to the space station's completion. If Russia falls out of the project because of politics, the project itself will fall apart—unless we obtain significant additional commitments of time and U.S. resources.

Fourth, there are other, important scientific and technical areas where we can—and do—cooperate with Russia.

We are cooperating on weapons dismantlement and nuclear reactor safety programs that are directly in the U.S. national interest.

Aerospace cooperation is already taking place between U.S. and Russian firms exactly where it should take place—in the private sector.

III. CONCLUSIONS

In summary, I do not accept the foreign policy arguments that have been made for the space station.

Our space cooperation with the Soviet Union in the 1970s did not transform or transcend the political relationship. Each of us remember Apollo-Soyuz in the 1970s. When our relations with the Soviet Union fell apart in the 1980s after the invasion of Afghanistan, space cooperation lapsed.

This space station project does not stand on its merits in the domestic debate. It does not stand on its merits in the foreign policy debate.

Space cooperation is peripheral to strong U.S.-Russian relations. Space Cooperation will be among the first casualties if those relations should fall apart.

I urge support for the Roemer Amendment.

□ 1950

Mr. STOKES. Mr. Chairman, I yield 1½ minutes to the gentleman from Alabama [Mr. CRAMER].

Mr. CRAMER. Mr. Chairman, I rise on behalf of the fine NASA employees around this country, the contractors who have in many cases given their careers and even lives on behalf of the manned exploration program. I rise in strong opposition to the Roemer amendment.

I want to say to my colleagues, this is the seventh time in the last 3 years that we have voted on this issue. At some point we have to, as Congress, decide that we want to let this agency do what it does and what it has given us in the past.

To hear the arguments tonight, we would think that this is a program that has given us nothing. NASA has given us a lot and has benefited many for years in ways that we cannot even calculate today.

I say that this is a space station that is worthy of the support of this body. Nothing has changed in the last year to merit another vote on this issue. In fact, the advisory committee that was appointed to look at the redesign of the space station, referred to as the Vest Committee, Charles Vest, president of MIT, just a few months ago, upon review of this program, said, "This program has been dramatically reorganized and has progressed to an extent that has greatly exceeded my expectations. There has been an absolute sea change in the management and organizational structure of this program."

That is quite a turnaround. This committee has done a yeoman's job with this issue. I congratulate the gentleman from Ohio [Mr. STOKES] and the ranking member as well, the gentleman from California [Mr. BROWN] in the authorizing committee that I am a member of, the gentleman from Wisconsin [Mr. SENSENBRENNER] as well. We have put NASA through every hoop that it must jump through, and it has jumped through that hoop. We have redesigned this program. It is a better program. Let us support it and get off NASA's back.

Mr. LEWIS of California. Mr. Chairman, I yield 1 minute to the gentleman from Texas [Mr. FIELDS].

Mr. FIELDS of Texas. Mr. Chairman, I rise in strong opposition to the Roemer amendment.

Let us put this in perspective. The Space Station accounts for one seventh-hundredth of the entire federal budget so funding for the Space Station amounts to about $8 per person, so for the cost of one pizza per year, each American can keep the Space Station on track.

Mr. Chairman, I rise today to support full funding for the NASA Space Station Program and oppose the Roemer-Zimmer amendment.

Let me point out to my colleagues that NASA's annual budget accounts for less than 1% of total Federal spending and that the space station accounts for 1/700th of the entire Federal budget. Funding for the space station amounts to about $8 per person. So, for the cost of one pizza a year, each American can keep the Space Station Program on track. In addition, every dollar spent on the space program returns about $7 to the Nation's economy.

Its important to remember that technology developed to support space flight and space-based research is already improving the quality of medical care we receive right here on earth. A few examples of these medical "spin-offs" include:

NASA research has led to a 3 inch implant for delivering insulin to diabetics. The implant provides more precise control of blood sugar levels, and frees diabetics from the burden of daily insulin injections.

NASA developed instruments to measure bone loss and bone density that do not require penetrating the skin; such instruments are now being used by hospitals nationwide.

The "cool suit," developed for the Apollo Program, is now helping to improve the quality of life for some multiple sclerosis patients.

The space station is responsible for more than 40,000 jobs nationwide, and the aerospace jobs created by the space program pay an average of $43,000 a year. Aerospace is the U.S. economy's single strongest export sector, with 1992 exports topping $45 billion.

The Space Station Program has long benefited, and continues to benefit Americans, and all mankind, in areas as diverse as medicine, telecommunications, industrial production and basic science. Killing the Space Station Program would kill these benefits. Please support the Space Station Program by opposing the Roemer-Zimmer amendment.

Mr. ZIMMER. Mr. Chairman, I yield 2 minutes and 30 seconds to the gentleman from Michigan [Mr. UPTON].

Mr. UPTON. Mr. Chairman, I rise in strong support of this amendment. When debating the pros and cons of the space station, we are at no loss for cute phrases like "fiscal black hole," "pigs in space," "lost in space," "costs are exploding out of the world." The list goes on and on.

But for all the humorous cliches and one-liners, let us not forget what a serious and expensive issue this really is.

Mr. Chairman, when the idea of building a high-technology research station in outer space was first conceived 10 years ago, it was given a $8 billion price tag and it would be in orbit this year. I worked at the Office of Management and Budget back then, and I can remember well the arguments both for and against the station. I had some questions about the costs and the mission for such a project back then, but my view was overruled.

Here we are now, 10 years later, the cheapest version of this is going to cost still over $70 billion to build and operate for the next 10 years. And we are not even close to launching a single part of this station into space.

Judging by the higher costs that have already taken place, who knows what the final price tag will be?

The American people are asking us to make some tough choices. And this space station, whether you call it freedom or alpha, frankly, I would prefer to call it spam, because that is pork in a can.

We have a $200 billion deficit, with so many big problems to solve right here at home.

Highly respected scientists have questioned the real benefit of a manned space station. They have repeatedly stated that experiments that would be conducted in this orbiting lab would serve no pressing scientific need whatsoever and would, in fact, take away scarce dollars from more worthy projects.

Just this week I met with a number of university presidents complaining strenuously that money for research in universities is being cut dramatically. We still cannot even keep up with inflation for medical research. We have proven that we can send people to the Moon. Let us prove that we can cure diseases, robbing millions of health and happiness he on Earth.

Let us prove that we can solve problems like hunger and homelessness, joblessness and lack of decent health care and an educational system in need of reform. Ventures like the space station can wait, but the health and the education of our people cannot.

Mr. STOKES. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. MINETA].

Mr. MINETA. Mr. Chairman, I rise today in strong opposition to the Roemer-Zimmer amendment.

Every Member of Congress should be perfectly clear about what in fact the Roemer-Zimmer amendment would and would not do.

To start, it would not cut the budget deficit. Nor would it redirect NASA funds to the Veterans Administration, or for public housing, or for any other program under the jurisdiction of the VA, HUD, and Independent Agencies Appropriations Subcommittee.

What the Roemer-Zimmer amendment would do, is re-arrange priorities within NASA. Specifically, this amendment would prohibit funds appropriated by this H.R. 4624 from being

used for further development of the space station.

In other words, this amendment assumes that the Clinton administration, NASA, our own Science, Space, and Technology Committee and the appropriations Subcommittee for VA, HUD and independent agencies are dead wrong about what the priorities should be for this Nation's space program.

Mr. Chairman, I could not disagree more, and I urge those of my colleagues who, like me, believe that U.S. competitiveness is tied to our pushing the Nation's technology envelope—as we most certainly will do during construction of the station—to oppose this amendment.

I also urge Members to vote against Roemer-Zimmer if they are at all concerned about the growing gap between the level of Japan's investment in advanced research and development, and our own, and the growing trade deficit that has resulted from that gap.

I believe that Members should vote for the space station because it is an incredible testbed for advanced technologies which will drive U.S. success in industries such as aerospace, materials, power efficiency, robotics, electronics, and remote sensing.

For instance, the challenge of protecting our astronauts and their equipment from the harsh environment of space—radiation, atomic oxygen and extreme temperature changes—will lead to the development of advanced, longlife structural materials, coatings, lubricants, and mechanical devices, which will enable longlife unattended operations of power stations, environmental monitoring stations, scientific and military observation posts in remote areas.

These and many other technologies developed during construction of the space station will make a critical contribution to the Nation's ability to maintain the leading edge in high-technology innovation. The importance of retaining international leadership in this area should not be underestimated.

In the end, Mr. Chairman, this vote is essentially a question of priorities. When it comes to the issue of our space program, I tend to agree with the leaders of the science community, NASA, industry, labor and our Science Committee when they say that this is the most important way to spend our limited NASA dollars. I urge my colleagues to consider the importance of these priorities, and to oppose the Roemer-Zimmer amendment.

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Vote for the space station, because it is an incredible testbed for advanced technology which will drive U.S. successes in industries such as aerospace, materials, power efficiency, robotics, electronics, and remote sensing.

In the end, Mr. Chairman, this vote is essentially a question of priorities. When it comes to the issue of our space program, I agree with the leaders of the science community, NASA, industry, labor, and our Committee on Science, Space, and Technology, and I urge my colleagues to oppose the Roemer-Zimmer amendment.

Mr. ROEMER. Mr. Chairman, I yield 1 minute to the gentleman from New Jersey [Mr. KLEIN], a valuable member of the Committee on Science, Space, and Technology.

Mr. KLEIN. Mr. Chairman, I rise in strong support of the Roemer amendment.

If we had unlimited resources, it might, it might be a good expenditure of money to go on with this program, a program that almost all of the experts say will yield little or no scientific benefit that could not be achieved either on the ground or through unmanned space flight. Unfortunately, Mr. Chairman, we do not have unlimited resources.

Mr. Chairman, I would rather spend the $75 billion that this program will cost in programs that will yield jobs and will improve the quality of life for Americans, programs like medical research, programs like energy research, programs like environmental research. Yes, Mr. Chairman, manned space flight will make us feel good, but I would rather spend the money making us feel good by improving the quality of life right here in America.

Mr. STOKES. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. TUCKER].

Mr. TUCKER. Mr. Chairman, I thank the gentleman from Ohio [Mr. STOKES] for yielding time to me.

Mr. Chairman, I rise in opposition to the Roemer amendment and in strong support of the VA/HUD appropriations, and in particular the space station. This body will have an opportunity to support a vision for a better quality-of-life in America, funding for the space station. Last year the space station survived a killing amendment by one vote. We face a tough vote to fund this most important project, and keep the vision alive.

Over the years the space station has seen many peaks and valleys, I think that NASA is now on the right track and is moving toward the goal of a manned space station. NASA has brought in the Russian space program in an unprecedented move of international cooperation. Why should NASA have to reinvent the wheel when we can use the best minds of the United States and Russia?

The economic growth surrounding the space station is tremendous. We hear about the $70 billion price tag but nationally there are an estimated 55,000 jobs generated by the space station. Now that the cold war is over and has been over for a couple of years and the Defense budget is showing the effects of it, this country needs to have a strong space program once again. The space station will be the cornerstone of a strong space program. Decades ago this country had a vision of space travel and I think the vision has been clouded in the last few years. A yes vote for the funding for the space station program will clear the clouds around not only the space station but the entire space program.

NASA has quote, unquote "reinvented" itself. They have gone back and looked at itself and streamlined, they cut overhead and contracting. NASA has done a good job with streamlining the project, Congress has put a budgetary cap on funding for the space station, $2.1 billion a year. We need to give the space program a green light about the space station. I urge Members to vote no on the Roemer/Zimmer amendment. If the space station funding is cut what will be cut next year? Possibly the space shuttle? I do not want to see this domino effect happen to NASA's program.

Mr. Chairman, I strongly support the space station and I strongly commend the work of the distinguished gentleman from Ohio [Mr. STOKES].

Mr. LEWIS of California. Mr. Chairman, I yield 1 minute to my colleague, the gentleman from California, Mr. RANDY "DUKE" CUNNINGHAM.

Mr. CUNNINGHAM. Mr. Chairman, imagine, put yourself back a couple of hundred years and I was Christopher Columbus asking for financing for the Nina, the Santa Maria, and the Pinta. There would be argument about finances, but there was a disagreement, and the government supported that dream, and the rest is history.

Last week, Mr. Chairman, the Women's caucus, made up of Republican and Democratic women, took a bunch of us men to a dinner—or actually a luncheon held—sponsoring Dr. Becker of Florida that talked about cancer research and multidimensional cell research that is going to lead to cancer. You cannot look at a cancer cell, multidimensional, here on Earth; you cannot even grow it the way we can in space. Whether it is AIDS, whether it is cancer research, or whether it is Alzheimer's let us support it and oppose the Roemer amendment.

Mr. ZIMMER. Mr. Chairman, I yield 1 minute to the gentleman from Wyoming [Mr. THOMAS].

Mr. THOMAS of Wyoming. Mr. Chairman, I have listened to this debate with great interest. As a matter of fact, I have had great interest in it since last year. However, Mr. Chairman, I am concerned about the direction that this debate has taken. It sounds as if when one is not for the space station, somehow you are not for research, somehow you are not for NASA. That is not the case. That is not the case at all. Indeed, we are continuing to fund NASA. I hope we continue after this to fund NASA.

The previous gentleman said, "What will be next?" I do not think anything will be next, except to support research. I am for basic research. Our military research has gone down. I am for the space program. I am for NASA.

The gentleman from Texas talked about the benefits we have had from the space program. They have not come from the space station because there has been no space station. We have spent tons of money on an elusive space station that is not there. We ought to be spending our money within NASA for things that are in fact successful, instead of continuing to put money in something that has indeed proven unsuccessful.

Mr. Chairman, I support the amendment.

Mr. ROEMER. Mr. Chairman, I yield 1 minute to the gentlewoman from New York [Ms. VELÁZQUEZ].

Ms. VELÁZQUEZ. Mr. Chairman, I rise today in strong support of the Roemer/Zimmer amendment.

The question here is not whether in the abstract there is any value to a space station or not, but how it stacks up in terms of our national priorities. I ask you, does it make sense to spend $1.9 billion this year in public housing for a few astronauts when hundreds of thousands of individuals and families are living on the streets? That $1.9 billion would be on top of the $11.9 billion that we have already appropriated for the space station.

It is time that we stop pouring more of our limited funds into a luxury hotel in the sky, and instead put more dollars into public and assisted housing here on the ground. The space station may have some scientific promise, but given the critical needs we confront here on Earth, it is one that we simply can no longer afford.

Mr. Chairman, I believe this amendment is an important first step in reordering our national priorities. I urge my colleagues to support the Roemer/Zimmer amendment.

Mr. STOKES. Mr. Chairman, I yield 1½ minutes to the gentleman from Maryland [Mr. CARDIN].

Mr. CARDIN. Mr. Chairman, last year in a very close vote in the House I voted to terminate the space station project. I cast that vote because I believed that in setting priorities in a difficult budget climate we could not afford to spend the sums necessary to go forward with the space station. But, the collective wisdom of Congress was to move forward with the project.

Today, I will be voting for space station funding. I am convinced that NASA used the wake-up call delivered by the House last year to dramatically change the project, to address Members' concerns, and to present us with a very different case for funding this year. A few key facts highlight just how different this project is:

Total costs through to completion of the station in 2002 have been cut from more than $24 billion to about $17.5 billion.

Power on the station has been increased from 68 to 110 kilowatts; 4 pressurized modules have been added, almost doubling the volume in the station; and crew size has increased from 4 to 6 persons.

A single contractor, Boeing, has been named to take responsibility for moving the project ahead in a timely and businesslike fashion.

Finally, Russia, our world's other leader in space exploration, has been brought on as a full international partner. This addition has allowed for much of the new station's added capacity and reduced costs, while serving our Nation's most critical, long-term foreign policy goal.

While the space station project has been through several redesigns since 1984, this overhaul has finally brought the changes necessary to give the project the clear mission and purpose essential to its success. We also now have the capability to get the job done at a cost this Nation and its international partners can bear.

This space station will continue America's preeminent leadership in science and technology, enhance our Nation's economic competitiveness, dramatically build international cooperation, and provide a powerful tool for educators to excite generations of children around the world.

I have been particularly heartened by the conclusions of the independent, expert panel assembled by NASA to critique the redesign. Dr. Charles Vest, the president of M.I.T. and chairman of the panel, stated:

> I was absolutely stunned at how much change has been brought into the management and operation of the program. They seem to have by and large gone quite far down the path of implementing all of the things that we recommended in terms of management of the program.

I am convinced that the space station program before us today is a very different and much improved project—compared to the one I voted against last year. At the same time, I think there is a second significant consideration we all must weigh with regard to today's vote.

At some point we must decide to move ahead with this project or kill it. I believe last year was the critical point. Refighting this fight each year only makes it more difficult for NASA to take on its greatest challenge in an efficient or reasonable manner. We owe it to the dedicated men and women who have devoted their extraordinary talents to make this project work to give them a decision. That decision was made last year.

At this point, I believe we should stand behind the past decisions of Congress and give the space station the support it requires. I would urge my colleagues to join with me in moving this project ahead.

Mr. ROEMER. Mr. Chairman, I yield 1 minute to the gentleman from Arizona [Mr. COPPERSMITH].

The CHAIRMAN. The Chair would urge Members who are yielding time to be ready to yield their time or to yield it back.

Mr. ROEMER. Mr. Chairman, instead of the gentleman from Arizona, I do not think he is quite ready with his very brilliant remarks, and I would yield to the gentleman from Wisconsin [Mr. BARCA], who is ready with his brilliant remarks.

□ 2010

Mr. BARCA of Wisconsin. Mr. Chairman, this is not a bad project. This is a good project. I believe the administrator, Dan Goldin, has done an excellent job in trying to correct the abysmal performance of NASA that they have demonstrated in the past at this project. If we had better fiscal conditions, if we had a balanced budget, I would support this. Some of the opponents are absolutely wrong when they come to this floor and say this will not be deficit reduction. This is $70 billion.

Mr. Chairman, some of this will be reallocated to science and research as it should, but most will go to reducing our deficit. Every day we hear people in this well exhorting us to take the deficit seriously with their $2 million cutting amendments. In many cases I applaud their efforts, but we need a thousand $2 million amendments in order to come close to the cost of this project.

Mr. Chairman, this is too expensive. We have had too checkered of a past. Let us vote for the Boemer-Zimmer amendment.

The CHAIRMAN. The Chair will announce that he will call in the following order the gentleman to yield:

The gentleman from Ohio, [Mr. STOKES], the gentleman from New Jersey [Mr. ZIMMERMAN], the gentleman from California [Mr. LEWIS], and the gentleman from Indiana [Mr. ROEMER].

The gentleman from Ohio [Mr STOKES] has 8½ minutes remaining, the gentleman from New Jersey [Mr. ZIMMER] has 7 minutes remaining, the gentleman from California [Mr. LEWIS] has 8½ minutes remaining, and the gentleman from Indiana [Mr. ROEMER] has 7 minutes remaining.

Mr. STOKES. Mr. Chairman, I yield 2 minutes to the gentleman from Texas, Mr. CHAPMAN, a member of the subcommittee.

Mr. CHAPMAN. Mr. Chairman, I thank the gentleman for yielding me the time.

Mr. Chairman, I want to in this forum thank our chairman for his hard work in crafting a balanced bill and one in which I believe contemplates not only a balance throughout the agencies that we fund but in this particular case creates the availability in funding to do space station, and I believe we ought to do it.

Mr. Chairman, the Roemer amendment should be defeated. Space station is about our national vitality, undertaking new challenges and fostering a national spirit of excellence. It is about American competitiveness and supporting the favorable balance of trade in our aerospace industry.

This space station project will contribute to high technology and engineering by accelerating breakthroughs and technological prowess in space, and in U.S. products and services here at home. It will contribute to our knowledge by promoting our understanding of our planet and the universe, our employment by directly or indirectly creating 50,000 jobs, tapping the services of over 2,000 businesses, and providing activity in 36 States across this great land.

Mr. Chairman, the space station program will contribute to our education by stimulating youth in math, in science, and engineering, and by supporting a technically competent work force for the future of this country.

The space station most of all will contribute to and is about our quality of life by developing products which will contribute to our life on Earth in areas of medical research, materials, life sciences, robotics, in advances in technology, in making life better that have been detailed here on this floor in this debate.

Mr. Chairman, Theodore Roosevelt once said that we must move forward. We should. This is about science, it is about the future of this country. We should defeat the Roemer amendment and support the space station in this bill.

Mr. LEWIS of California. Mr. Chairman, I yield such time as he may consume to the gentleman from New York, [Mr. BOEHLERT].

Mr. BOEHLERT. Mr. Chairman, the space station has been scaled down in terms of bureaucracy and enlarged in terms of science. I urge its support and the defeat of this amendment.

Mr. Chairman. The space station—scaled down in terms of bureaucracy, enlarged in terms of science—has developed into a truly global project with a clear purpose. Moreover, at the helm is a reengineered, more efficient NASA that is aligned to balance the project with other important aspects of its mission.

In short, the space station deserves to be a top priority. It is worth the price tag required for success. Edwin Powell Hubble once said, "Equipped with his five senses, man explores the universe around him and calls the adventure science."

The space station extends not only our senses, but also our imaginations. In addition, to providing a world-class orbiting laboratory, the space station will afford the United States and other participating nations the opportunity to pursue: The spacefaring technologies of tomorrow; a better understanding of the human body; peaceful international cooperation; inspiration for our children, and hope for the future.

It is not just the Russians who have joined hands with us in the venture that represents a vivid departure from the threatening tensions of the cold war. We have forged ahead with help from the Canadians, the Japanese, and the European Space Agency, which includes nine nations. All told, other countries have provided more than $3 billion toward the project, which will provide a scientific space platform for at least 15 years and most likely more.

The space station is, in fact, the largest international scientific collaboration ever, the embodiment of what distinguished thinkers like Linus Pauling have meant when they have expressed the sentiment that "we need to have the spirit of science that in international affairs, to make the conduct of international affairs effort to find the solution."

We also should recognize important changes NASA has made in response to problems threatening the space station. The agency has restructured management to streamline the redesign process, improve efficiency and reduce the workforce.

In closing, I want to reiterate my strong support for the space station, a project that deserves to be fully developed and implemented for the profound benefits it can ultimately provide the Nation. I urge you to join with me in opposing any amendment that would kill the space station.

Mr. LEWIS of California. Mr. Chairman, I yield 1 minute to the gentleman from Louisiana [Mr. BAKER].

Mr. BAKER of Louisiana. Mr. Chairman, on the afternoon of July 16 at 3 o'clock eastern time a cataclysmic event of immense proportions in our solar system will occur when the Shoemaker-Levy 9 comet plunges into the surface of Jupiter creating circumstances which scientists cannot yet predict the outcome.

Some may question why is this of significance. Some years ago the Galileo spacecraft was launched without knowledge of the comet's existence and it will be the only scientific instrument with direct observational capabilities.

More importantly some 65 million years ago at the beginning of the Cenozoic era many believe and some strongly believe that it was such a similar event when a comet struck the surface of the Earth that life forms across species were eliminated. The Leviathans of the Earth, the dinosaurs became extinct as the result of such impact.

We do not yet know the consequences of small investments in science and technology. As long as mankind has the intelligence to explore space and we have the people with courage to take that first step on what is becoming a discount mobile home circling our globe, I think we owe it to our future, not simply to taxpayer concerns about every dollar we can save, we owe it to our future to save every opportunity for the expansion of man's knowledge.

Mr. ROEMER. Mr. Chairman, I yield 1 minute to the gentleman from Arizona [Mr. COPPERSMITH].

Mr. COPPERSMITH. Mr. Chairman, it must be a good thing the space station is supposed to be out in space, because supporting it requires Members to contradict their statements and prior positions here on Earth.

Consider the Russian participation. Members who oppose foreign aid to Russia and the other newly independent states by supporting the space station, will vote to send far more money to Russia than in the foreign aid they opposed. This money will be used not to build a market economy, not to build democracy, but instead will go to the Russian military-industrial complex.

Consider deficit reduction. Members who think it a sin to spend any money here on Earth, whether for education, for vaccinations, or for research close their eyes and say it is fine to spend money in space.

Consider program accountability. Members who demand results for programs here on Earth will accept programs in space on faith and speculation, particularly a program whose justification and specifications change each year.

Mr. Chairman, the space station, as has been said before, is good. But we must recognize that it is simply not good enough. Too many government programs have not shown results. We have had the courage to terminate some of them. I hope we have the courage tonight to recognize that after 10 years and $11 billion spent, with nothing in orbit to show for the money, and with billions more to go, not just to build the station but also to operate it, the space station is simply not good enough.

Please support this amendment. Members who do will not only be right, they also will be consistent.

Mr. STOKES. Mr. Chairman, I yield 1 minute to the distinguished gentlewoman from Florida [Ms. BROWN].

Ms. BROWN of Florida. Mr. Chairman, I rise in strong opposition to the Roemer amendment which will terminate the space station program.

With the tough fiscal constraints on the Federal budget, it is important for us to stretch every dollar to ensure that the American people get their money's worth. Space station will cost each American taxpayer $9 a year about the same as a night at the movies. Every dollar put in space programs returns at least $2 in direct and indirect benefits.

And what will we get in return for our money. Scientific, education, and international benefits from the space station will far outweigh its costs.

The space station will be the largest and most advanced international laboratory ever built for research in space. More than 600 experiments have already been proposed for the station which will build on the proven medical research already conducted on the space shuttle.

The space station will inspire a new generation of Americans to explore and

achieve while pioneering new methods of education to teach and motivate the next generation of scientists, engineers and explorers.

In the next century, America's economy will be a multi-cultural, multi-racial work force of men and women with interdisciplinary technological skills. NASA programs, including the space station, provide both the inspiration and the means for minority students to pursue careers in science, engineering, astrophysics and related fields.

The space station is a sound investment in NASA and our future. The American people support the space station and they believe that the U.S. should spend whatever is necessary to maintain U.S. leadership in space. President Clinton supports it. Today, we should support it.

Mr. ZIMMER. Mr. Chairman, I yield myself 2 minutes to deal with some very important issues that were alluded to by the gentleman from Wisconsin [Mr. SENSENBRENNER]; namely, whether the Russians are in the so-called critical path, and to what extent involving Russia has increased the risk in this program.

I commend the gentleman from Wisconsin [Mr. SENSENBRENNER], for his hard work to try and make this program independent and less risky, but it has not been fully successful, because we still rely very heavily on Russian rockets to launch the space station and keep it from crashing back to Earth. We are relying on a rocket called the Progress X which Russia has not yet developed. The Zenit rocket which is intended to be used for resupply flights is being manufactured in Ukraine with which Russia has rocky relations. Russia has looser standards for protecting their spacecraft from orbital debris and because we are putting our joint space station at a higher inclination, we have doubled the risk of collision with orbital debris because of the accommodations we had to make with the Russians.

□ 2020

Another consequence of the joint project is that we now only have a 5-minute launch window every day to get our payloads up into orbit to join with that space station. It had been, a 50-minute window. That means that we are either going to have to risk the safety of our astronauts or we are going to incur enormous amounts of money skipping day after day as we get to that launch window of 5 minutes per day.

There is the untested fuel tank that has to be developed in order to lighten the weight of our shuttle to deliver a full payload to the higher inclination orbit, and there are a number of other major concerns that still remain. So I believe it would be a very grave error to continue this program as long as it is so dependent on Russian involvement.

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

Mr. LEWIS of California. Mr. Chairman, I yield 1 minute to the gentleman from Ohio [Mr. TRAFICANT].

Mr. STOKES. Mr. Chairman, I yield 1½ minutes to the gentleman from Ohio [Mr. TRAFICANT].

Mr. TRAFICANT. Mr. Chairman, John Kennedy challenged Congress. Ronald Reagan, in fact, challenged Congress. Congress delivered. America's space program is number one in the world.

And opponents tonight say when you find yourself in a deep hole, stop digging. That makes some sense. And they are honorable.

I say, as an old quarterback, when you are winning you never, never turn the ball over to your opponent. America is winning.

Number one, scientists, engineers, astronauts, teachers, space industry, companies, 50,000 workers that are saying to Congress tonight, "Do not surrender. Do not throw in the towel. We are winning."

Folks, I am not going to take all of this time.

What Congress has to do is finish something we start, and let the world recognize that. And it is time for Congress to look the world in the eye and say, "When you get to outer space, you will be beamed up by the U.S. Department of Commerce and the Boston Pops Orchestra playing 'The Star Spangled Banner,' because we are going to do it." And that is the determination we need.

There are 50,000 workers out there. There are companies in every part of this country that have made a commitment to the space station.

The least the Congress of the United States can do is meet the challenge as well.

Kennedy challenged us. Reagan challenged us. Clinton is there with that similar challenge.

Republicans and Democrats alike, Congress, past Congresses have delivered. Let us do our fair share. Let us pass the space station.

The gentleman from Indiana [Mr. ROEMER] is a fine Member, but I think we should defeat this soundly.

Mr. ROEMER. Mr. Chairman, I yield 2 minutes to the gentleman from Massachusetts [Mr. FRANK].

Mr. FRANK of Massachusetts. Mr. Chairman, I would think my colleagues would be careful when the gentleman from Ohio, who just spoke, has joined the overwhelming majority and falls in line. People should think that maybe there is something odd going on here.

What is odd is at a time when people are talking about the necessity of reducing the deficit in the budget and finding desperately needed funds to fight disease, to fight crime, to deal with other problems, we indulge ourselves as we do here.

Space exploration is important. But putting a fully manned platform up there on a permanent basis is not a mission driven by science or scientists. As the gentleman said, it is for prestige. It is so people who go up there can hear the Boston Pops Orchestra playing. I will personally give them CD's if the ethics rules allow of the Boston Pops. It would be much cheaper than to spend the tens of billions involved here.

Remember what we are talking about. We are talking about our commitment to human life. If we make that space exploration safe for human beings because we are so committed to human life, we will spend an enormous amount of money that does not have scientific justification, that is not driven by experimentation or by industrial spinoffs. It will be driven solely by the need to make it safe.

On a cost-analysis basis, the additional money that it will cost us to put people there does not even pretend to have scientific justification. It is a justification of prestige.

My friend said we are No. 1. Sure, we are No. 1. Who did we beat? Iran? Belguim? Kazakhstan?

Competition does not get you as much as it used to. There is no other superpower. So we do not have to engage in that kind of competitive operation. We can do what needs to be done.

I will say this, if you vote against this amendment, I do not understand how you then go tell people you want to reduce the deficit, increase funds for crime, and do all of those other things. That is specious.

Mr. STOKES. Mr. Chairman, I yield 1 minute to the gentleman from Texas, Mr. GENE GREEN.

Mr. GENE GREEN of Texas. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, this next month is the 25th anniversary of NASA's Apollo Moon Mission. It seems appropriate that tonight we are celebrating that landing on the Moon, and we are recognizing that we are having to make that decision again.

I serve, like the sponsor of this amendment, on the Committee on Education and Labor, and I spend a lot of time in our public schools. Each time I go to our public schools in an inner-city district like I represent, when I talk about the space program or the space station, those children's eyes light up. Their eyes gleam, because they know it is their future even though they have to worry about the day-to-day existence.

I would urge you to vote no on the Roemer amendment. Do not take that sparkle out of our children's eyes, because it is their future that we are voting on tonight, their future, their research that they will be doing, just like the Moon program 25 years ago sparked a great deal of more physics students.

By making the right decision tonight and voting down the Roemer amendment, we will do that for our children in our elementary schools.

PARLIAMENTARY INQUIRY

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

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. ROEMER. Mr. Chairman, who has the right to close?

The CHAIRMAN. The gentleman from Ohio [Mr. STOKES] has the right to close.

Mr. ROEMER. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, much has been said about the dream of Apollo, and it is and it was a glorious dream.

This paper appeared or a similar headline, "Men Walk on the Moon," which appeared all over the United States.

I cannot tell you, as a 12-year-old, how impressed I was watching it on a black-and-white television and reading about it. I remember vividly watching it, because I was limited to how much TV I could watch every night, a half an hour. Yet my parents said on this momentous historical occasion we could watch this late into the night. There were no limits.

I remember, after watching the television, walking outside into the backyard, looking up to the Moon and thinking that there was a man on the Moon and that we could do anything. We could do anything; anything was possible for people.

□ 2030

Yet now, Mr. Chairman, we are thinking of trading in the dream of Apollo for a Yugo, for mediocrity, for a pedestrian space station that cannot achieve the glory and the dreams of what we did 25 years ago.

We should not settle for science that is half-baked, science that does not achieve all that we want it to. We can push for more in this legislation and NASA, and we should not settle for a space station that has moved from 8 scientific objectives to only 1½. It has been said by a diplomat, Carl Scherz, Mr. Chairman, he said back 120 years ago, "America, when right, to be kept right; when wrong, to be put right."

We need to put this space station right. We need to put NASA right, and we need to put our American people as a priority and give them the right responses in this Congress.

However the votes turn out tonight, Mr. Chairman, the votes may be on the other side tonight, but the dollars in the budget are on our side. Let us not put another $2 billion or $4 billion into this mediocre space station that does not conjure up the dreams of Galileo and Fineman and Einstein and Newton, but conjures Machiavelli, a space station that is very cleverly put in different congressional districts, very difficult to cut but very little true science and true good.

I urge my colleagues to act tonight with the courageous vote to cut this space station and get this space program moving back into this direction that we made so many people proud of, including myself as a 12-year-old boy.

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

Mr. STOKES. Mr. Chairman, I yield 1 minute to my friend and colleague, the gentleman from Ohio [Mr. FINGERHUT].

Mr. FINGERHUT. I thank the gentleman for yielding this time to me. I thank the gentleman who has done so much on this issue, my neighbor from Ohio and my good friend.

Most of the arguments that could be made about the space station have been made. I certainly associate myself with all those who say this is a vote about the future, and about the future of our country, about the future of our jobs, the future of our technology. But let me say on this particular amendment what I think are the three most compelling reasons to vote against the Roemer amendment.

The first is we have visited this issue time and time again. Just in the 2 years I have been in Congress we have voted on this three times. At some point I believe we should put this issue to rest. I believe it has been decided by this Congress. We support the space station, let us move forward and build it.

Second, I do believe we are going to build a space station someday. If we were to vote against this and we were to kill the space station, the Russians are going to move ahead, the Japanese are going to go ahead; they are going to go up in space and the Nation is going to suddenly wake up in alarm and say, "Look, they have beaten us into space. We now have to build a space station." We will build it 10 years down the road at greater cost than we would today.

Finally last year was a touch vote, it was a weighing against the deficit reduction. This is not deficit reduction. This is choice of priorities.

Mr. LEWIS of California. Mr. Chairman, I yield 1 minute to the gentleman from New York [Mr. HOCHBRUECKNER].

Mr. HOCHBRUECKNER. Mr. Chairman, I thank the gentleman for the time.

Mr. Chairman, let me provide an opinion here as someone who comes from the industry. I worked for over 20 years in the aerospace industry, and I think we should hear a point of view from someone in that field. I am only one of a handful of people in the Congress from an engineering background. We clearly are trying to move from a defense-based aerospace industry into one producing better commercial products. The space station helps us to do just that.

Make no mistake about it, the low-tech jobs are leaving and our jobs future in the United States will rely very heavily upon producing better high-tech, commercial products. No one can predict the future products that will come from the space station, but we must invest in the future.

Stopping the space station is equivalent to eating our seed corn, and we cannot allow that to happen. So, please invest the money, let us give our engineers the opportunity to develop the new products, to make us more competitive in the world marketplace.

Please vote against this amendment and keep our engineering future bright.

Mr. ZIMMER. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, America's space program will remain stuck in low Earth orbit as long as NASA persists in pursuing extravagant boondoggles like the space station. When the space station was proposed in 1984, it was going to cost $8 billion; it was going to perform a dazzling array of functions, and it was scheduled to be fully operational by 1992. It was going to give us a big edge in the space race against our mortal enemy, the Soviet Union.

By the early 1990's, however, the space station had already consumed that $8 billion, the Soviet Union was gone and with it our superpower rivalry. But the space station was not even close to being operational. It was allowed to continue simply because, as some Members have intimated this evening, it had become a huge Government jobs program.

Now the administration has another rationale for the space station: It tells us the space station will promote democracy and free markets in Russia while saving American taxpayers money. We have heard testimony in the Space Subcommittee from the State Department that there are absolutely no assurances that democracy and free markets will be promoted. As the chairman of the Committee on Foreign Affairs pointed out, the money will all go to state-operated enterprises in Russia and will probably strengthen the very forces we are trying to overcome as Russia tries to develop a democratic and free market society.

As for NASA's claim that the joint Russian-American space station will save the taxpayers $2 billion, the General Accounting Office released a study just last Friday that concludes that those savings are grossly exaggerated and may not exist at all.

This is not a $17.4 billion space station, as some would have you believe.

Here is what the space station will cost, according to NASA's own numbers. We have spent $11.4 billion on research and development so far. Those are sunk costs. We will spend $17.4 billion on future construction costs. We will spend $13 billion on operating costs; that is $1.3 billion for 10 years; and more if the lifespan of the project is longer. We will spend $29 billion on

transportation costs to build, service, and use the space station.

Now, that is $70.8 billion. But NASA's sticker price really is not the full price. The price tag is going to be higher because NASA's estimate does not include the $438 million cost of upgrading the space shuttle so it can reach the space station with the full payload. It does not include the cost of the module to house the centrifuge, something that has not been mentioned tonight but is absolutely essential if we are going to do life sciences, research on the space station. It does not include the $100 million cost to us due to Canada's recent decision to reduce its contribution to the space station because Canada can no longer afford the cost.

Those are just the extra costs we can quantify. In addition, NASA is still negotiating the price of the contract with Boeing, the prime contractor, and it is still negotiating a contract with Russia over what exactly Russia will provide in the long run and how much more we are going to have to pay to Russia for that.

Mr. Chairman, the fundamental question before this House today is whether this orbiting boondoggle is worth the untold billions of American taxpayer dollars it will cost. I submit that it is not.

Mr. Chairman, we should cut our losses now; vote for the Roemer-Zimmer amendment.

Mr. LEWIS of California. Mr. Chairman, I yield 1 minute to my friend, the gentleman from New York, Mr. FLOYD FLAKE.

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

Mr. Chairman, I rise today to urge a "no" vote on the Roemer-Zimmer amendment. As many may be aware, I have previously voted against the Space Station Program. I did so primarily for economic reasons. I thought that our limited resources were better spent in other areas. But times are changing. I have, however, had a change of heart.

I recognize that spinoff technology in the areas of seminar software, industrial inspection systems, business software innovations, medical research, and other sciences to be compelling—compelling in the sense that all Americans benefit from this program. Furthermore, I recognize that America needs a presence in space. Without the space station, we will have wasted money not only in the program itself but in the resources and effort we have put into the Shuttle Program.

By voting for this amendment, we also fail to recognize the new international space station, partners, management reforms at NASA, and, despite skewed perceptions, we fail to recognize many NASA successes. I therefore urge you to vote against the Roemer-Zimmer amendment.

□ 2040

Mr. LEWIS of California. Mr. Chairman, I yield 1 minute to my friend, the gentlewoman from Florida [Mrs. MEEK], a member of the Committee on Appropriations.

Mrs. MEEK of Florida. Mr. Chairman, it is not often in a body such as this body that is steeped in tradition and institutionalism that one has a chance to do something that is good, not only for increasing the quality of life, but also for advancing in science and technology. I think each of us has that opportunity now because now we can either look forward to improving our scientific and technological knowledge in the future, or we can be mired in going back to the olden days.

Well, Mr. Chairman, it is time to go forward now. The time has gone to stand still and think about what was good 10 or 20 years ago. The space station is looking forward to the 21st century, and we must be a part of that.

This is a hard vote. The Congress is a place for those people who do not mind making a hard vote.

Vote yes for the space station.

Mr. STOKES. Mr. Chairman, I yield the balance of my time to the gentleman from California [Mr. BROWN], the distinguished chairman of the Committee on Science, Space, and Technology.

Mr. LEWIS of California. Mr. Chairman, I yield an additional minute to the gentleman from California [Mr. BROWN].

The CHAIRMAN. The gentleman from California [Mr. BROWN] is recognized for 3½ minutes.

Mr. BROWN of California. Mr. Chairman, I wish to rise in strong opposition to the amendment to terminate funding for the space station. While the amendment does not reduce the deficit, it does inflict serious damage to the balanced civil space program that I believe is an important part of the Nation's investment in civilian research and development.

Let me elaborate for a minute on the state of the U.S. investment in R&D. Quite frankly, the situation is worrisome. For the first time since 1958, Federal support of R&D will fall below 1 percent of gross domestic product. As defense R&D has declined, the investment in civilian R&D has not risen enough to compensate, and both have declined as a percentage of gross domestic product. Cancellation of space station would only exacerbate the situation.

Let us examine what the proposed amendment would do—and not do. First, while the opponents of the space station say that killing the station will help cut the deficit, the amendment that Members are voting on today does not reduce the deficit by a single dollar.

Second, in an argument that is somewhat contradictory to their deficit reduction argument, space station opponents assert that killing the station will free up funds for housing, veterans, and other important programs. However, the amendment does not provide a single dollar to any of those programs. The chart illustrates that their other accounts have already benefited greatly in the bill and there is no conceivable need for further reductions to NASA.

Third, space station opponents say that funding the station will squeeze out other important NASA programs in science and aeronautics. Members know that I have worked hard to ensure that funding for science and aeronautics is protected, and I would not support the space station if I believed that those programs were suffering. However, the simple fact is that the appropriations bill before House today contains full funding for the Science, Aeronautics, and Technology account. Thus, the amendment attempts to correct a nonexistent problem and increase funding in these areas above the requests of NASA and the President.

In reality, this debate is not about deficit reduction or about funding for social programs—it is about the future course of the Civil Space Program.

I strongly believe that the Nation's Space Program will be much more balanced and vital with a space station than without one. The space station is a central element of the Space Program, and the cornerstone of our future activities in human spaceflight. It truly is the next logical step in the human exploration of space.

The space station will be a valuable orbiting research facility on which significant scientific and engineering research will take place. Based on the results that have been obtained with the shuttle to date, it is clear that there is a vast potential for productive work in space. The microgravity environment of space offers truly exciting possibilities for meaningful research and development activities.

In microgravity, we are able to study fundamental properties and processes of materials in ways not possible on Earth. We can grow more perfect crystals of important proteins and learn how to alter them to preform better in the treatment of medical conditions. We can improve our understanding of the fundamental functioning of our biological systems.

However, the space station has an importance beyond its role as a research facility. It represents the world's largest cooperative undertaking in science and technology. It has become the centerpiece of the national space programs of Canada, Japan, and 10 European Nations. And it marks a historic realignment of the American and Russian Space Programs from competition to cooperation.

The importance of this realignment should not be underestimated. Cooperation in space between Russia and the

United States on the Space Station Program offers the promise of reduced costs for each nation. It also allows each nation to benefit from the strengths of the other's Space Program.

It is also clear that the benefits of the space station collaboration are not confined to space exploration. The Gore-Chernomyrdin agreements are strengthening the links between our nations and accelerating the process of reform in Russia. Equally important, the agreements have also helped make the world safer by reducing the prospects of proliferation of harmful technologies.

The House has voted on the space station numerous times and the position of the House has always been the same: The Space Station Program is important, is affordable, and is worthy of support. Nothing has happened to change that conclusion. I urge you to support the space station and defect the amendment to terminate it.

The CHAIRMAN. The gentleman from California [Mr. LEWIS], if he wishes, has 2½ minutes remaining, or he may yield it back.

Mr. LEWIS of California. Mr. Chairman, I yield myself the balance of the time, not to close the debate on this amendment, but rather because we are closing debate very quickly on this entire bill. Mr. Chairman, I want to take just a moment to express my deep appreciation for the work of my colleagues who have been so helpful on this bill.

Mr. Chairman, let me say this, that there really have been two portions to this bill. There has been the space station, and, on the other hand, there have been all these other very, very important programs, our housing programs, veterans programs, vital programs that relate to the work of EPA. I want to express my deep appreciation to my colleague, the gentleman from California [Mr. BROWN], for his work on all of this, to the gentleman from Wisconsin [Mr. SENSENBRENNER] and to the gentleman from Pennsylvania [Mr. WALKER], who have been so helpful in this process.

But, Mr. Chairman, I especially want to express my deep appreciation one more time to the gentleman from Ohio [Mr. STOKES] and his fine staff for their cooperation in this effort. Tonight, I believe, space station is going to be successful. I hope it is overwhelmingly successful. It is important that we set the record straight on just a couple of items.

□ 2050

It has been said time and time again that space station was stealing from other science programs. The fact is that nothing could be further from the truth, that nobody but nobody with credibility suggests that if we eliminate space station, that money will automatically be going to be transferred to other science projects. Indeed, it is this Member's judgment that space station going down would destroy all of NASA's programs.

Mr. Chairman, our country is at its best when it focuses on very important programs that affect us here at home, such as our housing and veterans programs. But our Nation and our world have been at their best when people look beyond their horizons to their future. That portion of the bill that deals with station indeed is looking to the future of mankind. I urge my colleagues to recognize that as they give not just support for station, but to the entire bill as well.

Mr. TORRES. Mr. Chairman, I rise in support of the action taken by the Appropriations Committee to fully fund the Cassini and AXAF programs.

These two programs are top priority planetary exploration and astrophysics missions.

AXAF is an x-ray observatory designed to view some of the most intriguing and energetic celestial objects, such as black holes, quasars and the remnants of exploded stars. AXAF will probe fundamental questions about the origin and fate of our universe.

The Cassini mission to Saturn and its moon, Titan, will investigate crucial questions about the formation and evolution of our solar system.

Two years ago, in response to increasing Federal budget pressures, both AXAF and Cassini were restructured to reduce costs substantially while maintaining scientific integrity. Both programs are approximately half completed and are outstanding examples of NASA's commitment to maximizing return for the taxpayer's dollars.

AXAF and Cassini are challenging and visionary missions. They are an investment in our technological future and will inspire and motivate the next generation of scientists, engineers and computer specialists. AXAF and Cassini will provide over 1,000 high-tech jobs in California alone, and will also provide significant numbers of jobs in other areas of the country. Our international partners are also very enthusiastic about their collaboration on these missions.

AXAF and Cassini are cornerstones of the new NASA. These are programs of the highest scientific merit which will maintain our country's preeminence in space science. I commend Chairman LOUIS STOKES and ranking minority member JERRY LEWIS, for producing a bill that, under difficult budgetary circumstances, supports a balanced NASA program which includes adequate funding for space science, mission to planet Earth and the space station.

Mr. DICKS. Mr. Chairman, I rise in strong opposition to the amendment and in support of space station *Freedom*.

I recognize the magnitude of the investment required for this project and the difficulties the House faces with constrained resources. But space station is a unique laboratory in space that will provide a wide range of scientific technological, educational and economic benefits. Fundamentally it represents the future of manned exploration of space.

I am pleased to note that the program has been restructured to reduce cost and increase capability by streamlining management, reducing overhead and consolidating contractor accountability. These improvements were overwhelmingly endorsed by members of the President's Advisory Committee on Space Station. In the words of the Committee's Chairman, Dr. Charles Vest.

There has been an absolute sea change in the management and organizational structure of this program. As you know, the Advisory Committee was extremely critical of the organizational structure that had evolved for Space Station Freedom. The new organization reflects both the recommendations of the Advisory Committee and the modern management practices brought to the table by Boeing, and is consistent with the themes of Reinventing Government.

The new partnership with Russia on this project is also critically important both to reduce program costs and to promote important foreign policy goals in assisting Russia's transition to a free market economy without dependence on ballistic missile exports. Despite rumors spread by station opponents that the cost of Russian participation was escalating wildly, NASA recently signed the contract for specific Russian hardware and services on schedule and for the exact amount estimated last year.

Critics also contend that station is squeezing out every other NASA effort. But the facts are that human space flight has declined from 47 percent of the NASA budget in fiscal year 1993 to 38 percent by fiscal year 1997. The percentage dedicated to Science and Aeronautical and Technology Research has increased from 34 percent to 42 percent of NASA expenditures.

Abandoning station now that we have efficient management, costs under control and a precedent setting agreement for cooperation with the Russians would be the height of folly. Oppose this amendment.

Mr. POMEROY. Mr. Chairman, today I rise to again support the amendment offered by the gentleman from Indiana [Mr. ROEMER] and the gentleman from New Jersey [Mr. ZIMMER] to eliminate funding for the space station.

Mr. Chairman, we all recognize that human space flight is a source of national esteem and prestige. In another era, we may have been able to support a program as costly as the space station. However, today the budget deficit threatens the very underpinnings of our Nation's economic security. The fact is, we cannot afford to nurse huge and hugely unsuccessful projects such as the space station through countless redesigns and perennial cost-overruns—in the meantime wasting billions.

In 1984, the Reagan administration proposed to construct a manned space station that would be in service by 1994 at a cost of $8 billion. Today, we have spent $11 billion and have nothing whatsoever to show for it. It is now estimated that the total cost to build and operate the space station will be at least $70.8 billion.

I have heard proponents of the space station argue, rather incredibly, that the Roemer amendment does not reduce the deficit. It's true that the Roemer amendment redirects the $2.1 billion provided in this bill for the space

station to pay for station shutdown costs and to fund NASA science and space programs now being devoured by the station. However, it's also true that the Roemer amendment stops the multibillion dollars hemorrhage created by the station—saving more than $60 billion in the out years. In fact, the Roemer-Zimmer may well be the most significant deficit reduction proposal Members will consider this year.

Finally, I would like to emphasize that a "yes" vote on the bipartisan Roemer-Zimmer amendment is not a vote against NASA. Quite the opposite, to support Roemer-Zimmer is to support valuable, cost-effective NASA space and science programs that have been starved by the space station. A vote for the Roemer-Zimmer amendment is a vote against the space station—a project that is rapidly losing its scientific missions even as it continues to add billions to our deficit.

Mr. STEARNS. Mr. Chairman, space is man's last and greatest frontier. It has been since the inception of the Space Program, and will be for years to come, for space represents tomorrow. It is a window of opportunity for man to see into the future.

Tonight we have an opportunity to vote on the future of the space station. It is a vote that signifies the continuance of our desire to walk in the footsteps of our forefathers. We have always been a frontier nation. We have always sought what is on the other side of the river, or over the next mountain. This sense of frontier has shaped our people and our Nation into what it is today.

The critics of the space station are men of little vision. They do not see the possibilities; they do not see the future. They would hold America back, forbidding us the opportunity to pass into tomorrow. Obviously, the critics of the space station are content with the status quo. They claim that we cannot afford the space station. On the contrary, we cannot afford to be without the space station.

There are so many possibilities opened up to all of mankind by the space station. It signifies so much that is new and desirable. It allows us the opportunity to forge ahead, working jointly with other nations to create a better tomorrow for all of humanity. The space station would provide a place for science to grow in new directions, a place for us to begin to comprehend the unknown, a place for man to look into his own future.

Let me offer a lesson from the pages of history. The mid-1400's Europe was starting on the epic voyage of discovery and it was the country of Portugal who first led the way with names that ring through history—Prince Henry the Navigator, Dias, Da Gama. These men and other discovered the passage to India and the East Indies, discovered Brazil and had the ability to bring untold wealth back to their country and the rest of Europe. But there were critics of these voyages who said it was too expensive and costly and not enough benefits to outweigh the dangers. So Portugal did not go forward. Spain, England, France, and the Dutch did. Portugal lost its lead and momentum and its leadership in world history.

Are we to be the Portuguese of the 20th century? It was America who opened the universe for all of mankind. Are we to allow our country to slid into the backwater in the exploration of space?

America was founded by men of vision. From the very beginnings of our Nation we have continued to search for new horizons. From Christopher Columbus to Lewis and Clark to Neil Armstrong, Americans have always forged ahead. This is no time to begin to backtrack. The space station represents what is across the river, or over the next mountain. It is our window of opportunity. We cannot neglect our own future. We must continue to lead the way. We must support funding for the space station. Vote against the Roemer amendment.

Mrs. LLOYD. Mr. Chairman, I rise in support of the fiscal year 1995 VA, HUD, and independent agencies appropriations bill, specifically the appropriation for the National Aeronautics and Space Administration. I commend Chairman STOKES for his role in guiding this legislation.

The variety of scientific programs that are covered under this appropriations bill provide benefits and inspiration to a wide range of people. The projects undertaken by NASA provide for advances in areas from health care to communications as well as encouraging our students in the fields of math, science, and engineering. We often do not realize the far-reaching effects of NASA projects, yet we cannot underestimate their importance.

There has been a great deal of controversy and debate regarding the provisions of this legislation, specifically the international space station program. However, we must realize the benefits and possibilities that such projects hold for everyone in our society. Maintaining a strong industrial base that incorporates the most advanced technologies and materials is vital to our economic stability and growth. A world-class orbiting laboratory, the international space station, will allow us to take advantage of the unique zero-gravity environment to pursue the spacefaring technologies of tomorrow, better understand the human body, and pioneer 21st century technologies. It will be a contributor to our economic future and a giant leap forward in our technological and scientific capabilities.

We must also remember that we are not alone in this endeavor. As the world redefines itself in the wake of the cold war, the value of international cooperative projects, like the space station, is unmeasurable. While the United States has contributed a great deal to the space station project, it is truly an international endeavor. Russia, Japan, Canada, and the European Community have committed to add $9 billion to the United States contribution; they have already contributed more than $4 billion for the project. Should we take the drastic step today of cutting off our involvement with the space station, we jeopardize our standing as a world leader in scientific advancement and threaten any future international partnerships.

In these difficult economic times it is clear that we need to examine every area for savings to eliminate waste and mismanagement wherever possible. We cannot simply and blindly turn our back on projects such as this which offer so many possibilities. I would encourage your support for the program and the many other worthy projects encompassed in this legislation not only for our future but for the future of many generations to follow.

Ms. PELOSI. Mr. Chairman, I rise today in support of the Roemer-Zimmer amendment to delete funding for the space station from the VA/HUD appropriations bill.

We have already spent over $11 billion on the space station, which is projected to cost $75 billion. Today, while we debate spending an additional $2.1 billion for this project, over 500,000 children are homeless. Forty percent of our homeless population is made up of families with children, and one-quarter of the homeless population is comprised of children under the age of 18. How can we continue to pour money into the space station when we cannot even ensure access to safe, decent, and affordable housing for this Nation's children?

In times like these, we simply cannot afford budget-busting experiments like the space station.

Some of my colleagues today have said that the space station's work will benefit education and women's health research. I would argue that a much more efficient and cost-effective way to support this research is to cancel the space station and fund directly the many quality initiatives here on Earth.

In this fiscal environment, we simply cannot afford to indulge in projects like the space station. We have to make tough choices. I urge my colleagues to support the Roemer-Zimmer amendment. It is a sound move in a difficult fiscal situation.

STATEMENT OF CONGRESSWOMAN JOLENE UNSOELD ON THE ROEMER AMENDMENT TO TERMINATE THE INTERNATIONAL SPACE STATION

Mrs. UNSOELD. Mr. Chairman, difficult votes are part of the terrain when serving in this body and I generally make them and move on. Each year that I have voted to kill the Space Station, however, it's left a bitter taste.

I am a believer in the importance of space exploration. We all know of the many technological spinoffs from past space efforts that continue to enrich the lives of all of us. Furthermore, space exploration has served to inspire generations of children just as exploration of our own globe inspired earlier generations.

In past years, however, I could not bring myself to vote for the Space Station because NASA simply didn't have its act together. Cost overruns, constant redesigns, and abominably bad management practices gave me little reason to believe taxpayer dollars would be well spent or that the station—quite literally—would ever get off the ground.

That has changed, and to a degree I frankly did not consider possible. The Vest committee highlighted the change in its recent report. The head of the committee and president of M.I.T., Charles Vest wrote to Dr. John Gibbons, the President's science adviser, that there had been "an absolute sea change in the management and organizational structure of this program." Dr. Vest also noted a marked improvement in our coordination with other participating governments.

That is the other critical development that demanded that I take a fresh look at this project Coordination with Japan, Canada and the European Union is on a sounder footing. What's more, the inclusion of Russia in the space station effort is a major new development, and the evidence suggests that while

their participation is not risk free, the pluses far outweigh the minuses.

The Space Station Program can benefit greatly from the considerable experience the Russian Space Agency has in human space flight. They have developed technologies from which we can benefit. Additionally, our ability to use the Mir station during construction will allow us to cut the cost of constructing the space station while reducing the amount of time it will require to complete it.

Russian participation offers another extraordinary opportunity. Joined with the European Union, Japan, and Canada, the United States, and Russia are poised to undertake a remarkable cooperative adventure that can serve to inspire us all while breaking down nationalist barriers. The cold war may be a thing of the past. Cold war suspicions are not. That alone would not justify building the space station, but it represents one additional reason I have reevaluated my past opposition.

Vastly improved program management, benefits offered by Russian participation, the prospect for scientific advancement, the opportunity to inspire our children and a belief that it is the destiny of humankind that we push back the boundaries of space—these are the reasons I am voting this year to continue development of the space station. But there is a message for NASA—those of us who have been troubled by management of the program in the past will keep our eye on you. We will offer our praise and support if the program is well run, but we will not stand for a return of earlier mismanagement.

Ms. ESHOO. Mr. Chairman, I rise to urge my colleagues to oppose the Roemer/Zimmer amendment and support NASA's Space Station Program.

As a member of the Science, Space, and Technology Committee, I believe the space station will: increase our scientific knowledge, provide new defense technologies, and develop successful civilian spin-offs.

But beyond the scientific and economic reasons to fund the space station, there are critical foreign policy and national security reasons for supporting it.

Russia is in an economic state worse than our Great Depression. One exception to this industrial collapse is the technology produced by the Russian Space Agency. It is good and it is available.

We have a choice. We can enter into a well-negotiated, well-constructed, agreement where our two nations work with other countries on this international space project.

Or, we can pass the Roemer/Zimmer amendment, terminate this international effort, and the Russians will switch to producing missiles and begin selling them to India, Iran, and other countries.

Mr. Chairman, this is the reality. This amendment is short-sighted and fails to recognize the changes in our world. Voting yes means turning our backs on an opportunity to turn swords into plowshares without weakening America's defenses. Such opportunities are rare.

Vote no on the Roemer/Zimmer amendment and support the space station.

Mr. GEDJENSON. Mr. Chairman, I rise today in support of NASA programs and the space station.

Less than 1 percent of the Federal budget is spent on space, but the payback is enormous. Space-derived technology has led to advances in health care, communications, weather forecasting, and environmental research. The international space station will provide a permanent laboratory for important experimentation to develop lifesaving drugs, new alloys and other useful technologies for America's future economic well being. The products of this research will directly benefit all Americans now and well into the next century, as well as generate industries that will provide new high technology employment for our future. Space programs stimulate transition from a defense-oriented to a peacetime economy, effectively using many existing manufacturing assets. Space programs provide jobs for highly skilled workers and sustain the vendor base. With the depressed state of the defense market in Connecticut, space programs are crucial in helping to retain technical expertise to provide for future growth opportunities in this region. The Space Station Program employs hundreds of highly skilled workers in southeastern Connecticut. Termination of the program would be devastating for the businesses, workers, and communities of my district.

NASA and the space station are not robbing veterans, housing the National Science Foundation, or other worthy activities. Budgets are tight, but we cannot sacrifice our future. The space station will generate thousands of lifesaving and useful technologies which will provide significant long-term benefits to the American taxpayers. The VA–HUD–Independent Agencies Appropriations bill strikes a reasonable balance between current needs and future requirements.

I urge you to join me in supporting space programs. Vote for the space station and other NASA programs and against the Roemer/Zimmer amendment.

Mrs. FOWLER. Mr. Chairman, I rise today to strongly support the space station.

The space station will provide us with a long-duration, gravity-free laboratory of literally unparalleled capabilities. We have already seen remarkable progress on breast and cervical cancers and other life-threatening conditions due to space research. With the space station we can expand this work and further enhance the quality of life on Earth.

The space station will offer a unique ability to observe Earth. It will let us perform long-term research on atmospheric, environmental, and oceanic conditions, again improving life here on Earth.

Pursuit of the space station will promote work on critical technologies essential to our Nation's success in the 21st century. I would note that space research has historically returned to our economy some $9 for each $1 spent.

Finally, the space station is an international program, with the United States leading the effort. If we abandon it, our partners will only question our reliability on other cooperative projects.

Mr. Chairman, the Space Program has long fueled the collective imagination of our Nation. We must move forward on space station. Vote no on the Roemer amendment.

Mr. ANDREWS of Texas. Mr. Chairman, once again we are faced with a vote not just on our commitment to the space station but on our commitment to the future. The potential scientific, educational and economic benefits of the station are well documented. However this year there is an important new factor that makes the space station an even better investment in the future.

Thirty-five years ago competition from the Soviet Union (Sputnik) provided a major impetus to build our Nation's space program. Today, our conflict is not against a rival power, but rather against our own limitations. Competition with the Soviet Union has turned into cooperation with Russia, a cooperation that brings together the best and brightest minds in an endeavor that will greatly expand the boundaries of human achievement.

As our relationship with Russia continues to evolve in this post-cold war world, the space station provides an catalyst for building mutual trust and cooperation. Today, this partnership is more important than ever. Finding solutions to world problems such as regional instability, arms technology proliferation and environmental degradation require that we work in close concert with both friends and former adversaries.

In addition to these global considerations, Russian participation in the space station will make a substantial and immediate contribution to the project itself. One such pay-off will come from the U.S. Shuttle-Mir missions, which will give us extremely valuable on-orbit experience. It is impossible to understate the importance of this type of experience—it is exactly what made the Hubble Telescope repair mission such an astounding success.

Russian involvement in the space station has already resulted in a more robust and capable station. The new station has more electrical power and pressurized volume than the previous designs, allowing for both a larger crew and a wider range of experiments. Working with the Russians is going to save us both money in developing this station and time in deploying it. Russian long-term experience in space and the addition of their own network of communications, control and launch centers will add to the station's margin of safety.

The cold war competition between the Soviet Union and the United States helped launch our exploration of space. Today the contest has changed, but our goals of scientific advancement and human progress are stronger than ever. We must now act here in this chamber to seize this historic opportunity and join with the Russians and our international partners in an endeavor in space that holds great promise for life on Earth.

Mr. CLAY. Mr. Chairman, I rise today to urge my colleagues to support the International Space Station. Our Nation's technological growth is dependent on programs such as the space station.

The Federal budget request calls for the government to spend $2.9 billion in fiscal year 1995 on the space station. The space station requires less than one-seventh of the annual budget and less than 15 percent of the NASA budget. The development of the program costs each American about 2.2 cents a day. This figure is minute in comparison to the opportunities that will be gained from this endeavor.

The space station will allow scientists to participate in over 600 experiments and provide the opportunity to evaluate several different medical phenomena. This station would enhance the opportunities to explore possible cures for cancer, arthritis, osteoporosis, and AIDS. The Space Program research has opened an opportunity to improve upon familiar medical machinery including CAT scans, x-rays, and laser surgery.

Space science technology has greatly improved this country's communications capacity and its spin-offs have contributed to every major area of human development.

Super Bowl XXVII was brought to you by satellite communication, the improvement of running shoes by incorporating moon boot material to the soles for shock absorption, radiation hazard detectors have been made available by NASA to protect people exposed to potentially dangerous levels of microwave radiation, improvements made on air purification systems, and the effectiveness of X-ray technology has been greatly improved by the introduction of solar cell sensors.

The space station is essential to space education. In the next century, America's economy will be founded in a multicultural, multiracial work force of men and women with interdisciplinary technological skills. Space education can stimulate students to enter into academic programs that are crucial to our Nation's technological competitiveness and in which they can develop vital job skills for the 21st century. Space education is especially valuable to minority students from nontraditional backgrounds who are seeking careers which provide security and favorable economic opportunities.

The space station is a sound investment in NASA and our future. This program allows the world's best scientists and astronauts to work together in a cooperative effort. It is a program whose historical benefits have far outweighed its costs. The International Space Station is essential to maintaining our Nation's preeminence in space technology. I urge my colleagues to support funding of the space station.

Mr. BALLENGER. Mr. Chairman, I rise in opposition to the Roemer/Zimmer amendment to terminate funding for the space station *Alpha*.

Reducing the Federal deficit is one of my top priorities and I have supported previous efforts to end funding for the space station because funds from this program, over $2 billion, would be targeted for deficit reduction. Unfortunately, the sponsors of the amendment, chose to redistribute funds from the space station to other NASA programs. I plan to oppose the amendment for that reason.

Should amendments to terminate the space station return to the original objective of deficit reduction rather than more congressional spending, I will reconsider my decision and again support efforts to terminate funding for the space station.

Mrs. MORELLA. Mr. Chairman, I have always believed that the space station is a vital step in allowing us to continue meeting our future space objectives. As a member of the Science, Space, and Technology Committee, I am continuing my support of the program today because the space station will be an international research laboratory advancing science and technology, as well as expanding the human presence in space.

The recent incarnation of the space station, known as international space station *Alpha*, which we are debating, is vastly different from the structure which Congress has considered in past years. For the first time, we are debating a space station which includes Russian participation.

With Russian participation, the space station will be more powerful and will have greater capabilities than ever before. As a result, NASA estimates that the space station will be constructed faster, by 15 months, and at a cost saving to the United States of approximately $2 billion. In addition, international space station *Alpha* will be able to tap into the Russian expertise in long-duration space flight and allow United States industry to receive increased access to Russian civil aerospace high technology.

There are foreign policy benefits as well. This project complements the President's goal of democratization and free market movement in Russia, and is a strong inducement for Russia to adhere to the missile technology control regime. Russia will be joining the United States and our original international space station partners, Japan, the European space agency, and Canada, in a cooperative benefit-sharing and cost-sharing relationship. The space station is truly a tangible example of international cooperation at an unprecedented level.

Mr. Chairman, there is virtue and promise in the continued support of the space station since it assures U.S. leadership and preeminence in both space and in the new world order. However, although it is being conceived by, and constructed in our generation, the real beneficiaries of the space station's unique laboratory environment and its discoveries will be our future generations. In addition, the true promise of the space station lies in its impact upon our educational system and upon our Nation's youth. The space station is capturing the imaginations of American students and is helping guide many of them to careers in technically demanding fields, such as math, science, and engineering, which are necessary to maintain a work force capable of competing in the global marketplace.

As a final point, it is important to note that due to the appropriations procedure, NASA has the unenviable task of competing with some very important social programs. Yet, it has been often overlooked that NASA is the only major account in this appropriations bill to be cut below last year's funding level. The facts show that NASA and the space station are simply not taking the much needed funds away from veterans, housing, the National Science Foundation, or other worthy activities in this bill. Nor is the space station robbing other NASA research accounts since this bill fully funds the President's request for science and technology in the NASA budget.

Mr. Chairman, while we must be vigilant through our congressional oversight to ensure that future costs are contained in the construction and operation of international space station *Alpha*, Congress must continue its bipartisan support of the project and reject the amendment to terminate space station funding. Perhaps it is fitting that we are taking this vote as we approach the silver anniversary of the *Apollo 11* lunar landing. Just as we did after Neil Armstrong stepped onto the Moon 25 years ago and after we vote to continue space station funding today, we can point confidently to the Stars, and recognize our future and the future of our Nation.

Mr. BARTON of Texas. Mr. Chairman, I rise in strong support of the space station *Alpha*. Space station *Alpha* will inspire yet another generation of Americans to become explorers in the fields of new science, engineering, and medicine.

Alpha is critical to maintaining U.S. leadership in space and global competitiveness, and to serve as a driving force for emerging technologies. This space station will permit engineers and scientists to accelerate breakthroughs in technology and engineering that will have immediate, practical applications for life on Earth.

Alpha's facilities, with near absence of gravity, will permit researchers to study materials that could not exist and processes that could not take place in full Earth gravity. These materials include polymers for everything from paint to contact lenses, semiconductors for high-speed computers and electronics, and high-temperature superconductors for efficiency in electrical devices.

Experimental research in the near absence of gravity produces new insights into industrial processes in materials that cannot be replicated on Earth and contribute to increased understanding of fluid physics and combustion. A better understanding of the combustion process can lead to energy conservation on Earth. As small as a 2-percent increase in burner efficiency for heaters would save the United States $8 billion per year.

In addition, space science is a catalyst for academic achievement. It is important to note that trends of U.S. college students majoring in science and engineering track closely with the funding trends of the U.S. space program. Teachers and communities across the Nation are already using space station concepts in the classroom, and in the future will have experiments on *Alpha*. These experiments will be conducted from their classrooms on the ground. Students will transmit and receive data, manipulate equipment remotely, and evaluate the experiments through interpretation of the data.

Support for the space station *Alpha* is important to America's future.

Mr. HASTINGS. Mr. Chairman, I rise to offer my unequivocal support for the International Space Program. Our Space Program, in particular the space station, provides us the unique opportunity to discover the unknown, to pursue the unchartered, and to challenge the boundaries of our station in life.

The International Space Program offers many advantages to the United States, particularly in the area of foreign policy. The prospective agreement will serve as a long-awaited collaborative effort between Russia and the United States, a symbol of the end of the cold war.

It will encourage Russia to act in compliance with agreements to stop the proliferation of ballistic missile technology. The joint space station will serve the multifaceted purpose of

keeping Russian aerospace workers employed in nonthreatening activities.

The space station will provide America with a steady job base and improved technologies. Space exploration has contributed to scientific breakthroughs in microelectronics, ceramics, computers, optics, environmental sciences, and medical technology, as well as many other advances. It allows our best and brightest scientists to stretch beyond their physical and mental limits in researching and developing our tools of tomorrow.

Continued support for the space station will maintain progress for greater access to international technology, and improve the quality of life for all Americans and for all people around the world.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana [Mr. ROEMER].

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

RECORDED VOTE

Mr. ROEMER. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 155, noes 278, not voting 6, as follows:

[Roll No. 309]

AYES—155

Ackerman
Andrews (ME)
Baesler
Barca
Barlow
Barrett (WI)
Bereuter
Bilbray
Blackwell
Blute
Brown (OH)
Bunning
Camp
Cantwell
Collins (GA)
Collins (IL)
Collins (MI)
Condit
Coppersmith
Costello
Coyne
Danner
de Lugo (VI)
DeFazio
Dellums
Derrick
Duncan
Durbin
English
Evans
Fawell
Foglietta
Frank (MA)
Franks (NJ)
Furse
Goodlatte
Goodling
Gordon
Gutierrez
Hamburg
Hamilton
Hastert
Herger
Hoagland
Hoekstra
Holden
Hoyer
Hughes
Hutchinson
Inglis
Inslee
Istook
Jacobs
Johnson (GA)
Johnson (SD)
Kanjorski
Kaptur
Kasich
Kennedy
Kildee
King
Kleczka
Klein
Klink
Knollenberg
Kolbe
Kreidler
LaFalce
Lambert
Lancaster
Lazio
Leach
Lehman
Levin
Lipinski
Long
Lowey
Maloney
Mann
Manzullo
Margolies-Mezvinsky
Markey
McHugh
McKinney
McNulty
Meehan
Menendez
Mfume
Miller (CA)
Minge
Mink
Moakley
Nadler
Neal (NC)
Norton (DC)
Nussle
Oberstar
Obey
Olver
Orton
Owens
Pallone
Paxon
Payne (NJ)
Payne (VA)
Pelosi
Penny
Peterson (MN)
Pomeroy
Porter
Portman
Poshard
Ramstad
Ravenel
Reed
Roemer
Roukema
Rush
Sabo
Sanders
Sangmeister
Schaefer
Schenk
Schroeder
Schumer
Serrano
Shays
Shepherd
Shuster
Skaggs
Slaughter
Smith (MI)
Snowe
Solomon
Spratt
Stark
Strickland
Studds
Stupak
Swett
Synar
Tauzin
Thomas (WY)
Underwood (GU)
Upton
Velazquez
Vento
Visclosky
Waxman
Wheat
Williams
Woolsey
Wyden
Yates
Zimmer

NOES—278

Abercrombie
Allard
Andrews (NJ)
Andrews (TX)
Applegate
Archer
Armey
Bacchus (FL)
Bachus (AL)
Baker (CA)
Baker (LA)
Ballenger
Barcia
Barrett (NE)
Bartlett
Barton
Bateman
Becerra
Beilenson
Bentley
Berman
Bevill
Bilirakis
Bishop
Bliley
Boehlert
Boehner
Bonilla
Bonior
Borski
Boucher
Brewster
Brooks
Browder
Brown (CA)
Brown (FL)
Bryant
Burton
Buyer
Byrne
Callahan
Calvert
Canady
Cardin
Carr
Castle
Chapman
Clay
Clayton
Clement
Clinger
Clyburn
Coble
Coleman
Combest
Conyers
Cooper
Cox
Cramer
Crane
Crapo
Cunningham
Darden
de la Garza
Deal
DeLauro
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Dooley
Doolittle
Dornan
Dreier
Dunn
Edwards (CA)
Edwards (TX)
Ehlers
Emerson
Engel
Eshoo
Everett
Ewing
Farr
Fazio
Fields (LA)
Fields (TX)
Filner
Fingerhut
Fish
Flake
Ford (TN)
Fowler
Franks (CT)
Frost
Gallegly
Gallo
Gejdenson
Gekas
Gephardt
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Gingrich
Glickman
Gonzalez
Goss
Grams
Green
Greenwood
Gunderson
Hall (OH)
Hall (TX)
Hancock
Hansen
Harman
Hastings
Hayes
Hefley
Hefner
Hilliard
Hinchey
Hobson
Hochbrueckner
Hoke
Horn
Houghton
Huffington
Hunter
Hutto
Hyde
Inhofe
Jefferson
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Johnston
Kennelly
Kim
Kingston
Klug
Kopetski
Kyl
Lantos
LaRocco
Laughlin
Levy
Lewis (CA)
Lewis (FL)
Lewis (GA)
Lewis (KY)
Lightfoot
Linder
Livingston
Lloyd
Lucas
Manton
Martinez
Matsui
Mazzoli
McCandless
McCloskey
McCollum
McCrery
McCurdy
McDade
McDermott
McHale
McInnis
McKeon
McMillan
Meek
Meyers
Mica
Michel
Miller (FL)
Mineta
Molinari
Mollohan
Montgomery
Moorhead
Moran
Morella
Murphy
Murtha
Myers
Neal (MA)
Ortiz
Oxley
Packard
Parker
Pastor
Peterson (FL)
Petri
Pickett
Pickle
Pombo
Price (NC)
Pryce (OH)
Quillen
Quinn
Rahall
Regula
Reynolds
Richardson
Ridge
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Rostenkowski
Roth
Rowland
Roybal-Allard
Royce
Santorum
Sarpalius
Sawyer
Saxton
Schiff
Scott
Sensenbrenner
Sharp
Shaw
Sisisky
Skeen
Skelton
Slattery
Smith (IA)
Smith (NJ)
Smith (OR)
Smith (TX)
Spence
Stearns
Stenholm
Stokes
Stump
Sundquist
Swift
Talent
Tanner
Taylor (MS)
Taylor (NC)
Tejeda
Thomas (CA)
Thompson
Thornton
Thurman
Torkildsen
Torres
Torricelli
Towns
Traficant
Tucker
Unsoeld
Valentine
Volkmer
Vucanovich
Walker
Walsh
Washington
Waters
Watt
Weldon
Whitten
Wilson
Wise
Wolf
Wynn
Young (AK)
Young (FL)
Zeliff

NOT VOTING—6

Faleomavaega (AS)
Ford (MI)
Grandy
Machtley
Rangel
Romero-Barcelo (PR)

□ 2110

Messrs. WASHINGTON, MICA, and McDADE changed their vote from "aye" to "no."

Mr. DERRICK and Mr. BLACKWELL changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SCIENCE, AERONAUTICS AND TECHNOLOGY

For necessary expenses, not otherwise provided for, for the conduct and support of science, aeronautics, and technology research and development activities, including research; development; operations; services; maintenance; construction of facilities including repair, rehabilitation and modification of real and personal property, and acquisition or condemnation of real property, as authorized by law; space flight, spacecraft control and communications activities including operations, production, and services; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft; $5,901,200,000, to remain available until September 30, 1996.

MISSION SUPPORT

For necessary expenses, not otherwise provided for, in carrying out mission support for human space flight programs and science, aeronautical, and technology programs, including research operations and support; space communications activities including operations, production, and services; maintenance; construction of facilities including repair, rehabilitation, and modification of facilities, minor construction of new facilities and additions to existing facilities, facility planning and design, environmental compliance and restoration, and acquisition or condemnation of real property, as authorized by law; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901-5902); travel expenses; purchase, lease, charter, maintenance, and operation of mission and administrative aircraft; not to exceed $35,000 for official reception and representation expenses; and purchase (not to exceed thirty-three for replacement only) and hire of passenger motor vehicles; $2,549,587,000.

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, $16,000,000.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

Of the budgetary resources available to the National Aeronautics and Space Administration during fiscal year 1995, $59,003,000 are permanently canceled. The Administrator of the National Aeronautics and Space Administration shall allocate the amount of budgetary resources canceled among the agency'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. For the purposes of this paragraph, 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 service and

ending with contract completion and closeout, as specified in 41 U.S.C. 403(2).

Notwithstanding the limitation on the availability of funds appropriated for "Human space flight", "Science, aeronautics and technology", or "Mission support" by this appropriations Act, when any activity has been initiated by the incurrence of obligations for construction of facilities as authorized by law, the amount available for such activity shall remain available until expended. This provision does not apply to the amounts appropriated in "Mission support" pursuant to the authorization for repair, rehabilitation and modification of facilities, minor construction of new facilities and additions to existing facilities, and facility planning and design.

Notwithstanding the limitation on the availability of funds appropriated for "Human space flight", "Science, aeronautics and technology", or "Mission support" by this appropriations Act, the amounts appropriated for construction of facilities shall remain available until September 30, 1997.

No amount appropriated pursuant to this or any other Act may be used for the lease or construction of a new contractor-funded facility for exclusive use in support of a contract or contracts with the National Aeronautics and Space Administration under which the Administration would be required to substantially amortize through payment or reimbursement such contractor investment, unless an appropriations Act specifies the lease or contract pursuant to which such facilities are to be constructed or leased or such facility is otherwise identified in such Act. The Administrator may authorize such facility lease or construction, if he determines, in consultation with the Committees on Appropriations, that deferral of such action until the enactment of the next appropriations Act would be inconsistent with the interest of the Nation in aeronautical and space activities.

The unexpired balances of prior appropriations to NASA for activities for which funds are provided under this Act may be transferred to the new account established for the appropriation that provides funds for such activity under this Act. Balances so transferred may be merged with funds in the newly established account and thereafter may be accounted for as one fund to be available for the same purposes and under the same terms and conditions.

NATIONAL CREDIT UNION ADMINISTRATION

CENTRAL LIQUIDITY FACILITY

During fiscal year 1995, gross obligations of the Central Liquidity Facility for the principal amount of new direct loans to member credit unions as authorized by the National Credit Union Central Liquidity Facility Act (12 U.S.C. 1795) shall not exceed $600,000,000: *Provided*, That administrative expenses of the Central Liquidity Facility in fiscal year 1995 shall not exceed $901,000.

NATIONAL SCIENCE FOUNDATION

RESEARCH AND RELATED ACTIVITIES

(INCLUDING TRANSFER AND RESCISSION OF FUNDS)

For necessary expenses in carrying out the purposes of the National Science Foundation Act of 1950, as amended (42 U.S.C. 1861–1875), and the Act to establish a National Medal of Science (42 U.S.C. 1880–1881); services as authorized by 5 U.S.C. 3109; maintenance and operation of aircraft and purchase of flight services for research support; acquisition of aircraft; $2,216,923,000, of which not to exceed $225,430,000 shall remain available until expended for Polar research and operations support, and for reimbursement to other Federal agencies for operational and science support and logistical and other related activities for the United States Antarctic program; the balance to remain available until September 30, 1996: *Provided*, That receipts for scientific support services and materials furnished by the National Research Centers and other National Science Foundation supported research facilities may be credited to this appropriation: *Provided further*, That to the extent that the amount appropriated is less than the total amount authorized to be appropriated for included program activities, all amounts, including floors and ceilings, specified in the authorizing Act for those program activities or their subactivities shall be reduced proportionally: *Provided further*, That amounts appropriated in prior fiscal years for the United States Polar Research Programs, the United States Antarctic Logistical Support Activities, and the Critical Technologies Institute shall be transferred to and merged with this appropriation and remain available until expended.

Of the amounts made available under this heading in Public Law 103–124, $35,000,000 are rescinded.

MAJOR RESEARCH EQUIPMENT

For necessary expenses in carrying out major construction and procurement projects pursuant to the purposes of the National Science Foundation Act of 1950, as amended, $105,000,000, to remain available until expended.

ACADEMIC RESEARCH INFRASTRUCTURE

For necessary expenses in carrying out an academic research infrastructure program pursuant to the purposes of the National Science Foundation Act of 1950, as amended (42 U.S.C. 1861–1875), including services as authorized by 5 U.S.C. 3109 and rental of conference rooms in the District of Columbia, $100,000,000, to remain available until September 30, 1996: *Provided*, That these funds shall not become available for obligation until March 31, 1995.

EDUCATION AND HUMAN RESOURCES

For necessary expenses in carrying out science and engineering education and human resources programs and activities pursuant to the purposes of the National Science Foundation Act of 1950, as amended (42 U.S.C. 1861–1875), including services as authorized by 5 U.S.C. 3109 and rental of conference rooms in the District of Columbia, 585,974,000, to remain available until September 30, 1996: *Provided*, That to the extent that the amount of this appropriation is less than the total amount authorized to be appropriated for included program activities, all amounts, including floors and ceilings, specified in the authorizing Act for those program activities or their subactivities shall be reduced proportionally.

SALARIES AND EXPENSES

For necessary salaries and expenses in carrying out the purposes of the National Science Foundation Act of 1950, as amended (42 U.S.C. 1861–1875); services authorized by 5 U.S.C. 3109; hire of passenger motor vehicles; not to exceed $9,000 for official reception and representation expenses; uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901–5902); rental of conference rooms in the District of Columbia; reimbursement of the General Services Administration for security guard services; $123,966,000: *Provided*, That contracts may be entered into under salaries and expenses in fiscal year 1995 for maintenance and operation of facilities, and for other services, to be provided during the next fiscal year.

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, $4,000,000.

NATIONAL SCIENCE FOUNDATION HEADQUARTERS RELOCATION

For necessary support of the relocation of the National Science Foundation, $5,200,000: *Provided*, That these funds shall be used to reimburse the General Services Administration for services and related acquisitions in support of relocating the National Science Foundation.

NEIGHBORHOOD REINVESTMENT CORPORATION

PAYMENT TO THE NEIGHBORHOOD REINVESTMENT CORPORATION

For payment to the Neighborhood Reinvestment Corporation for use in neighborhood reinvestment activities, as authorized by the Neighborhood Reinvestment Corporation Act (42 U.S.C. 8101–8107), $38,667,000.

SELECTIVE SERVICE SYSTEM

SALARIES AND EXPENSES

For necessary expenses of the Selective Service System, including expenses of attendance at meetings and of training for uniformed personnel assigned to the Selective Service System, as authorized by law (5 U.S.C. 4101–4118) for civilian employees; and not to exceed $1,000 for official reception and representation expenses; $22,930,000: *Provided*, That during the current fiscal year, the President may exempt this appropriation from the provisions of 31 U.S.C. 1341, whenever he deems such action to be necessary in the interest of national defense: *Provided further*, That none of the funds appropriated by this Act may be expended for or in connection with the induction of any person into the Armed Forces of the United States.

Mr. STOKES (during the reading). Mr. Chairman, I ask unanimous consent that the remainder of title III through page 65, line 12, 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 Ohio?

There was no objection.

The CHAIRMAN. Are there any amendments to this portion of title III?

Mr. STOKES. Mr. Chairman, I ask unanimous consent that title IV and title V, through page 73, line 18, 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 Ohio?

There was no objection.

The text of title IV and title V, through page 73, line 18, is as follows:

TITLE IV

CORPORATIONS

Corporations and agencies of the Department of Housing and Urban Development which are subject to the Government Corporation Control Act, as amended, are hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by

section 104 of the Act as may be necessary in carrying out the programs set forth in the budget for 1995 for such corporation or agency except as hereinafter provided: *Provided*, That collections of these corporations and agencies may be used for new loan or mortgage purchase commitments only to the extent expressly provided for in this Act (unless such loans are in support of other forms of assistance provided for in this or prior appropriations Acts), except that this proviso shall not apply to the mortgage insurance or guaranty operations of these corporations, or where loans or mortgage purchases are necessary to protect the financial interest of the United States Government.

FEDERAL DEPOSIT INSURANCE CORPORATION

FSLIC RESOLUTION FUND

For payment of expenditures of the FSLIC Resolution Fund, for which other funds available to the FSLIC Resolution Fund as authorized by Public Law 101-73 are insufficient, $827,000,000, to remain available until expended.

FDIC AFFORDABLE HOUSING PROGRAM

For the affordable housing program of the Federal Deposit Insurance Corporation under section 40 of the Federal Deposit Insurance Act (12 U.S.C. 1831q), $15,000,000 to pay for any losses resulting from the sale of properties under the program, and for all administrative and holding costs associated with operating the program.

Notwithstanding any provisions of section 40 of the Federal Deposit Insurance Act or any other provision of law, the Federal Deposit Insurance Corporation shall be deemed in compliance with such section if, in its sole discretion, the Corporation at any time modifies, amends or waives any provisions of such section in order to maximize the efficient use of the available appropriated funds. The Corporation shall not be subject to suit for its failure to comply with the requirements of this provision or section 40 of the Federal Deposit Insurance Act.

RESOLUTION TRUST CORPORATION

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, $32,000,000.

TITLE V

GENERAL PROVISIONS

SECTION 501. Where appropriations in titles I, II, and III of this Act are expendable for travel expenses and no specific limitation has been placed thereon, the expenditures for such travel expenses may not exceed the amounts set forth therefor in the budget estimates submitted for the appropriations: *Provided*, That this section shall not apply to travel performed by uncompensated officials of local boards and appeal boards of the Selective Service System; to travel performed directly in connection with care and treatment of medical beneficiaries of the Department of Veterans Affairs; to travel performed in connection with major disasters or emergencies declared or determined by the President under the provisions of the Robert T. Stafford Disaster Relief and Emergency Assistance Act; to travel performed by the Offices of Inspector General in connection with audits and investigations; or to payments to interagency motor pools where separately set forth in the budget schedules: *Provided further*, That if appropriations in titles I, II, and III exceed the amounts set forth in budget estimates initially submitted for such appropriations, the expenditures for travel may correspondingly exceed the amounts therefor set forth in the estimates in the same proportion.

SEC. 502. Appropriations and funds available for the administrative expenses of the Department of Housing and Urban Development and the Selective Service System shall be available in the current fiscal year for purchase of uniforms, or allowances therefor, as authorized by law (5 U.S.C. 5901-5902); hire of passenger motor vehicles; and services as authorized by 5 U.S.C. 3109.

SEC. 503. Funds of the Department of Housing and Urban Development subject to the Government Corporation Control Act or section 402 of the Housing Act of 1950 shall be available, without regard to the limitations on administrative expenses, for legal services on a contract or fee basis, and for utilizing and making payment for services and facilities of Federal National Mortgage Association, Government National Mortgage Association, Federal Home Loan Mortgage Corporation, Federal Financing Bank, Resolution Trust Corporation, Federal Reserve banks or any member thereof, Federal Home Loan banks, and any insured bank within the meaning of the Federal Deposit Insurance Corporation Act, as amended (12 U.S.C. 1811-1831).

SEC. 504. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 505. No funds appropriated by this Act may be expended—

(1) pursuant to a certification of an officer or employee of the United States unless—

(A) such certification is accompanied by, or is part of, a voucher or abstract which describes the payee or payees and the items or services for which such expenditure is being made, or

(B) the expenditure of funds pursuant to such certification, and without such a voucher or abstract, is specifically authorized by law; and

(2) unless such expenditure is subject to audit by the General Accounting Office or is specifically exempt by law from such audit.

SEC. 506. None of the funds provided in this Act to any department or agency may be expended for the transportation of any officer or employee of such department or agency between his domicile and his place of employment, with the exception of any officer or employee authorized such transportation under title 31, United States Code, section 1344.

SEC. 507. None of the funds provided in this Act may be used for payment, through grants or contracts, to recipients that do not share in the cost of conducting research resulting from proposals not specifically solicited by the Government: *Provided*, That the extent of cost sharing by the recipient shall reflect the mutuality of interest of the grantee or contractor and the Government in the research.

SEC. 508. None of the funds provided in this Act may be used, directly or through grants, to pay or to provide reimbursement for payment of the salary of a consultant (whether retained by the Federal Government or a grantee) at more than the daily equivalent of the rate paid for Level IV of the Executive Schedule, unless specifically authorized by law.

SEC. 509. No part of any appropriation contained in this Act for personnel compensation and benefits shall be available for other object classifications set forth in the budget estimates submitted for the appropriations: *Provided*, That this section shall not apply to any part of the appropriations contained in this Act for Offices of Inspector General personnel compensation and benefits.

SEC. 510. None of the funds in this Act shall be used to pay the expenses of, or otherwise compensate, non-Federal parties intervening in regulatory or adjudicatory proceedings. Nothing herein affects the authority of the Consumer Product Safety Commission pursuant to section 7 of the Consumer Product Safety Act (15 U.S.C. 2056 et seq.).

SEC. 511. Except as otherwise provided under existing law or under an existing Executive order issued pursuant to an existing law, the obligation or expenditure of any appropriation under this Act for contracts for any consulting service shall be limited to contracts which are (1) a matter of public record and available for public inspection, and (2) thereafter included in a publicly available list of all contracts entered into within twenty-four months prior to the date on which the list is made available to the public and of all contracts on which performance has not been completed by such date. The list required by the preceding sentence shall be updated quarterly and shall include a narrative description of the work to be performed under each such contract.

SEC. 512. Except as otherwise provided by law, no part of any appropriation contained in this Act shall be obligated or expended by any executive agency, as referred to in the Office of Federal Procurement Policy Act (41 U.S.C. 401 et seq.) for a contract for services unless such executive agency (1) has awarded and entered into such contract in full compliance with such Act and the regulations promulgated thereunder, and (2) requires any report prepared pursuant to such contract, including plans, evaluations, studies, analyses and manuals, and any report prepared by the agency which is substantially derived from or substantially includes any report prepared pursuant to such contract, to contain information concerning (A) the contract pursuant to which the report was prepared, and (B) the contractor who prepared the report pursuant to such contract.

SEC. 513. Except as otherwise provided in section 506, none of the funds provided in this Act to any department or agency shall be obligated or expended to provide a personal cook, chauffeur, or other personal servants to any officer or employee of such department or agency.

SEC. 514. None of the funds provided in this Act to any department or agency shall be obligated or expended to procure passenger automobiles as defined in 15 U.S.C. 2001 with an EPA estimated miles per gallon average of less than 22 miles per gallon.

SEC. 515. Such sums as may be necessary for fiscal year 1995 pay raises for programs funded by this Act shall be absorbed within the levels appropriated in this Act.

SEC. 516. None of the funds appropriated in title I of this Act shall be used to enter into any new lease of real property if the estimated annual rental is more than $300,000 unless the Secretary submits, in writing, a report to the Committees on Appropriations of the Congress and a period of 30 days has expired following the date on which the report is received by the Committees on Appropriations.

The CHAIRMAN. Are there amendments to title IV or title V, through page 73, line 18?

If not, the Clerk will read.

The Clerk read as follows:

SEC. 517. (a) The Resolution Trust Corporation ("Corporation") shall report to the Congress at least once a month on the status of

the review required by section 21A(b)(11)(B) of the Federal Home Loan Bank Act and the actions taken with respect to the agreements described in such section. The report shall describe, for each such agreement, the review that has been conducted and the action that has been taken, if any, to rescind or to restructure, modify, or renegotiate the agreement. In describing the action taken, the Corporation is not required to provide detailed information regarding an ongoing investigation or negotiation. The Corporation shall exercise any and all legal rights to restructure, modify, renegotiate or rescind such agreement, notwithstanding any other provision of law, where the savings would be realized.

(b) To expend any appropriated funds for the purpose of restructuring, modifying, or renegotiating the agreements described in subsection (a), the Corporation shall certify to the Congress, for each such agreement, the following:

(1) the Corporation has completed its review of the agreement, as required by section 21A(b)(11)(B) of the Federal Home Loan Bank Act;

(2)(A) at the time of certification, in the opinion of the Corporation and based upon the information available to it, there is insufficient evidence or other indication of fraud, misrepresentation, failure to disclose a material fact, failure to perform under the terms of the agreement, improprieties in the bidding process, failure to comply with any law, rule or regulation regarding the validity of the agreement, or any other legal basis sufficient for the rescission of the agreement; or

(B) at the time of certification, the Corporation finds that there may be sufficient evidence to provide a legal basis for the rescission of the assistance agreement, but the Corporation determines that it may be in the best interest of the Government of restructure, modify or renegotiate the assistance agreement; and

(3) the Corporation has or will promptly exercise any and all legal rights to modify, renegotiate, or restructure the agreement where savings would be realized by such action.

SEC. 518. COMPLIANCE WITH BUY AMERICAN ACT.—None of the funds made available in this Act may be expended in violation of sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a–10c; popularly known as "Buy American Act"), which are applicable to those funds.

□ 2120

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

Mr. Chairman, I expect that soon the floor manager will be moving that the committee rise and report this bill back to the House, This is not just a procedural motion, Mr. Chairman. If his effect succeeds, it will mean that for another year the money in this Veterans, HUD, and Independent Agencies Appropriations bill will go to illegal aliens, even as many American citizens have to go without those same benefits.

This policy is wrong, Mr. Chairman. This policy is wrong because our country should not be handing out any benefits to illegal aliens on the same basis as American citizens. This policy is wrong because it entices more and more people to come into our country illegally.

And, Mr. Chairman, this policy is wrong because it is simply unfair to American citizens and legal residents, who should always come first when taxpayer money is spent.

Yet the leadership on the other side wants you to vote for a motion that will continue this failed policy. Because the point of this motion is to deny me the right to offer an amendment that says, No more. My amendment, which this motion would prevent me from offering, says that we are going to stop the nonsensical policy of giving benefits to illegal aliens.

Let me offer my colleagues an example of what will happen if the motion to rise passes. This bill funds long-term disaster assistance and several housing assistance programs. Although there is a restriction in current law that is reiterated in this bill with regard to illegal aliens receiving housing subsidies, it does not apply to most housing programs.

Also, I would point out that although we were successful in adopting an amendment to the Los Angeles Earthquake Supplemental Appropriations bill, to cut off long-term disaster assistance to illegal immigrants, that provision applied only to that bill.

In order to prevent illegal aliens from receiving future long-term disaster assistance, we must amend this bill.

Unless the motion to rise is defeated, and my amendment is adopted, there will continue to be Americans who will be denied assistance so that illegal aliens can continue getting the help instead.

Let us stop this insane policy of handing out taxpayer-paid benefits to anyone who can make it into this country illegally. Vote "no" on the motion to rise.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

This Act may be cited as the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1995.

Mr. STOKES. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

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

RECORDED VOTE

Mr. ROHRABACHER. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 261, noes 163, not voting 15, as follows:

[Roll No. 310]

AYES—261

Abercrombie
Ackerman
Andrews (ME)
Andrews (TX)
Applegate
Bacchus (FL)
Baesler
Barca
Barcia
Barlow
Barrett (WI)
Becerra
Beilenson
Berman
Bevill
Bilbray
Bilirakis
Bishop
Blackwell
Bonilla
Bonior
Borski
Boucher
Brewster
Brooks
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Byrne
Cantwell
Cardin
Carr
Chapman
Clay
Clayton
Clement
Clyburn
Coleman
Collins (IL)
Collins (MI)
Condit
Conyers
Coppersmith
Costello
Coyne
Cramer
Danner
Darden
de la Garza
de Lugo (VI)
Deal
DeFazio
DeLauro
Dellums
Derrick
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Dooley
Durbin
Edwards (CA)
Edwards (TX)
Engel
English
Eshoo
Evans
Farr
Fazio
Fields (LA)
Filner
Fingerhut
Flake
Foglietta
Ford (TN)
Frank (MA)
Frost
Furse
Gallo
Gejdenson
Gephardt
Geren
Gibbons
Glickman
Gonzalez
Gordon
Green
Gutierrez
Hall (OH)
Hall (TX)
Hamburg
Hamilton
Harman
Hastings
Hayes
Hefner
Hilliard
Hinchey
Hoagland
Hochbrueckner
Holden
Hoyer
Hughes
Hutto
Inslee
Jacobs
Jefferson
Johnson (GA)
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kennedy
Kennelly
Kildee
Kleczka
Klein
Klink
Kopetski
Kreidler
LaFalce
Lambert
Lancaster
Lantos
LaRocco
Laughlin
Lehman
Levin
Lewis (CA)
Lewis (GA)
Lipinski
Livingston
Lloyd
Long
Lowey
Maloney
Mann
Manton
Margolies-Mezvinsky
Markey
Martinez
Matsui
Mazzoli
McCloskey
McCurdy
McDermott
McHale
McKinney
McNulty
Meehan
Meek
Menendez
Mfume
Miller (CA)
Mineta
Minge
Mink
Moakley
Montgomery
Moran
Morella
Murphy
Murtha
Nadler
Neal (MA)
Neal (NC)
Norton (DC)
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Pallone
Parker
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Penny
Peterson (FL)
Peterson (MN)
Pickett
Pickle
Pomeroy
Poshard
Price (NC)
Quillen
Rahall
Rangel
Reed
Reynolds
Richardson
Roemer
Ros-Lehtinen
Rose
Rostenkowski
Rowland
Roybal-Allard
Sabo
Sanders
Sangmeister
Sarpalius
Sawyer
Schaefer
Schenk
Schroeder
Schumer
Scott
Serrano
Sharp
Shepherd
Sisisky
Skaggs
Skeen
Skelton
Slattery
Slaughter
Smith (IA)
Spratt
Stark
Stenholm
Stokes
Strickland
Studds
Stupak
Swett
Synar
Tanner
Tauzin
Taylor (MS)
Tejeda
Thompson
Thornton
Thurman
Torricelli
Towns
Traficant
Tucker
Underwood (GU)
Unsoeld
Valentine
Velazquez
Vento
Visclosky
Volkmer
Waters
Watt
Waxman
Whitten
Wilson
Wise
Woolsey
Wyden
Wynn
Yates
Young (FL)

NOES—163

Allard
Andrews (NJ)
Archer
Armey
Bachus (AL)
Baker (CA)
Baker (LA)
Ballenger
Barrett (NE)
Bartlett
Barton
Bateman
Bentley
Bereuter
Bliley
Blute
Boehlert
Boehner
Bunning
Burton
Buyer

Callahan
Calvert
Camp
Canady
Castle
Clinger
Coble
Collins (GA)
Combest
Cooper
Crane
Crapo
Cunningham
DeLay
Dickey
Doolittle
Dornan
Dreier
Duncan
Dunn
Ehlers
Emerson
Everett
Ewing
Fawell
Fields (TX)
Fowler
Franks (CT)
Franks (NJ)
Gallegly
Gekas
Gilchrest
Gillmor
Gilman
Gingrich
Goodlatte
Goodling
Goss
Grams
Greenwood
Gunderson
Hancock
Hansen
Hastert
Hefley
Herger
Hobson
Hoekstra
Hoke
Horn
Houghton
Huffington
Hunter
Hutchinson
Hyde
Inglis
Inhofe
Johnson (CT)
Johnson, Sam
Kasich
Kim
King
Kingston
Klug
Knollenberg
Kolbe
Kyl
Lazio
Leach
Levy
Lewis (FL)
Lewis (KY)
Lightfoot
Linder
Lucas
Manzullo
McCandless
McCollum
McCrery
McDade
McHugh
McInnis
McKeon
McMillan
Meyers
Mica
Michel
Miller (FL)
Molinari
Moorhead
Myers
Nussle
Oxley
Packard
Paxon
Petri
Pombo
Porter
Portman
Pryce (OH)
Quinn
Ramstad
Ravenel
Regula
Ridge
Roberts
Rogers
Rohrabacher
Roth
Roukema
Royce
Santorum
Saxton
Schiff
Sensenbrenner
Shaw
Shays
Shuster
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solomon
Spence
Stearns
Stump
Sundquist
Talent
Taylor (NC)
Thomas (CA)
Thomas (WY)
Torkildsen
Upton
Vucanovich
Walker
Walsh
Weldon
Wolf
Young (AK)
Zeliff
Zimmer

NOT VOTING—15

Cox
Faleomavaega (AS)
Fish
Ford (MI)
Grandy
Istook
Machtley
Mollohan
Romero-Barcelo (PR)
Rush
Swift
Torres
Washington
Wheat
Williams

□ 2142

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

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

So the motion to rise and report was agreed to.

The result of the vote was announced as above recorded.

Accordingly the Committee rose; and the Speaker pro tempore [Mr. OBERSTAR] having assumed the chair, Mr. BEILENSON, 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. 4624) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 1995, and for other purposes, had directed him to report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to, and that the bill, as amended, do pass.

The SPEAKER pro tempore. Without objection, the previous question is ordered.

There was no objection.

The SPEAKER pro tempore. Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. KOLBE

Mr. KOLBE. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. KOLBE. In its present form, I am, Mr. Speaker.

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

The clerk read as follows:

Mr. KOLBE moves to recommit the bill H.R. 4624 to the Committee on Appropriations with instructions to report back the same forthwith with the following amendment: On page 66, strike line 10 and all that follows through page 67, line 15.

The SPEAKER pro tempore. The gentleman from Arizona [Mr. KOLBE] is recognized for 5 minutes in support of his motion.

Mr. KOLBE. I thank the Speaker.

Mr. Speaker. I realize that the hour is late, although I suspect we may still be here for a while. I rise this evening to offer this motion to recommit the VA-HUD appropriation bill. My motion would recommit with instructions to report it back by striking the funding for three programs. It would strike $827 million from the Federal Deposit Insurance Corporation and FSLIC resolution fund; it would strike $15 million from the FDIC affordable housing program, and $32 million from the Resolution Trust Corporation, Office of Inspector General.

Mr. Speaker, I suppose we could say that we could in one quick blow here save almost $900 million for the American taxpayer, but there is another underlying issue for this motion. The fact is, none of these three agencies for which I would strike the funds in this bill testified before the VA-HUD Subcommittee to provide justification for their budget requests.

Every year, every year since these agencies have been in existence, they have testified before the VA-HUD Subcommittee or the relevant subcommittee of Appropriations to which they were assigned. But not this year.

And as a result, the House of Representatives, the subcommittee, the Appropriations Committee, and the full House of Representatives has been denied the opportunity to exercise its responsibility to exercise respect to oversight authority over the budget requests for these agencies.

Now, Mr. Speaker, I suspect—though I hope I would be wrong—but I would suspect there may be just a bit of politics in this decision not to call these three particular agencies to testify.

I think the reason is fairly obvious. We might as well lay it out on the table here tonight. The reason these agencies were not called to testify was that somehow some members of the subcommittee might just ask some embarrassing questions pertaining to the so-called Whitewater investigation. But Mr. Speaker, there is more to this issue. It is not Whitewater we are talking about; we are talking about their regular budget requests. We are talking about their operating funds. No justification was ever presented to the subcommittee; no opportunity was given for the subcommittee to ask questions, to get oral testimony from the agency officials as to why these funds were required or how they would be spent.

So I would say, Mr. Speaker, that the issue tonight goes beyond Whitewater. I think it goes beyond the issue of party politics despite the rhetoric that may be heard. I think that Congress, as an institution, and certainly the Committee on Appropriations as part of this House, has a responsibility, a constitutional responsibility to conduct budget oversight of all the agencies of the executive branch. That is our basic responsibility. And when the majority party, for whatever reason, cancels hearings in front of the committee, then this sacred system of checks and balances is put in jeopardy.

□ 2150

We have to acknowledge the potential for abuses if legitimate oversight responsibilities are ignored when both the executive branch and the legislative branch are controlled by the same party. Congress has an obligation, when it comes to the use of taxpayer funds, to question agencies on their funding priorities. There is no reason that these agencies should be excused from testifying on their budget requests. It is our duty, it is the duty of Congress, certainly of the Committee on Appropriations on which I serve, to know precisely what is in the budget requests for these agencies, why they request the funds, and how they exercise their spending authority. They must explain their costs; they must account for their expenditures. If not the Congress, Mr. Speaker, then who should they account to?

I agree with Senator BYRD in the other body who was quoted today in the newspaper as saying, while speaking about funding for another agency; he said, quote, it, meaning funding, must be justified on an annual basis along with other programs funded in the same bill, unquote.

Now, Mr. Speaker, there is precedent for zeroing out an agency that did not

testify on its appropriation bill. Two years ago the House did not provide funds for the National Space Council, as a matter of fact, in this same subcommittee, because it had sent a letter in lieu of testifying. Both the minority and the majority on the VA–HUD Subcommittee agreed a letter was not sufficient justification for a funding request. We are in the same situation today. Many important questions remain unanswered about a large amount, $900 million of funding for these agencies, because they never appeared before the subcommittee to testify.

Mr. Speaker, I urge the House to exercise its oversight process. We should send a signal to these agencies. We should vote aye on the motion to recommit.

The SPEAKER pro tempore (Mr. OBERSTAR). The time of the gentleman from Arizona [Mr. KOLBE] has expired.

Mr. STOKES. Mr. Speaker, I rise in opposition to the motion to recommit offered by the gentleman from Arizona [Mr. KOLBE].

The SPEAKER pro tempore the gentleman from Ohio [Mr. STOKES] is recognize for 5 minutes in opposition to the motion to recommit.

Mr. STOKES. Mr. Speaker, due to the lateness of the hour, I have no intention of taking up the entire 5 minutes to speak on this issue. Let me just begin by saying that the issue of holding hearings on these agencies became more of a partisan problem than an issue. As a result the Whitewater case, we decided not to hold hearings with these agencies until the ongoing investigations concerning Whitewater was moving forward, and I might add, Mr. Speaker, the investigations are still ongoing.

Let me also say, Mr. Speaker, that the gentleman from Texas [Mr. GONZALEZ] of the Committee on Banking, Finance and Urban Affairs has stated earlier this week that hearings on the Whitewater case will be held on July 26, 1994.

Before closing let me just call to the attention of Members what the gentleman's motion to recommit will do.

Mr. Speaker, the gentleman's motion to recommit takes all of the money out of the Federal Deposit Insurance Corporation, FSLIC resolution fund in the amount of $827 million in borrowing. It takes out $15 million, the total amount of money in the FDIC Affordable housing program, and it takes all of the money, $32 million, out of the Resolution Trust Corporation's Office of Inspector General. The result of this motion to recommit, Mr. Speaker, would be to prevent the agencies, which Congress established, from efficiently and effectively utilizing taxpayer dollars. In addition, this would limit the agency's ability to leverage sources of funds because of the absence of an appropriation in fiscal year 1995.

I would urge that the Members oppose the motion to recommit.

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

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

Mr. KOLBE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. The Chair will announce that pursuant to the provisions of clause 5 of rule XV, the Chair will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device, if ordered, will be taken on the question of passage of the bill.

The vote was taken by electronic device, and there were—yeas 166, nays 262, answered "present" 1, not voting 5, as follows:

[Roll No. 311]

YEAS—166

Allard
Archer
Armey
Bachus (AL)
Baker (CA)
Baker (LA)
Ballenger
Barrett (NE)
Bartlett
Barton
Bateman
Bentley
Bereuter
Bilirakis
Bliley
Blute
Boehlert
Boehner
Bonilla
Bunning
Burton
Buyer
Callahan
Calvert
Camp
Canady
Castle
Clinger
Coble
Collins (GA)
Combest
Cox
Crane
Crapo
Cunningham
DeLay
Diaz-Balart
Dickey
Doolittle
Dornan
Dreier
Duncan
Dunn
Ehlers
Emerson
Everett
Ewing
Fawell
Fields (TX)
Fowler
Franks (CT)
Franks (NJ)
Gallegly
Gekas
Gilchrest
Gillmor
Gilman
Gingrich
Goodlatte
Goodling
Goss
Grams
Greenwood
Gunderson
Hancock
Hansen
Hastert
Hefley
Herger
Hobson
Hoekstra
Hoke
Horn
Houghton
Huffington
Hunter
Hutchinson
Inglis
Inhofe
Istook
Johnson (CT)
Johnson, Sam
Kasich
Kim
King
Kingston
Klug
Knollenberg
Kolbe
Kyl
Levy
Lewis (FL)
Lewis (KY)
Lightfoot
Linder
Livingston
Lucas
Manzullo
McCandless
McCollum
McCrery
McDade
McHugh
McInnis
McKeon
McMillan
Mica
Michel
Miller (FL)
Molinari
Moorhead
Morella
Nussle
Oxley
Packard
Paxon
Petri
Pombo
Porter
Portman
Pryce (OH)
Quinn
Ramstad
Ravenel
Regula
Ridge
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Royce
Santorum
Saxton
Schaefer
Schiff
Sensenbrenner
Shaw
Shays
Shuster
Skeen
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solomon
Spence
Stearns
Stump
Sundquist
Talent
Taylor (NC)
Thomas (CA)
Thomas (WY)
Torkildsen
Upton
Vucanovich
Walker
Walsh
Weldon
Wolf
Young (AK)
Young (FL)
Zeliff
Zimmer

NAYS—262

Abercrombie
Ackerman
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Applegate
Bacchus (FL)
Baesler
Barca
Barcia
Barlow
Barrett (WI)
Becerra
Beilenson
Berman
Bevill
Bilbray
Bishop
Blackwell
Bonior
Borski
Boucher
Brewster
Brooks
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Byrne
Cantwell
Cardin
Carr
Chapman
Clay
Clayton
Clement
Clyburn
Coleman
Collins (IL)
Collins (MI)
Condit
Conyers
Cooper
Coppersmith
Costello
Coyne
Cramer
Danner
Darden
de la Garza
Deal
DeFazio
DeLauro
Dellums
Derrick
Deutsch
Dicks
Dingell
Dixon
Dooley
Durbin
Edwards (CA)
Edwards (TX)
Engel
English
Eshoo
Evans
Farr
Fazio
Fields (LA)
Filner
Fingerhut
Flake
Foglietta
Ford (TN)
Frank (MA)
Frost
Furse
Gallo
Gejdenson
Gephardt
Geren
Gibbons
Glickman
Gonzalez
Gordon
Green
Gutierrez
Hall (OH)
Hall (TX)
Hamburg
Hamilton
Harman
Hastings
Hayes
Hefner
Hilliard
Hinchey
Hoagland
Hochbrueckner
Holden
Hoyer
Hughes
Hutto
Inslee
Jacobs
Jefferson
Johnson (GA)
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kennedy
Kennelly
Kildee
Kleczka
Klein
Klink
Kopetski
Kreidler
LaFalce
Lambert
Lancaster
Lantos
LaRocco
Laughlin
Lazio
Leach
Lehman
Levin
Lewis (CA)
Lewis (GA)
Lipinski
Lloyd
Long
Lowey
Maloney
Mann
Manton
Margolies-Mezvinsky
Markey
Martinez
Matsui
Mazzoli
McCloskey
McCurdy
McDermott
McHale
McKinney
McNulty
Meehan
Meek
Menendez
Meyers
Mfume
Miller (CA)
Mineta
Minge
Mink
Moakley
Mollohan
Montgomery
Moran
Murphy
Murtha
Myers
Nadler
Neal (MA)
Neal (NC)
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Pallone
Parker
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Penny
Peterson (FL)
Peterson (MN)
Pickett
Pickle
Pomeroy
Poshard
Price (NC)
Quillen
Rahall
Rangel
Reed
Reynolds
Richardson
Roemer
Rose
Rostenkowski
Roukema
Rowland
Roybal-Allard
Rush
Sabo
Sanders
Sangmeister
Sarpalius
Sawyer
Schenk
Schroeder
Schumer
Scott
Serrano
Sharp
Shepherd
Sisisky
Skaggs
Skelton
Slattery
Slaughter
Smith (IA)
Spratt
Stark
Stenholm
Stokes
Strickland
Studds
Stupak
Swett
Swift
Synar
Tanner
Tauzin
Taylor (MS)
Tejeda
Thompson
Thornton
Thurman
Torres
Torricelli
Towns
Traficant
Tucker
Unsoeld
Valentine
Velazquez
Vento
Visclosky
Volkmer
Waters
Watt
Waxman
Wheat
Whitten
Williams
Wilson
Wise
Woolsey
Wyden
Wynn
Yates

ANSWERED "PRESENT"—1

Hyde

NOT VOTING—5

Fish
Ford (MI)
Grandy
Machtley
Washington

□ 2217

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

LEGISLATIVE PROGRAM

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

Mr. MICHEL. Mr. Speaker, I rise to inquire of the gentleman from Missouri [Mr. GEPHARDT] the program for the balance of this evening and tomorrow.

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

Mr. MICHEL. I yield to the gentleman from Missouri.

Mr. GEPHARDT. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, our plan, in cooperation with the Minority, is to proceed to a unanimous consent request on the rule on the legislative branch conference report; also, a rule on the DOD appropriation bill; then to move immediately after that to the legislative branch conference report; and then after that to go into the DOD appropriation bill. The final business for the evening would be the motion to instruct on the crime bill.

Mr. Speaker, if we are able, as we hope, to move quickly through this business, we would then have one piece of business left for tomorrow, which we are working to try to resolve, which is the DC appropriation bill. We are in collaboration or negotiation and consultation with the minority to try to work our way through that bill as well, which would mean a very short day tomorrow.

□ 2220

If we have everyone's cooperation, we can move quickly through this business this evening and try to get out of here at the earliest possible moment.

Mr. MICHEL. Mr. Speaker, I thank the majority leader.

If I might just make a comment, I would like to compliment the House on its decorum and the chairmanship of the current Member. If we keep on that kind of track, then the very important pieces of legislation that we always anguish about the temperament about the House at any given time, if everybody cooperates, why, it should work very smoothly and everybody take note of that.

We will be happy to agree.

WAIVING CERTAIN POINTS OF ORDER AGAINST H.R. 4650, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 1995, AND WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 4454, LEGISLATIVE BRANCH APPROPRIATIONS ACT, 1995

Mr. GEPHARDT. Mr. Speaker, I ask unanimous consent that the House immediately adopt House Resolution 469 and House Resolution 470.

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

There was no objection.

The texts of House Resolution 469 and of House Resolution 470 are as follows:

H.R. RES. 469

Resolved, That points of order against consideration of the bill (H.R. 4650) making appropriations for the Department of Defense for the fiscal year ending September 30, 1995, and for other purposes, for failure to comply with clause 7 of rule XXI are waived. During consideration of the bill, all points of order against provisions in the bill for failure to comply with clause 2 or 6 of rule XXI are waived.

H.R. RES. 470

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 4454) making appropriations for the Legislative Branch for the fiscal year ending September 30, 1995, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

The resolutions were agreed to.

A motion to reconsider was laid on the table.

DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 1995

The SPEAKER pro tempore. The question is on the passage of the bill. This will be a 5-minute vote if a recorded vote is ordered.

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

Mr. STOKES. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 344, nays 84, not voting 6, as follows:

[Roll No. 312]

YEAS—344

Abercrombie
Ackerman
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Applegate
Bacchus (FL)
Baesler
Baker (CA)
Baker (LA)
Barcia
Barlow
Barrett (NE)
Bartlett
Bateman
Becerra
Beilenson
Bentley
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Bishop
Blackwell
Bliley
Blute
Boehlert
Bonilla
Bonior
Borski
Boucher
Brewster
Brooks
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Buyer
Byrne
Callahan
Calvert
Camp
Canady
Cantwell
Cardin
Carr
Chapman
Clay
Clayton
Clement
Clinger
Clyburn
Coble
Coleman
Collins (GA)
Collins (IL)
Collins (MI)
Condit
Conyers
Cooper
Coppersmith
Costello
Cramer
Danner
Darden
de la Garza
Deal
DeFazio
DeLauro
DeLay
Dellums
Derrick
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Dooley
Dunn
Durbin
Edwards (CA)
Edwards (TX)
Emerson
Engel
English
Eshoo
Evans
Everett
Ewing
Farr
Fazio
Fields (LA)
Fields (TX)
Filner
Fingerhut
Flake
Foglietta
Ford (TN)
Fowler
Frank (MA)
Franks (CT)
Frost
Furse
Gallegly
Gallo
Gejdenson
Gephardt
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Gingrich
Glickman
Gonzalez
Goodlatte
Goodling
Gordon
Green
Greenwood
Gunderson
Gutierrez
Hall (OH)
Hall (TX)
Hamburg
Hamilton
Hansen
Harman
Hastert
Hastings
Hayes
Hefner
Hilliard
Hinchey
Hoagland
Hobson
Hochbrueckner
Hoke
Holden
Horn
Houghton
Hoyer
Hutchinson
Hutto
Hyde
Inslee
Jefferson
Johnson (CT)
Johnson (GA)
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kasich
Kennedy
Kennelly
Kildee
King
Kingston
Kleczka
Klein
Klink
Kopetski
Kreidler
LaFalce
Lambert
Lancaster
Lantos
LaRocco
Laughlin
Lazio
Lehman
Levin
Levy
Lewis (CA)
Lewis (FL)
Lewis (GA)
Lewis (KY)
Lightfoot
Lipinski
Livingston
Lloyd
Long
Lowey
Lucas
Maloney
Mann
Manton
Margolies-Mezvinsky
Markey
Martinez
Matsui
Mazzoli
McCloskey
McCollum
McCrery
McCurdy
McDade
McDermott
McHale
McHugh
McInnis
McKinney
McMillan
McNulty
Meehan
Meek
Menendez
Meyers
Mfume
Michel
Miller (CA)
Mineta
Mink
Moakley
Molinari
Mollohan
Montgomery
Moran
Morella
Murphy
Murtha
Nadler
Neal (MA)
Neal (NC)
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Packard
Pallone
Parker
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Pickett
Pickle
Pomeroy
Poshard
Price (NC)
Pryce (OH)
Quillen
Quinn
Rahall
Rangel
Ravenel
Reed
Regula
Reynolds
Richardson
Ridge
Rogers
Rose
Rostenkowski
Rowland
Roybal-Allard
Rush
Sabo
Sanders
Sangmeister
Santorum
Sarpalius
Sawyer
Saxton
Schenk
Schiff
Schumer
Scott
Serrano
Sharp
Shaw
Shays
Shepherd
Sisisky
Skaggs
Skeen
Skelton
Slattery
Slaughter
Smith (IA)
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Spratt
Stearns
Stenholm
Stokes
Strickland
Studds
Stupak
Sundquist
Swift
Synar
Talent
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas (CA)
Thomas (WY)
Thompson
Thornton
Thurman
Torkildsen
Torres
Torricelli
Towns

Traficant	Vucanovich	Wilson
Tucker	Walsh	Wise
Unsoeld	Waters	Wolf
Upton	Watt	Woolsey
Valentine	Waxman	Wyden
Velazquez	Weldon	Wynn
Vento	Wheat	Yates
Visclosky	Whitten	Young (AK)
Volkmer	Williams	Young (FL)

NAYS—84

Allard	Hefley	Paxon
Archer	Herger	Penny
Armey	Hoekstra	Peterson (MN)
Bachus (AL)	Huffington	Petri
Ballenger	Hughes	Pombo
Barca	Hunter	Porter
Barrett (WI)	Inglis	Portman
Barton	Inhofe	Ramstad
Boehner	Istook	Roberts
Bunning	Jacobs	Roemer
Burton	Johnson, Sam	Rohrabacher
Castle	Kim	Ros-Lehtinen
Combest	Klug	Roth
Cox	Knollenberg	Roukema
Crane	Kolbe	Royce
Crapo	Kyl	Schaefer
Cunningham	Leach	Schroeder
Doolittle	Linder	Sensenbrenner
Dornan	Manzullo	Shuster
Dreier	McCandless	Smith (MI)
Duncan	McKeon	Solomon
Ehlers	Mica	Spence
Fawell	Miller (FL)	Stark
Franks (NJ)	Minge	Stump
Gekas	Moorhead	Swett
Goss	Myers	Walker
Grams	Nussle	Zeliff
Hancock	Oxley	Zimmer

NOT VOTING—6

Coyne	Ford (MI)	Machtley
Fish	Grandy	Washington

□ 2229

Mr. PORTER changed his vote from "yea" to "nay."

Mr. KASICH changed his vote from "nay" to "yea."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. FAZIO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the conference report to the bill, H.R. 4454, making appropriations for the legislative branch for the fiscal year ending September 30, 1995, and for other purposes, and that I may include extraneous and tabular material.

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

There was no objection.

CONFERENCE REPORT ON H.R. 4454, LEGISLATIVE BRANCH APPROPRIATION ACT, 1995

Mr. FAZIO. Mr. Speaker, pursuant to House Resolution 470 just adopted, I call up the conference report on the bill, H.R. 4454 making appropriations for the legislative branch for the fiscal year ending September 30, 1995, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 470, the conference report is considered as having been read.

(For conference report and statement, see proceedings of the House of Tuesday, June 28, 1994, at page 14920.)

The SPEAKER pro tempore. The gentleman from California [Mr. FAZIO] will be recognized for 30 minutes, and the gentleman from Florida [Mr. YOUNG] will be recognized for 30 minutes.

The Chair recognizes the gentleman from California [Mr. FAZIO].

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

Mr. Speaker, we have had a very successful conference; 33 Senate amendments to the House bill have all been resolved. We will include a table showing the details of the conference agreement in the RECORD.

The material to which I referred is as follows:

H.R. 4454—LEGISLATIVE APPROPRIATIONS CONFERENCE AGREEMENT—REMARKS OF HON. VIC FAZIO, CALIFORNIA

SUCCESSFUL CONFERENCE

33 Senate amendments to the House bill; all resolved by conferees.

I will include a table showing details of conference agreement.

LEGISLATIVE BRANCH HAS EXCEEDED THE 4 PERCENT STAFF REDUCTION PLAN—WE ARE GOING TO ACHIEVE 5.6 PERCENT

Conference agreement: Maximum restraint on spending consistent with our needs to carry out the job of the Federal legislature.

Applied tougher spending standards to our own budget than almost any other part of government.

Also, we carried out the instructions of the House to the House conferees on Amendment No. 24 to require cost savings at GPO in developing electronic formats for enhanced information access as required by law.

CONFERENCE AGREEMENT—BUDGET AUTHORITY

$2.37 billion ($2,367,287,500)—that's 4.2 percent (+$96.7 million) above 1994.

$142.4 million below budget request—a 5.7 percent reduction.

$100.7 million below our 602(b) Budget Resolution target—(−4.1 percent).

CONFERENCE BUDGET AUTHORITY COMPARED TO HOUSE BILL

The bill we sent to the Senate did not have funds for Senate operations.

Excluding the Senate items, the conference agreement is $24.4 million ($24,434,000) above the House-passed bill. Consisting of: COLA and locality pay increase of $10 million for legislative agencies entitled to receive them; A comparability pay increase of $3.7 million for Capitol and Library police; Building renovation projects: $2.5 million for the Collidge auditorium and Whittall Pavilions at Library of Congress; $6 million derived from receipts for asbestos removal at the GAO building; Workload items: $1.5 million for electronic access by libraries to Federal documents, offset by a substantially higher amount of savings from other electronic format projects; and $475,000 for CRS data services to Members of Congress.

OTHER RESOURCES ADDED

We have funded the beginning of the reconstruction of the Botanic Garden conservatory.

Out of existing no-year funds out of Architect accounts.

We maintained the reduction amendment adopted on the House floor by using previously appropriated funds.

We have funded new security equipment for the Capitol buildings from the same source.

BASELINE COMPARISONS

If we go back three years to the actual 1992 appropriation, and the fiscal year 1995 baseline then projected by CBO: The Legislative Bill is −12.3 percent (−$331 million) below the 1992 level of operations in BA; and 5.5 percent (−$139 million) below 1992 in outlays.

PROVISIONS

Amendment No. 26 amends the Federal printing code. The original Senate amendment made extensive changes in Federal policy which governs the purchase of printing services from the private sector. We did not go along with the Senate in expanding this policy to use the Government Printing Office procurement program for the purchase of computer printing. That is the province of the Government Operations Committee, and we did not change that. But we did go along with including high volume duplicating. The GAO has said there is no longer any real distinction between duplicating and printing—and we have recognized that in this bill.

Amendment No. 26 strengthens the hand of GPO to utilize their competitive procurement program—which is highly developed—to get the best possible price for the government in obtaining contract printing.

Amendment No. 33 contains language that enacts a Human Resources Act for the employees of the Architect of the Capitol. This amendment was included in the Senate bill and, after further review and consultations with Senator Mikulski and others, the Senate managers asked for a further amendment in the conference committee, which House and Senate conferees agreed to. In addition, the House managers proposed a further amendment designed to guarantee that House garage and lot attendants will be eligible for all employee rights made available to House employees.

SUMMARY

In summary, the bill is: $142 million below the request; $101 million below the Sec. 602(b) target allocation; 12.3 percent below the 95 baseline projected from the 1992 level of operation.

Urge an aye vote on passage.

H.R. 4454 - LEGISLATIVE BRANCH APPROPRIATIONS, 1995

	FY 1994 Enacted	FY 1995 Estimate	House	Senate	Conference	Conference compared with enacted
TITLE I - CONGRESSIONAL OPERATIONS						
SENATE						
Mileage and Expense Allowances						
Mileage of the Vice President and Senators	60,000	60,000		60,000	60,000	
Expense allowances:						
Vice President	10,000	10,000		10,000	10,000	
President Pro Tempore of the Senate	10,000	10,000		10,000	10,000	
Majority Leader of the Senate	10,000	10,000		10,000	10,000	
Minority Leader of the Senate	10,000	10,000		10,000	10,000	
Majority Whip of the Senate	5,000	5,000		5,000	5,000	
Minority Whip of the Senate	5,000	5,000		5,000	5,000	
Chairmen of the Majority Conference Committee	3,000	3,000		3,000	3,000	
Chairmen of the Minority Conference Committee	3,000	3,000		3,000	3,000	
Subtotal, expense allowances	56,000	56,000		56,000	56,000	
Representation allowances for the Majority and Minority Leaders	30,000	30,000		30,000	30,000	
Total, Mileage and expenses allowances	146,000	146,000		146,000	146,000	
Salaries, Officers and Employees						
Office of the Vice President	1,431,000	1,513,000		1,513,000	1,513,000	+82,000
Office of the President Pro Tempore	432,000	457,000		457,000	457,000	+25,000
Offices of the Majority and Minority Leaders	2,076,000	2,195,000		2,195,000	2,195,000	+119,000
Offices of the Majority and Minority Whips	644,000	656,000		656,000	656,000	+12,000
Conference committees	1,884,000	1,992,000		1,992,000	1,992,000	+108,000
Offices of the Secretaries of the Conference of the Majority and the Conference of the Minority	362,000	384,000		384,000	384,000	+22,000
Office of the Chaplain	172,000	192,000		192,000	192,000	+20,000
Office of the Secretary	12,165,000	12,961,000		12,961,000	12,961,000	+796,000
Office of the Sergeant at Arms and Doorkeeper	32,739,000	32,739,000		32,739,000	32,739,000	
Offices of the Secretaries for the Majority and Minority	1,133,000	1,197,000		1,197,000	1,197,000	+64,000
Agency contributions	17,307,000	17,052,000		17,052,000	17,052,000	-255,000
Total, salaries, officers and employees	70,345,000	71,338,000		71,338,000	71,338,000	+993,000
Office of the Legislative Counsel of the Senate						
Salaries and expenses	3,080,000	3,381,000		3,381,000	3,381,000	+301,000
Office of Senate Legal Counsel						
Salaries and expenses	833,000	936,000		936,000	936,000	+103,000
Expense Allowances of the Secretary of the Senate, Sergeant at Arms and Doorkeeper of the Senate, and Secretaries for the Majority and Minority of the Senate: Expenses allowances	12,000	12,000		12,000	12,000	
Contingent Expenses of the Senate						
Senate policy committees	2,398,200	2,574,000		2,574,000	2,574,000	+175,800
Inquiries and investigations	77,000,000	78,112,000		78,112,000	78,112,000	+1,112,000
Expenses of United States Senate Caucus on International Narcotics Control	336,000	348,000		348,000	348,000	+12,000
Secretary of the Senate	1,966,500	1,966,500		1,966,500	1,966,500	
(By transfer)				(7,000,000)	(7,000,000)	(+7,000,000)
Sergeant at Arms and Doorkeeper of the Senate	74,894,000	74,894,000		74,894,000	74,894,000	
Miscellaneous items	6,748,000	7,429,000		7,429,000	7,429,000	+681,000
Senators' Official Personnel and Office Expense Account	185,768,000	213,542,000		206,542,000	206,542,000	+20,774,000
Office of Fair Employment Practices	825,000	889,000		889,000	889,000	+64,000
Settlements and Awards Reserve		1,000,000		1,000,000	1,000,000	+1,000,000
Stationery (revolving fund)	13,000	13,000		13,000	13,000	
Official Mail Costs						
Expenses	20,000,000	36,000,000		11,000,000	11,000,000	-9,000,000
Total, contingent expenses of the Senate	369,948,700	416,767,500		384,767,500	384,767,500	+14,818,800
Total, Senate	444,364,700	492,580,500		460,580,500	460,580,500	+16,215,800
Rescission				-23,000,000	-23,000,000	-23,000,000
Total, Senate (net)	444,364,700	492,580,500		437,580,500	437,580,500	-6,784,200
HOUSE OF REPRESENTATIVES						
Payments to Widows and Heirs of Deceased Members of Congress						
Gratuities, deceased Members	133,600		133,600	133,600	133,600	

H.R. 4454 - LEGISLATIVE BRANCH APPROPRIATIONS, 1995

	FY 1994 Enacted	FY 1995 Estimate	House	Senate	Conference	Conference compared with enacted
Salaries and Expenses						
House Leadership Offices						
Office of the Speaker	1,395,000	1,808,000	1,444,000	1,444,000	1,444,000	+49,000
Office of the Majority Floor Leader	1,003,000	1,121,000	1,042,000	1,042,000	1,042,000	+39,000
Office of the Minority Floor Leader	1,383,000	1,534,000	1,429,000	1,429,000	1,429,000	+46,000
Office of the Majority Whip	1,235,000	1,361,000	1,284,000	1,284,000	1,284,000	+49,000
Office of the Minority Whip	855,000	948,000	897,000	897,000	897,000	+42,000
Total, House leadership offices	5,871,000	6,573,000	6,096,000	6,096,000	6,096,000	+225,000
Members' Clerk Hire						
Clerk hire	225,004,000	256,702,000	240,417,000	240,417,000	240,417,000	+15,413,000
Committee Employees						
Professional and clerical employees of standing committees	70,445,000	78,301,000	73,925,000	73,925,000	73,925,000	+3,480,000
Committee on the Budget (Studies)						
Salaries and expenses	389,000	401,000	401,000	401,000	401,000	+12,000
Standing Committees, Special and Select						
Salaries and expenses	52,662,000	56,748,000	53,191,000	53,191,000	53,191,000	+529,000
House Information Systems						
Salaries and expenses	22,885,000	22,894,000	22,437,000	22,437,000	22,437,000	-448,000
Offsetting collections	-8,328,000	-6,420,000	-6,420,000	-6,420,000	-6,420,000	+1,908,000
Net total, House Information Systems	14,557,000	16,474,000	16,017,000	16,017,000	16,017,000	+1,460,000
Allowances and Expenses						
Official Expenses of Members	76,545,000	79,800,000	79,800,000	79,800,000	79,800,000	+3,255,000
Supplies, materials, administrative costs and Federal tort claims	11,328,000	6,666,000	6,103,000	6,103,000	6,103,000	-5,225,000
Office equipment	7,196,000	11,779,000	11,779,000	11,779,000	11,779,000	+4,583,000
Net expenses for telecommunications	5,960,000	10,872,000	10,872,000	10,872,000	10,872,000	+4,912,000
Furniture and furnishings	1,730,000	2,012,000	2,012,000	2,012,000	2,012,000	+282,000
Stenographic reporting of committee hearings	1,055,000	1,100,000	1,100,000	1,100,000	1,100,000	+45,000
Reemployed annuitants reimbursements	933,000	1,312,000	1,279,000	1,279,000	1,279,000	+346,000
Government contributions	115,314,000	134,841,000	130,849,000	130,849,000	130,849,000	+15,535,000
Miscellaneous items	761,000	778,000	778,000	778,000	778,000	+17,000
Total, allowances and expenses	220,812,000	249,282,000	244,572,000	244,572,000	244,572,000	+23,760,000
Committee on Appropriations (Studies and Investigations)						
Salaries and expenses	6,431,000	6,507,000	6,495,000	6,495,000	6,495,000	+64,000
Official Mail Costs						
Expenses	40,000,000	40,000,000	31,000,000	31,000,000	31,000,000	-9,000,000
Salaries, Officers and Employees						
Office of the Clerk	11,947,000	15,441,000	14,158,000	14,158,000	14,158,000	+2,211,000
Office of the Sergeant at Arms	1,384,000	1,677,000	1,502,000	1,502,000	1,502,000	+118,000
Office of the Doorkeeper	10,101,000	13,687,000	11,508,000	11,508,000	11,508,000	+1,406,000
Office of Director of Non-Legislative and Financial Services	14,402,000	18,383,000	16,360,000	16,360,000	16,360,000	+1,958,000
Office of Inspector General	.....	304,000	295,000	295,000	295,000	+295,000
Office of General Counsel	674,000	783,000	762,000	762,000	762,000	+88,000
Office of the Chaplain	123,000	128,000	124,000	124,000	124,000	+1,000
Office of the Parliamentarian	898,000	1,076,000	983,000	983,000	983,000	+85,000
Office of the Parliamentarian	(599,000)	(792,000)	(669,000)	(669,000)	(669,000)	(+70,000)
Compilation of precedents of the House of Representatives	(299,000)	(324,000)	(314,000)	(314,000)	(314,000)	(+15,000)
Office of the Historian	310,000	465,000	337,000	337,000	337,000	+27,000
Office of the Law Revision Counsel	1,453,000	1,778,000	1,630,000	1,630,000	1,630,000	+177,000
Office of the Legislative Counsel	4,071,000	4,844,000	4,400,000	4,400,000	4,400,000	+329,000
Six minority employees	738,000	772,000	747,000	747,000	747,000	+9,000
House Democratic Steering Committee and Caucus	1,474,000	1,837,000	1,523,000	1,523,000	1,523,000	+49,000
House Democratic Steering Committee	(942,000)	(1,027,000)	(970,000)	(970,000)	(970,000)	(+28,000)
House Democratic Caucus	(532,000)	(810,000)	(553,000)	(553,000)	(553,000)	(+21,000)
House Republican Conference	1,474,000	1,837,000	1,523,000	1,523,000	1,523,000	+49,000
Other Authorized Employees	1,088,000	1,814,000	504,000	504,000	504,000	-584,000
Technical assistant, Office of the Attending Physician	(146,000)	(166,000)	(161,000)	(161,000)	(161,000)	(+15,000)
L.B.J. Interns	(483,000)	(1,144,000)	.....	.....	.....	(-483,000)
Former Speakers' staff	(417,000)	(449,000)	(290,000)	(290,000)	(290,000)	(-127,000)
Miscellaneous items	(52,000)	(55,000)	(53,000)	(53,000)	(53,000)	(+1,000)
Total, salaries, officers and employees	50,147,000	64,178,000	56,354,000	56,354,000	56,354,000	+6,207,000
Total, salaries and expenses	686,318,000	777,147,000	728,468,000	728,468,000	728,468,000	+42,150,000
Total, House of Representatives	686,451,800	777,147,000	728,601,800	728,601,800	728,601,800	+42,150,000

H.R. 4454 - LEGISLATIVE BRANCH APPROPRIATIONS, 1995

	FY 1994 Enacted	FY 1995 Estimate	House	Senate	Conference	Conference compared with enacted
JOINT ITEMS						
Joint Economic Committee	3,980,000	4,120,000	4,090,000	4,090,000	4,090,000	+110,000
Joint Committee on Printing	1,344,000	1,380,000	1,370,000	1,370,000	1,370,000	+26,000
Joint Committee on Taxation	5,701,000	6,484,000	6,019,000	6,019,000	6,019,000	+318,000
Office of the Attending Physician						
Medical supplies, equipment, expenses, and allowances	1,502,000	1,335,000	1,335,000	1,335,000	1,335,000	-167,000
Capitol Police Board						
Capitol Police						
Salaries:						
Sergeant at Arms of the House of Representatives	29,453,000	33,366,000	31,833,000	33,463,000	33,463,000	+4,010,000
Sergeant at Arms and Doorkeeper of the Senate	32,802,000	36,033,000	34,158,000	35,919,000	35,919,000	+3,117,000
Total, salaries	62,255,000	69,419,000	65,991,000	69,382,000	69,382,000	+7,127,000
General expenses	1,977,000	2,000,000	2,000,000	2,000,000	2,000,000	+23,000
Total, Capitol Police Board	64,232,000	71,419,000	67,991,000	71,382,000	71,382,000	+7,150,000
Capitol Guide Service						
Salaries and expenses	1,628,000	1,628,000	1,628,000	1,628,000	1,628,000	
Special Services Office						
Salaries and expenses	363,000	363,000	363,000	363,000	363,000	
Statements of Appropriations						
Preparation		20,000				
Total, Joint Items	75,750,000	85,749,000	82,798,000	86,187,000	86,187,000	+7,437,000
OFFICE OF TECHNOLOGY ASSESSMENT						
Salaries and expenses	21,315,000	22,030,000	21,931,000	21,970,000	21,970,000	+655,000
CONGRESSIONAL BUDGET OFFICE						
Salaries and expenses	22,317,000	23,261,000	23,133,000	23,188,000	23,188,000	+871,000
ARCHITECT OF THE CAPITOL						
Office of the Architect of the Capitol						
Salaries	8,453,000	9,515,000	8,927,000	9,103,000	9,103,000	+650,000
Travel (limitation on official travel expenses)	(20,000)	(20,000)	(20,000)	(20,000)	(20,000)	
Contingent expenses	100,000	100,000	100,000	100,000	100,000	
Total, Office of the Architect of the Capitol	8,553,000	9,615,000	9,027,000	9,203,000	9,203,000	+650,000
Capitol Buildings and Grounds						
Capitol buildings	23,978,000	24,416,000	22,340,000	22,797,000	22,797,000	-1,181,000
Sec. 310 (purchasing x-ray and metal detectors)				(2,015,000)	(2,015,000)	(+2,015,000)
Capitol grounds	5,296,000	5,725,000	5,201,000	5,270,000	5,270,000	-19,000
Senate Office Buildings	47,339,000	48,316,000		47,619,000	47,619,000	+280,000
House Office Buildings	32,287,000	40,034,000	41,364,000	41,364,000	41,364,000	+9,077,000
Capitol Power Plant	35,977,000	40,548,000	36,542,000	36,637,000	36,637,000	+660,000
Offsetting collections	-3,200,000	-3,200,000	-3,200,000	-3,200,000	-3,200,000	
Net total, Capitol Power Plant	32,777,000	37,348,000	33,342,000	33,437,000	33,437,000	+660,000
Total, Capitol buildings and grounds	141,670,000	156,839,000	102,247,000	150,487,000	150,487,000	+8,817,000
Total, Architect of the Capitol	150,223,000	166,454,000	111,274,000	159,690,000	159,690,000	+9,467,000
LIBRARY OF CONGRESS						
Congressional Research Service						
Salaries and expenses	56,718,000	60,411,000	56,938,000	60,456,000	60,084,000	+3,366,000
GOVERNMENT PRINTING OFFICE						
Congressional printing and binding	88,404,000	95,158,000	87,717,000	89,724,000	89,724,000	+1,320,000
Total, title I, Congressional Operations	1,548,543,300	1,723,790,500	1,114,390,600	1,607,400,100	1,607,025,100	+58,481,800
Appropriations	(1,548,543,300)	(1,723,790,500)	(1,114,390,600)	(1,630,400,100)	(1,630,025,100)	(+81,481,800)
Rescission				(-23,000,000)	(-23,000,000)	(-23,000,000)

H.R. 4454 - LEGISLATIVE BRANCH APPROPRIATIONS, 1995

	FY 1994 Enacted	FY 1995 Estimate	House	Senate	Conference	Conference compared with enacted
TITLE II - OTHER AGENCIES						
BOTANIC GARDEN						
Salaries and expenses	3,008,000	3,378,000	3,182,000	3,230,000	3,230,000	+222,000
Conservatory rennovation		7,000,000				
(By transfer)				(7,000,000)	(7,000,000)	(+7,000,000)
Total	3,008,000	10,378,000	3,182,000	3,230,000	3,230,000	+222,000
LIBRARY OF CONGRESS						
Salaries and expenses	201,408,000	213,205,000	207,857,000	210,164,000	210,164,000	+8,756,000
Authority to spend receipts	-7,500,000	-7,869,000	-7,869,000	-7,869,000	-7,869,000	-369,000
Net total, Salaries and expenses	193,908,000	205,336,000	199,988,000	202,295,000	202,295,000	+8,389,000
Copyright Office, salaries and expenses	26,188,000	27,956,000	27,186,000	27,456,000	27,456,000	+1,268,000
Authority to spend receipts	-16,833,000	-17,427,000	-17,391,000	-17,411,000	-17,411,000	-578,000
Net total, Copyright Office	9,355,000	10,529,000	9,795,000	10,045,000	10,045,000	+690,000
Books for the blind and physically handicapped, salaries and expenses	42,613,000	50,155,000	44,622,000	44,951,000	44,951,000	+2,338,000
Furniture and furnishings	3,939,000	6,239,000	5,825,000	5,825,000	5,825,000	+1,886,000
Total, Library of Congress (except CRS)	[1] 249,813,000	272,259,000	260,230,000	263,116,000	263,116,000	+13,303,000
ARCHITECT OF THE CAPITOL						
Library Buildings and Grounds						
Structural and mechanical care	9,974,000	10,785,000	9,860,000	13,483,000	12,483,000	+2,509,000
COPYRIGHT ROYALTY TRIBUNAL						
Salaries and expenses	1,028,000					-1,028,000
Authority to spend receipts	-900,000					+900,000
Net total, Copyright Royalty Tribunal	128,000					-128,000
GOVERNMENT PRINTING OFFICE						
Office of Superintendent of Documents						
Salaries and expenses	29,082,000	33,800,000	30,800,000	32,207,000	32,207,000	+3,125,000
GENERAL ACCOUNTING OFFICE						
Salaries and expenses	[2] 431,765,000	459,591,000	440,525,000	450,380,000	450,380,000	+18,595,000
Offsetting collections	-1,600,000	-1,000,000	-1,000,000	-7,000,000	-7,000,000	-5,400,000
Subtotal	430,165,000	458,591,000	439,525,000	443,380,000	443,380,000	+13,195,000
GAO use of collections (formerly receipts)				6,000,000	6,000,000	+6,000,000
Total, General Accounting Office	430,165,000	458,591,000	439,525,000	449,380,000	449,380,000	+19,195,000
Total, title II, Other agencies	722,170,000	786,813,000	743,397,000	761,398,000	760,398,000	+38,228,000
Grand total	2,270,713,300	2,509,703,500	1,857,787,600	2,368,798,100	2,367,421,100	+96,707,800

1/ FY 1994 includes rescission of -$1,000,000.

2/ FY 1994 includes rescission of -$650,000.

Mr. Speaker, there is one particularly important aspect of this report that relates to the Architect of the Capitol. Because of his interest in this issue, I yield 1 minute to the gentleman from Maryland [Mr. WYNN].

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

Mr. Speaker, I rise today in support of the Legislative Branch Appropriations Conference Report and would like to commend Chairman FAZIO for his hard work on this measure.

Mr. Speaker, in April 1994, the General Accounting Office released a report on the personnel management policies and practices at the Architect of the Capitol. The report, requested by Senator BARBARA MIKULSKI revealed some startling facts, many that my colleagues would be amazed to learn. If I may, let me give you a few of the findings released in the report.

There is no clearly defined hiring procedure.

Supervisors are not required to provide annual performance reviews.

Promotions are inconsistent and not documented.

Employees are not made aware of offenses for which they can be disciplined.

There is no procedure for appealing disciplinary measures.

This list of basic workers violations goes on and on throughout the report.

In an effort to address these unfair labor practices I worked with the gentlelady from the District of Columbia, Representative MFUME, and my colleagues in the other body to craft legislation that would address this matter. I am pleased that Chairman FAZIO and other members of the Conference Committee found it appropriate to include the basic principles of that legislation in the conference report.

Mr. Speaker, the employees of the Architect of the Capitol are the people who paint our hallways, run our trains, and move our office furniture. It is time that we provide them with the same common human resource management practices that are provided for employees in the Federal Government and private sector organizations.

I encourage my colleagues to support this language and to support this conference report.

Mr. FAZIO. Mr. Speaker, I appreciate the gentleman's comments.

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

Mr. YOUNG of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would like to say that our chairman has very ably described the few minor changes that the conference made. We just a few short weeks ago had a lot of debate and quite a few votes on the issues about this bill, and I think we might as well go ahead and go on to passage.

Mr. MYERS of Indiana. Mr. Speaker, will the gentleman yield?

Mr. YOUNG of Florida. I am happy to yield to the gentleman from Indiana.

Mr. MYERS of Indiana. Mr. Speaker, if I understand it, I see one copy here of the so-called budget figures. It is $96,707,000 above last year, is that correct?

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

Mr. YOUNG of Florida. I yield to the gentleman from California.

Mr. FAZIO. Mr. Speaker, the gentleman is correct. It is 4.2 percent, down from 4.4 percent when it passed the House.

Mr. MYERS of Indiana. But it is still $96 million over last year?

Mr. FAZIO. The gentleman is correct.

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

Mr. FAZIO. Mr. Speaker, I believe this is, as the gentleman from Florida said, a very similar vote to the one we had before. This is less than when it passed the House, and I urge adoption of the conference report.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. MURTHA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill (H.R. 4650) making appropriations for the Department of Defense for the fiscal year ending September 30, 1995, and for other purposes.

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

There was no objection.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 1995

Mr. MURTHA. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4650) making appropriations for the Department of Defense for the fiscal year ending September 30, 1995, and for other purposes; and pending that motion, Mr. Speaker, I ask unanimous consent that general debate be limited to not to exceed 5 minutes, the time to be equally divided and controlled by the gentleman from Pennsylvania [Mr. MCDADE] and myself.

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

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania [Mr. MURTHA].

The motion was agreed to.

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IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 4650, with Mr. TORRICELLI in the chair.

The Clerk read the title of the bill.

By unanimous consent, the bill was considered as having been read the first time.

The CHAIRMAN. Under the unanimous consent agreement, the gentleman from Pennsylvania [Mr. MURTHA] will be recognized for 2½ minutes.

The Chair recognizes the gentleman from Pennsylvania [Mr. MURTHA].

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

Mr. Chairman, I bring to the House of Representatives the Fiscal Year 1995 Defense Appropriations Bill. I'd like to thank all the members of the Defense Subcommittee for the hard work they have performed all year. I'd like to give special thanks to the ranking minority member of the subcommittee, my friend from Pennsylvania [Mr. MCDADE].

Mr. Chairman, this is the last defense appropriation bill we will be passing in the House while Don Richbourg is staff director of the Defense Subcommittee. Don graduated from the University of Virginia and served as an officer in the Army for 3 years in the intelligence area. After working for a period of time in the private sector he came to work for the Appropriations Committee in 1966. He has had various positions with the Appropriations Committee including serving with the Defense Subcommittee since 1983. He has been the staff director of the Defense Subcommittee since 1985.

Don Richbourg has been a consummate professional during the many years he has served with the committee. His integrity, commitment to the work ethic, judgment and grasp of defense issues are unrivaled. Don has the unique ability to understand and articulate the large national security issues and broad budget topics we face daily on the Defense Subcommittee, while simultaneously conducting the daily detailed work of the appropriations process. He will be sorely missed.

FISCAL YEAR 1995 DEFENSE APPROPRIATIONS BILL

The Appropriations Committee is recommending to the House a total of $243.6 billion in the new budget authority for fiscal year 1995 for the Defense Department. This figure is $846 million below the budget request. These spending levels do not include funds for the Nuclear Weapons Program of the Department of Energy or for Military Construction. Those activities are funded in separate appropriations bills. This has been an extremely challenging year in terms of trying to match the limited resources we have available to the mix of programs necessary to carry out our international commitments.

At this point in the RECORD I will insert a table outlining the Committee's recommendations by account.

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 1994 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR 1995

(1) Agency and item	(2) Appropriated 1994 (enacted to date)	(3) Budget estimates, 1995	(4) Recommended in bill	(5) Bill compared with appropriated, 1994	(6) Bill compared with budget estimates, 1995
Recapitulation					
Title I—Military Personnel	70,624,044,000	70,475,397,000	70,893,502,000	+269,458,000	+418,105,000
Title II—Operation and Maintenance	76,616,787,000	81,926,891,000	80,006,961,000	+3,390,174,000	−1,919,930,000
Title III—Procurement	44,663,078,000	42,698,919,000	43,018,433,000	−1,644,645,000	+319,514,000
Title IV—Research, Development, Test Evaluation	35,191,491,000	36,225,013,000	34,467,940,000	−723,551,000	−1,757,073,000
Title V—Revolving and Management Funds	2,643,095,000	1,777,638,000	1,949,038,000	−694,057,000	+171,400,000
Title VI—Other Department of Defense Programs	11,021,820,000	11,329,706,000	12,965,203,000	+1,943,383,000	+1,635,497,000
Title VII—National Foreign Intelligence Program	343,588,000	305,384,000	281,084,000	−62,504,000	−24,300,000
Title VIII—General provisions	−558,958,000	7,131,000	12,131,000	+571,089,000	+5,000,000
Procurement: General provisions		−304,900,000			+304,900,000
(Additional transfer authority)	(2,500,000,000)	(2,000,000,000)	(2,000,000,000)	(−500,000,000)	
Total, Department of Defense	240,544,945,000	244,441,179,000	243,594,292,000	+3,049,347,000	−846,887,000
Scorekeeping adjustments	−465,300,000	8,800,000	8,800,000	+474,100,000	
Grant Total	240,079,645,000	244,449,979,000	243,603,092,000	+3,523,447,000	−846,887,000

This bill is: below the budget request; below the 602(b) allocation in budget authority; and below the outlay level in the 602(b) allocation.

SPENDING AND PERSONNEL TRENDS IN DEFENSE

Mr. Chairman, because of the dissolution of the Soviet Union and the collapse of the Warsaw Pact, very large downsizing of the Department of Defense has taken place. To put the scope of that downsizing in perspective I would cite a few statistics:

The President's fiscal year 1995 budget proposes and the bill implements the 10th consecutive year of reductions in budget authority for defense when measured in constant dollars.

Defense spending levels are reaching historic lows. The 1995 spending level for defense as a percentage of the gross domestic product is projected to be the lowest it has been since before World War II with the exception of fiscal year 1948.

From fiscal year 1985 through fiscal year 1995 over 1,000,000 personnel have been reduced from the manpower levels of the active force, the Guard, and Reserve and civilians employed by the DOD.

The projected fiscal year 1995 active duty end strength will be at the lowest point since 1950.

Millions of additional jobs are being eliminated in the private sector as a result of these reductions.

NO HOLLOW FORCE

Mr. Chairman, while the Committee has been supportive of this downsizing because of the rapidly changing global situation, it has been quite concerned about the potential of a "hollow force" emerging as occurred after World II, the Korean War and the Vietnam war. The committee commends the administration for recognizing various "early warning signs" of the potential of a hollow force emerging and taking action to break the "boom and bust" readiness cycle of the past. The budget as submitted recommends a substantial increase in the Operations and Maintenance budget to enhance readiness, training and depot maintenance. The administration's budget request increases constant dollar operating resources by +14 percent per Army combat battalion, +11 percent Navy ship and +12 percent per Air Force aircraft between fiscal year 1993 and fiscal year 1995.

To further strengthen the administration's initiative, the Committee recommends major readiness enhancements totaling nearly $3,200,000,000 over the budget request in the following areas:

+$607,000,000 for depot maintenance;
+$517,000,000 for real property maintenance;
+$17,000,000 for recruiting and advertising;
+$90,000,000 for war reserve spare parts;
+$465,000,000 for military pay increases;
+$250,000,000 for a new Korean Readiness Enhancement Account;
+$400,000,000 for ammunition;
+$310,000,000 for increased unity training and support;
+$530,000,000 for civilian pay increases.

THREATS HAVE NOT EVAPORATED

There are those who would argue that because of the demise of the Soviet Union, reductions in defense spending should be even deeper than the significant reductions outlined in the President's plan. Unfortunately, the end of the cold war has not brought about a tranquil era in the world.

Each passing day brings home the point that the post-cold war era may well be a volatile and dangerous time. Ethnic, cultural, and religious enmities exist and are increasing in the Balkans, Africa and Middle East. At least 20 countries—many of them hostile to the U.S.—have now or are seeking to develop nuclear, biological and/or chemical weapons and the means to deliver them. More than 12 countries have operational ballistic missiles, and others have programs to develop them. There is no question that America, as the world's only superpower, must maintain an adequate and robust national defense posture in this era of change and turbulence.

The need to be prepared was expressed succinctly by the Chairman of the Joint Chiefs of staff before the Committee earlier this year.

Since our Nation was founded, we have never experienced a 20–year period of uninterrupted peace. Put another way, no soldier in this country's history has ever completed a military career when the Nation did not engage in armed conflict at least once. This is the reality that underscores our need to remain ready.

RESERVE COMPONENT

As the war in the Persian Gulf dramatized, the Reserve Component plays a key role in our overall force readiness. A comparison of the active force level vis-a-vis the Reserve Components during the 1987–1997 time frame, shows that while the active force will have declined from 2,200,000 to 1,500,000, the Selected Reserves will decrease from 1,200,000 to 934,000. Thus while that active force will have declined by 32 percent during that time frame, the Reserve components declined by 19 percent.

The DOD plans to place even greater reliance on the reserve components in the future, including enhanced readiness for 15 combat maneuver brigades with deployment times reduced to 90 days. The Committee has taken initiatives to further enhance the readiness and morale of the Guard and Reserves. These initiatives include a pay raise and an increase of almost $800 million for high priority procurement items for the Guard and Reserve.

DISCRETIONARY SPENDING

As the Chairman of the Subcommittee responsible for approximately one-half of all discretionary spending, I would like to take a moment to point out the outstanding track record of the Appropriations Committee in controlling discretionary spending. As the following table points out, the real growth of discretionary spending for the 30 year time period of 1968–1998 is 0 percent.

OUTLAYS FOR MAJOR SPENDING CATEGORIES FISCAL YEAR 1968–1998

[In billions of constant 1994 dollars]

	Discretionary spending	Entitlements and other mandatory spending	Deposit insurance	Net interest	Offsetting receipts	Total outlays
1968	486.1	223.3	−2.1	44.2	−42.3	709.2
1969	464.8	234.3	−2.3	48.4	−42.1	702.8
1970	454.7	250.7	−1.8	52.5	−41.9	714.2
1971	443.4	288.4	−1.3	51.8	−49.1	733.1
1972	448.1	325.9	−2.0	52.1	−47.5	776.6
1973	437.0	363.3	−2.6	56.2	−58.3	795.5

OUTLAYS FOR MAJOR SPENDING CATEGORIES FISCAL YEAR 1968–1998—Continued

[In billions of constant 1994 dollars]

	Discretionary spending	Entitlements and other mandatory spending	Deposit insurance	Net interest	Offsetting receipts	Total outlays
1974	425.3	379.4	−1.8	64.0	−63.1	803.7
1975	441.1	446.4	1.4	63.1	−49.7	902.2
1976	446.5	482.5	−1.5	68.0	−49.9	945.6
1977	466.3	488.8	−6.6	70.7	−50.9	968.2
1978	486.1	507.6	−2.2	78.8	−50.7	1,019.6
1979	489.8	506.5	−3.6	87.0	−52.2	1,027.5
1980	507.7	535.4	−0.7	96.5	−53.5	1,085.2
1981	514.3	568.5	−2.3	114.8	−63.2	1,131.9
1982	508.7	581.3	−3.3	132.6	−56.2	1,163.1
1983	527.8	614.7	−1.7	134.1	−67.7	1,207.2
1984	543.9	582.0	−1.2	159.2	−63.4	1,220.4
1985	575.1	621.8	−3.0	178.9	−65.1	1,307.7
1986	591.9	619.8	2.0	183.4	−61.9	1,335.2
1987	583.1	616.2	4.1	181.7	−69.4	1,315.6
1988	585.4	622.1	12.6	191.1	−71.7	1,339.4
1989	588.4	632.3	26.4	203.4	−76.8	1,373.8
1990	574.3	649.5	66.5	210.9	−67.3	1,433.9
1991	582.7	691.0	72.3	212.0	−115.5	1,442.5
1992	566.9	752.7	2.8	210.9	−72.8	1,460.5
1993	556.8	782.3	−28.7	204.1	−68.9	1,445.6
1994 [1]	544.3	801.9	−3.5	201.2	−68.1	1,475.7
1995 [1]	530.0	832.0	−11.8	207.5	−82.4	1,475.3
1996 [1]	513.9	846.7	−13.2	216.7	−67.5	1,496.5
1997 [1]	498.7	881.9	−5.5	220.3	−68.7	1,526.8
1998 [1]	485.1	913.1	−4.3	223.3	−70.7	1,546.5
Percentage change 1968–1998	0	+309		+405		+118

[1] Projection (April 1994).

Source: Congressional Budget Office.

CONCLUSION

Returning to the Defense Bill, in conclusion, the bill is below the budget request; is below the level in the 602 allocation; continues the steady contraction of the overall force structure; and makes an important contribution to enhancing our readiness and ensuring that we do not have a return to the "hollow force" that has emerged in past downsizing.

I urge passage of the defense bill by the House of Representatives.

Mr. Chairman, I have additional clarification of the committee's intent regarding several subjects. In fiscal years 1994 and 1995, DOD requested no funds for reusable space launch vehicle technologies or the continued development of the DC–X single stage to orbit [SSTO] launch vehicle. In fiscal year 1994 the committee provided $40 million above the budget and this bill before you today includes another $50,000,000 above the budget for this effort.

On pages 32 and 33 of report number 103–562 which accompanies this bill, the committee included a brief discussion of the merits of reusable space launch technologies. It is the committee's belief that SSTO is a viable program structure around which reusable technologies can be focused. It is clearly the committee's intent that the $50,000,000 provided in fiscal year 1995 and the $35,000,000 still unobligated in fiscal year 1994 be available for the Air Force's Phillips Laboratory to proceed with the next phase of the SSTO reusable space launch technology effort.

The committee intends that out of funds available to the Department of Defense, $1,800,000 shall be available for Plasma—electric waste converter, and $12,000,000 shall be available for the MK4 acoustic device countermeasure.

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

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

Mr. Chairman, I rise in support of this bill and ask for its prompt and favorable consideration.

At the outset I want to acknowledge the chairman, the gentleman from Pennsylvania, who this year led us through a process which presented us with more difficulty than any bill I have dealt with in any of the 14 years I have been on the Defense Subcommittee. He brought each and every issue to the subcommittee—seeking out the collective view, both sides of the aisle, and forging a consensus around what I consider a solid bill given the dollars we have available. And he has held fast to what has always been his bottom line—taking care of the troops in the field. This bill looks after the troops and no one deserves more credit than JACK MURTHA.

Mr. Chairman, it is no secret that many of us, myself included believe the Defense program being put forward by the administration is fatally flawed. It cuts Defense too far, and too fast. The bill before you today will bring Defense spending to 3.8 percent of Gross Domestic Product—the lowest level since 1948. And the plan is to bring it down even further, to 2.8 percent, by 1999.

That is the plan, and the roadmap to get us there is full of missing pages and surrounded by smoke and mirrors. It is common knowledge now the Pentagon' 5-year program is underfunded by at least $50 billion and probably more: $20 billion from faulty inflation assumptions, $6 to $9 billion in "savings" from procurement reform, billions more assumed from base closures, and $26 billion by holding military and DoD civilian pay to less than what is needed to cover cost-of-living increases.

Meanwhile, our troops are being deployed away from home more than ever and the world continues to confront us with challenges. There is talk of sending troops on new missions, from Haiti to Bosnia. And the situation on the Korean peninsula threatens our Nation and the entire globe with enormous stakes and huge risks.

So what we are looking at is a budget being cut to the bone, and which only works by claiming billions of phantom savings, at a time when we are calling on the military more and more. Mr. Chairman, unless this gets fixed, we are going to break the force. We will break this force and repeat history by creating another hollow military.

The danger signs are already out there. Many of you saw the New York Times story on June 12 about how more and more of our enlisted servicemembers need Government assistance such as food stamps. Military families are under increasing strains and incidents of spousal abuse are on the rise.

And military readiness is at risk. Let me read some excerpts from a letter I received this month from the Army Chief of Staff, General Gordon Sullivan:

Speaking of budgets, he says: "the Army has lost more than can be accommodated and still fulfill our requirements."

Speaking of readiness he says: "In 1993, Army training tempo fell to its lowest point in years," and "the high state of readiness that our army used to defeat Iraq in 1991 is now being depleted."

And speaking of his troops in the field, he says: "I can no longer ask them to take shortcuts. We need tangible increases in training, quality of life, and * * * maintenance."

The danger signs are there, Mr. Chairman. And while today we cannot change the overall path this administration seems determined to take us on in Defense, we certainly can take strong action in this bill to address these looming problems and that is what we are recommending.

There is a full cost-of-living pay increase in the bill for both military and civilian personnel. An additional $1.5 billion for maintenance, training hours, and war reserve items. Also, $400 million over the budget to shore up the Nation's ammunition base which is crumbling before our eyes. And $250 million extra for strategic sealift.

All told, nearly $5 billion in increases over the budget, to bolster near-term readiness and warfighting deficiencies ranging from theater missile defense to preserving the B-52 bomber force.

Throughout the bill you will find other programs funded to support the smaller, leaner force we are creating, such as the C-17 airlifter, the new carrier, and upgrades to the Army's armored force.

In closing, given the funding we had available, this is a good bill which puts readiness first and which deserves the House's support. Again, I want to commend the chairman and all the subcommittee members and staff for their work, and in particular, I want to acknowledge the staff director of the Defense Subcommittee, Don Richbourg. This is the last bill that our subcommittee will be bringing to the House with Don, as he will be leaving the committee at the end of this year. This follows 28 years of service in which he has deservedly gained a reputation as one of the best staff members on the Hill. He has truly become an institution on the committee, and I cannot give him enough credit for the skill and judgment he has brought to the Defense Subcommittee in handling one of the most complex and critically important bills before the Congress every year. He has been scrupulously nonpartisan, in the best traditions of the Appropriations Committee, and I speak for all the Members on our side who have benefited from his hard work and experience. Don, the country is better off for your contributions and I want to thank you for making a difference.

I ask for quick and favorable consideration of this bill,

Mr. Chairman, I yield 30 seconds to the gentleman from Arizona [Mr. KYL].

Mr. KYL. Mr. Chairman, I just want to commend the chairman and the committee for assuring the gentleman from Virginia [Mr. MORAN] and myself that he will do everything he can to try to see to it that we are able to solve this COLA equity problem which was not resolved in the Appropriations Committee and had been resolved under a specific provision in the House Armed Services Committee. I look forward to working with them and the Members of the other body to try to find a satisfactory resolution to this very troublesome but important problem.

Mr. McDADE. Mr. Chairman, I yield such time as he may consume to the gentleman from Florida [Mr. YOUNG].

Mr. YOUNG of Florida. Mr. Chairman, I thank the gentleman for yielding me the time. Although this bill is not to the levels that I would like to see because I think we are approaching a hollow force rapidly and our readiness is suffering, I rise in support of this bill.

Mr. Chairman, I rise in support of this year's defense appropriations bill, but this may be the last year I can support our product. It is not the fault of the committee and its strong leadership under Chairman MURTHA and my good friend JOE MCDADE. They have done a masterful job of taking a very poor administrative budget request bordering on the irresponsible and turning it into an acceptable bill.

The fiscal year 1995 budget and this appropriations bill represent the 10th consecutive year of reductions in budget authority for defense when measured in constant dollars, except for the one time surge in spending for Operations Desert Shield and Desert Storm. By the end of fiscal year 1994, our active force level will be 513,000 military personnel less than the level in place when the Berlin Wall came down in 1989. The amount of this reduction in personnel is incredible considering that there were more than 513,000 military personnel stationed overseas in 1989 and that is roughly equal to the entire force the United States deployed to the Persian Gulf during the war with Iraq in 1991. The projected uniformed strength of 1,400,000 by 1997 would be the lowest number of personnel in the Armed Forces in 57 years.

It is not only the budget request that is unacceptable. Almost every uniformed witness who appeared before our committee when forced to level with us admitted that the basic concept on which the Defense Department's budget is predicated—fighting two near simultaneous major regional conflicts—would be very difficult to do today or in the future. There were varying degrees of concern, but no uniformed officer could honestly testify that we can now or in the future accomplish this basic goal without serious risks.

I view with great alarm what they have said about this basic building block of the defense budget. In fact, I have come to the conclusion that the entire two near simultaneous MRC concept is a sham. Listen to what the military officers who testified before our committee say about it:

General Shalikashvili, the Chairman of the Joint Chiefs of Staff: "The forces and capabilities we are recommending, and that Secretary Perry outlined are lean; in fact I would say very, very lean, but sufficient." How would you like to be in a Korean foxhole depending on a very, very lean force, but one that is sufficient?

General McPeak, Chief of Staff of the Air Force when asked about being able to execute two MRC's: "We said coming out of the Bottom-Up Review that we were accepting a certain level of risk in being able to execute two MRC's." He adds, "I would like to order up one big one and one little one. Towards the end of this decade when we get PGM's in the bomber force then I think you could handle two." How would you like to be a soldier on the way to the Middle East when a conflict is already waging in Korea. Is the conflict you are going to the big one or the little one?

What's really disturbing is that in some very important aspects of war fighting, they didn't even consider what two MRC's require. Like intelligence. Here's what the Assistant Secretary of Defense for Command, Control, Communications and Intelligence has to say: "One of the weaknesses of the Bottom-Up Review is that it did not place the emphasis that we felt was necessary on the intelligence to include the communications to support the intelligence. When we brought that to the attention of Dr. Deutch, he established another task force headed up by Mr. Hall and our group. They are currently working the problem and expect to report out some time within the next 30 days." One of the lessons learned from Desert Storm/Desert Shield is that C3I is among our most important shortfalls.

And when you get to the war fighters themselves, it gets real serious. Here is what General Hoar of the Central Command says about the two MRC issue: "The issue, as I see it, mainly has to do with risk. The BUR, as I read it, says that we would incur moderate risk by doing two near simultaneous major regional contingencies. There are a lot of unknowns in this, Mr. Young, in the sense that the BUR was put together, not as a national strategy, but as a means of determining size and how we should go. As a result, there are a lot of things that are unanswered for us as well."

And the real key—getting there—is probably the biggest concern yet. At least two CINCs who would have to use our transportation system say it is broke. One of them calls it a "showstopper." The CINC in charge of transportation flat out says he cannot provide transportation to two MRC's today. He can provide for one, and he feels fairly confident on that although he says there are some fairly "heroic assumptions that get made relative to activation of the Reserve and the CRAF." Now that's just for one. What about getting to two. They don't have a clue about that because they haven't even figured out how to do the most likely scenario—Korea and the Middle East.

The two MRC concept as currently scripted is a fraud. It is just a game. It is not a war fighting plan. In fact as I said, the CINCs responsible to fight those conflicts and the CINC responsible for getting them to the battlefield had just begun the process of figuring out how to deploy the necessary troops during the middle of our hearing cycle. That's not the kind of planning you base a whole budget on for 1 year never the less the whole FDP.

I don't blame the military officers to whose testimony I have referred. They are all honorable men and if they had been less than candid with us, I would be really disappointed. But the same thing is happening with our budget as happened in Somalia. The civilian leadership sent our young men to a hotspot half way around the world. The military commander on the scene requested armor. The civilian leadership didn't respond. We lost 44 men.

Here, the civilian leadership devises a plan for the military to fight two near simultaneous MRC's. The military planners are telling us as best they can while still being good soldiers, that the plan doesn't provide the armor they need. Not only the armor, but the fighters and the transportation to get there. It's our job to see that a lot of them don't get killed because we fall for their game.

In view of the testimony we received, I think it would be very prudent for the Department to scrap its so called bottom up review and start all over again. It is clear to me that the present strategy is seriously flawed.

The second big problem I have with this budget is that it does not provide the modest pay raise for the troops, the committee has provided it for the second year in a row, and it does not come close to providing the quality of life that our service members and their families deserve. And this is a big problem. Again, I go to our hearings. Throughout our hearings the military officers who are charged with stating priorities placed pay and quality of life highest.

Perhaps Admiral Larson, Commander in Chief for the Pacific Command said it best when he said:

I am concerned about our troops and pay raises. There are a lot of things that have gone on in the last year that are very disturbing to me, suggestions like cost of living allowance caps and rolling COLAs and cancelling this and waiting until the age of 62. Our troops look at that as reneging on a contract they made when they came aboard. They read Army and Air Force Times and know what is going on. They can tell you how much they are going to lose over a lifetime if they stay in. I am never going to get another pay raise in the Navy, so I am not talking for myself, but for the troops. I think we have to be careful when we start diddling with their contract. The things they were told 18 or 20 years ago we told them in good faith. This is the first time in my 40 years in uniform we haven't grandfathered that kind of thing. The last time we came up with a new system it was grandfathered and we stated everybody that comes in after next October will be under the new system. Now we are talking about people that have been in 20 years taking these hits. I think it is very dangerous.

And then he tells it like it is, because this is what the Department of Defense has in affect done. He says "I was told by some people if I put compensation and quality of life and people on my Integrated Priority List, I was wasting a number because everybody is supposed to know that. I feel because it is so important, I want to put it there and give it visibility."

People are the most important asset we have, and the Department is giving them short shift. Though very small improvements have been made in morale, welfare and recreation, child care and family services programs; the quality of life, base support and real property maintenance categories as a whole remain well below the essential funding threshold. Again, the committee has done the very best it can to make up for these shortfalls, but the Department has to do better. Any further cuts this year would seriously impact directly on force structure and readiness, undermining the war fighting capabilities of our troops.

This has translated into hard decisions in which essential modernization programs have been reduced, delayed, or canceled, and only the most critical have been preserved. Meanwhile, we cannot afford to erode the quality of life for our service men and women and their families who do so much for so many so frequently—and as an all volunteer force.

In the spring of 1993, the administration proposed capping increases in military pay by eliminating raises in 1994 altogether and holding future increases to 1.5 percentage points below the Employment Cost Index [ECI]. As I pointed out earlier, the subcommittee wisely rejected this plan and provided much needed pay raises for our military personnel both last year and this.

If civilian wage movement kept pace with the projected cost of living, the administration proposal would have created a decline in relative military pay on the order of 9 percent from fiscal year 1994 to 1997. The existing military pay gap is estimated at 11.7 percent, and number already large enough for concern. The continuance of pay caps of ECI minus 1.5 percent would widen the gap to over 18 percent, according to current methods of estimation, by 1997.

The personal lives of many of our military personnel are in increased turmoil as a direct result of a stagnant pay scale and rapid downsizing. As the gap between military pay and civilian wages continues to grow, increasing numbers of military families are forced to turn to food stamps to make ends meet. That's just not right. Food stamps redeemed at commissaries grew last year over 10 percent and included use by retirees. Those married service men and women fortunate enough to be unrestricted by operational tempo or deployments often must take on second jobs to pay the bills that come with raising a young family. The service men and women assigned to a deploying unit or one with a high operational and personnel tempo too often find themselves turning to Federal assistance just to maintain a minimal life style.

Finally, I must say that although the Berlin wall has come down, the Iron Curtain has melted and the possibility of super power conflict has substantively diminished, the world remains a hostile place. There are currently 20 shooting wars in progress. Another 18 hot spots are being monitored on a daily basis. We have troops in Somalia, Bosnia, and the Middle East. Korea and Haiti are possible near term future presence or war fighting requirements.

The bottom line is that while force structure has come down, presence requirements have not. For those services who are heavily involved in forward presence in both peace and war, this is increasingly challenging for both service personnel and their families. We are doing more with less and that is driving personnel deployment tempos to unacceptable levels.

As a Congress, we are doing the best we can to provide adequate resources for service personnel and their families. But the annual budgets presented to us do not recognize this growing problem.

The administration should know that many in the Congress who have steadfastly stood for strong national defense will no longer be able to support their requests unless the next budget submitted by the President contains adequate resources to address these readiness and quality of life issues. It must address the acceptability of military pay and modernization levels when viewed against a need for a well-trained, well-equipped force with acceptable levels of moral and quality of life. Our service men and women and their families deserve no less and we as a Nation owe them a lot more.

It is time to sound the alarm. We cannot sit idly by and see our defense capability reduced to a hollow force. We can't sit idly by and let the concerns of these brave military commanders fall on deaf ears. And we can't continue to ignore the plight of the soldier in the field, the sailor at sea, and the airman in the sky who risk their lives every day for our freedom.

Mr. McDADE. Mr. Chairman, I yield such time as he may consume to the gentleman from Indiana [Mr. MYERS].

Mr. MYERS of Indiana. Mr. Chairman, I hate to get in front of this train moving down the track so rapidly with 2½ minutes debate, but I have tried to look for a table. How does this compare to last year's outlays and budget authority?

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

Mr. MYERS of Indiana. I yield to the gentleman from Pennsylvania.

Mr. McDADE. Mr. Chairman, I say to my friend that we are close to $4 billion under last year in outlays.

Mr. MYERS of Indiana. We are $4 billion under last year?

Mr. McDADE. The gentleman is correct.

Mr. MYERS of Indiana. And we just passed an appropriation bill for $96 million more than last year for ourselves, and for something that is as important as our national security we cut it $4 billion, and we are going to spend 2½ minutes debate on it.

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Mr. McDADE. Mr. Chairman, I appreciate the gentleman's concern.

Mr. TUCKER. Mr. Chairman, I rise in support of H.R. 4650, the Defense appropriations bill.

Mr. Chairman, the authorizing and appropriating committees have tackled the difficult task of keeping America strong at a time when we must cut spending.

I am pleased that H.R. 4650 funds the vital CVN–76 aircraft carrier to support our naval presence around the world. I am pleased that H.R. 4650 funds the purchase of 28 FA–18 C/D aircraft and research development expenses for the state-of-the-art FA–18 E/F aircraft.

Mr. Chairman, even more than all the above I am most pleased, that the Armed Services Committee and the Defense Appropriations Subcommittee are funding the purchase of six C–17 transport aircraft. This vitally important project will remain alive because this august body gave overwhelming support by a vote of 330 to 100 in favor of this project.

Mr. Chairman, I am concerned however, that the Defense Appropriations Subcommittee has cut a draconian $900 million in university research funding from the defense budget. In fact my alma mater, the University of Southern California, will lose $50 million in defense research funding, including global defense communications, high power ignitions systems, laser technology and critical materials development. I urge the conference committee to restore this vital funding.

Mr. Chairman, I am urging my colleagues to support H.R. 4650 the Defense appropriations bill to keep America strong.

Mr. BROWN of California. Mr. Chairman, I rise more in regret than in anger, to call attention to a provision in the DOD appropriation Committee report. The report recommends that support for university research be cut by 50 percent from an estimated $1.8 billion to $900 million.

I must observe that if anyone in this body believed that this cut was going to stand up in the Senate or in Conference, we would be hearing howls of range. As it is, we hear no howls and no rage. The silence on this cut is deafening, but for those of us who are old hands in this institution, it speaks volumes.

If this cut stood, some of our most prestigious institutions of education and research would be severely damaged. Among the top ten recipients of DOD funding one finds the University of Texas, the Massachusetts Institute of Technology, Johns Hopkins University, the University of Washington, Georgia Tech, and Stanford University. I may not be much of a vote counter, but a coalition that includes Members from the States of Texas, Massachusetts, Maryland, Georgia, California, and the Speaker's home State of Washington is not a bad base from which to start. If there needs to be a legislative fix to this problem, I am confident one would be engineered.

If this cut stood it would directly undermine the Department of Defense's Science and Technology strategy and the president's technology plan. DOD support for research at Universities is focused on areas of particular concern to the Department: electrical engineering, laser and optical sciences, materials science, applied mathematics and computer science. These same fields are among the areas of emphasis laid out by the President in his technology initiatives. In short, the research cuts that are recommended in the report accompanying this bill provide direct support for advanced technology development at the Department of Defense. They also represent a critical investment in the future of both our national security and our economic vitality.

With all the dire consequences that would be provoked by this cut, our silence may be difficult for the public, especially our friends in Universities around the nation, to understand. I will explain it for their benefit. All of us here in this body assume, and I think correctly, that this problem will go away in the Senate and in Conference and the money will be restored. There is no fight over this cut because, for all practical purposes, there is no cut to fight over.

I want to make two additional points. It's been said that nothing is given so profusely as advice. This entire 300 page report from the Appropriations Committee is full of nothing but advice—some of it very detailed. The distinguished gentleman from Pennsylvania made this very point on Monday during the Full Committee consideration of this bill. As this report simply contains recommendations, the Department can consider and reject that advice if it fails to fit with the priorities of the Department.

Secondly, despite the "fiscal constraints" that inspired the 50 percent cut in university research, this bill and report includes at least $67 million in academic earmarks according to an analysis by my staff. In addition, there are tens of millions in other very detailed spending instructions to the Department, some of which are certainly for academic earmarks. While this is down considerably from years before, and represents a standard to which we should hold this bill when it comes back from conference, it is still a cause for concern. I will enter a list of known academic earmarks for the RECORD.

Finally, I note that press reports regarding the cuts in university research have quoted my colleague from Pennsylvania as expressing a concern regarding the costs of research overhead. I assure him that I share his concerns regarding indirect costs and my Committee has held a hearing on this issue. I would be happy to hold joint hearings with my Friend if he would like to work with me to address this issue.

Mr. GOSS. Mr. Chairman, at a time when the administration is desperately trying to make good on at least one of its campaign promises—delivering a laser-like focus on domestic issues—the world is not sitting idly by. In fact, as the United States seems to be turning more and more inward, and Members of Congress spend long days debating this health care proposal or that new social policy, U.S. global leadership is being tested in hot spots all around the world. And today, we consider perhaps the most important of the appropriations bills—the one responsible for ensuring our national security—yet this debate will likely not be the center of attention in this House.

That's a shame, because U.S. foreign policy is adrift and U.S. military readiness is on the decline as are our intelligence capabilities—a dangerous combination of trends.

In Bosnia, Korea, Rwanda, Somalia, and Haiti—we face the potential of U.S. military expense or involvement through the United Nations or perhaps even unilaterally. Yet we know that, with the enormous down-sizing that's been underway in our defense capabilities, we will be less able to meet all of these challenges should we be tested on more than one front.

I know that we must reduce Federal spending and bring down our budget deficit—but I also know that the security of our Nation and our national interests cannot be compromised. And the truth is that the serious budget crisis we face will not be solved, even by completely decimating our military, because our deficit genesis lies in ongoing entitlement programs and perpetual Government waste and inefficiency.

Of course, we know that the Pentagon can and must improve the effectiveness with which it spends finite resources—and I certainly hope that planning for the next class of submarines or aircraft carriers or missile systems emphasizes budget realities over political considerations to ensure the most bang for our limited bucks.

Mr. Speaker, on the eve of the Fourth of July work period, I renew my plea to the administration not to apply the military option in Haiti. Do not invade Haiti. The question is not whether we could win a military conflict in Haiti—anyone with a working knowledge of that country knows that it might take no more than a few hours for United States troops to dispose of the rag-tag Haitian military which would probably not even confront a United States force. They would cut and run and hide and bide their time.

The danger for U.S. troops and long-term U.S. interests lies not in the initial action, but in the follow-on—and I caution the American people to pay close attention to the phrase "follow-on," which is something we've been hearing more frequently as the U.S. becomes entangled in ill-defined, open-ended military commitments through the United Nations.

The problem arises when we forgo leadership because we are distracted by attempts to extricate our military from messy follow-on situations, like Somalia. Haiti will be a costly, messy follow-on, too, and that's why I remain deeply concerned that this administration, still driven by domestic political concerns, will seek to employ military force to bring about a change in Haiti. This would be a terrible mistake.

Mr. Speaker, I urge that we proceed on this appropriations bill and I simply wish to encourage my colleagues to take time away from their endless busy day to give some thought to the direction this administration is taking our Nation and our Nation's defense. It's something that every American must care about. I ask are we being a little too casual about something so vital to our country when every year we seem to reduce our proportionate commitment. It's worth thinking about.

Mr. LAZIO. Mr. Chairman, today, we voted on a complex and challenging bill that set funding levels for our Nation's defense. Yet the hard-working members of the Defense Subcommittees are not finished with their work. When they meet with Members of the Senate to conference the two bills, there will be many issues to discuss, including the level of funding for university-based research.

As keepers of the Nation's trust, the committee was aware that they must shift limited resources to meet the needs of military preparedness. Most important, the committee voted to keep our Nation's promise to our proud service men and women by ensuring military salaries would provide a good quality of life. Yet, the committee made the difficult decision of cutting university-based research in half.

I would have preferred to vote today on a higher level of funding for academic research so we could continue the military's partnership with our Nation's university-based scientists. On Long Island, we have joined in partnership with the military to develop new computer systems, new methods of coating metal so submarines do not need to be repainted, and we have set new standards for physics research. It is important for our Nation's prominence in developing new technology and military strength to keep this partnership strong. I hope that when this issue is revisited in conference, the subcommittee members will find a new way of minimizing the impact of this cut.

Ms. FURSE. Mr. Chairman, it is important that we maintain continuity in our funding decisions. My amendment, adopted last night during consideration of the fiscal 1995 defense appropriations bill, was a commonsense move that needed to be made.

This bill made reductions to many specific programs, but it did not specifically reduce management support, DOD's overhead costs of performing R&D missions. It doesn't make

sense to pay the same amount for management support when there's less to manage.

The bill reduced the Research, Development, Test and Evaluation budget from its requested level by $1.7 billion, or about 5 percent. Seven hundred million dollars of the reduction transfers defense conversion into another section of the bill, so the real reduction to R,D,T&E is $1 billion, or about 3 percent. My amendment made a $30 million reduction in management support.

This not only saves the taxpayers $30 million, it also will force the military services to share each other's R&D infrastructure and increase efficiency by avoiding duplication.

Mr. VISCLOSKY. Mr. Chairman, we live in a time when Government is often criticized for being short-sighted. Annual budgets grow tighter yearly forcing us to respond to immediate needs, and often forsaking the future.

This is not true of the fiscal year 1995 defense appropriations bill, which, under the leadership of Chairman MURTHA and Mr. MCDADE, looks beyond this decade and into the next century. While the bill serves the immediate national interest—especially in regard to the readiness of our troops—it will have a profound impact on our future ability to afford the best defense possible. I commend the subcommittee chairman and ranking member for their dedication to our Nation's long-term ability to defense itself.

I also want to recognize the subcommittee staff for their incredibly hard work on this legislation. It would be difficult to find a collection of more knowledgeable, dedicated people. I especially want to congratulate Don Richbourg on this, his last bill as staff director for the subcommittee. He has provided a great service to this Congress and his country. We will all miss him.

The fiscal year 1995 defense appropriations bill will enhance our ability to be flexible and avoid the past mistake of locking ourselves into brittle systems that cannot accommodate change. This is an era of great political and social evolution. While this era represents many opportunities, no one can assess with certainty what the future holds. All we can do is ensure that those who follow us in this body are given the greatest flexibility possible.

Defense flexibility has many factors: the ability to use a system for several different purposes; the ability to evolve a system; and, the ability to easily insert new technologies—whether more advanced or less costly. Obviously, a low-cost system frees up funds for other purposes.

Consider the legislation's proposal for the Navy's new attack submarine [NAS]. The bill proposes the Department of Defense take a quick step back, reassess the program, they consider how they can make it more flexible.

More specifically, the legislation calls upon the Department to review preliminary cold war era designs and invest in changes to reduce the risks associated with this new submarine program. It demands that the Navy work with the program's contractors to review all work to date and make sure that every effort has been made to get the cost of the ship down. If there is an area where further savings could be made wisely, it must be incorporated into the ship's plan now. Most importantly, the bill directs the Navy to make sure the NAS is fully modular. It is imperative that as new technologies come available, they can be easily installed in the submarine.

Should, for example, an electric propulsion system become available, one that will allow for cheaper and quieter submarine propulsion without hazardous environmental waste, this legislation strives to make sure that it could be incorporated into the submarine without a complete redesign of the ship. This should also be the case for the sail, the forward section of the submarine, and the central portion in case of the need to insert special mission modules.

I want to make it clear to my colleagues, this is the last possible year to make these types of changes to the NAS. This is the last year Congress can make sure the NAS is malleable enough and cheap enough that it can be afforded in the next century. The NAS design contract is ready to be let. If we fail to take this quick breather in fiscal year 1995, the NAS design will be set in stone. It will be much too expensive—in both cost and time—to make changes to the program that will keep it flexible and cost effective enough to be the submarine of our Nation's future. Instead it will be a very expensive, 20th century ship lurching along in the 21st century.

Another example of the forethought of this legislation is its approach to space launch. The proposal halts further procurement of a launch program that would bring the cost of each heavy launch up to $1 billion in the next century, in favor of a new, flexible, and cost effective launch vehicle.

Specifically, the legislation restricts the expenditure of funds for the Titan IV launch vehicle to 41 vehicles. The current cost of launching a Titan IV is about $350 million. Should we move ahead as planned, however and procure a 42d vehicle, the cost to launch the 42d vehicle will be about $1 billion. The legislation recognizes that now is the time to change this course, before procurement of more Titan IV's begins and Congress finds itself in the uncomfortable position of choosing between billion dollar launches and the expensive cancellation of an ongoing program.

The legislation requires the Department of Defense to begin working on a new launch program in fiscal year 1995—10 years before we need the vehicle. Ten years to experiment with technologies so the next vehicle capable of launching heavy payloads is flexible and cost effective.

The bill makes available $100 million for development of a low-risk, new family of launch vehicles. The vehicles are to be configured to replace Titan IV class payloads, but are to have common hardware, common payload interface, and provide launch support for both medium and heavy payloads. The bill requires the Department of Defense to conduct an open competition that will incorporate the many low-cost advances by small innovative firms in recent years. Again, this proposal stresses flexibility and lower cost, commonality of vehicles, and the ability of the vehicle to perform more than one task.

The final aspect of the legislation I want to bring to my colleagues' attention is the provisions regarding the ammunition industrial base—the group of industry and Government entities that develop and manufacture ammunition for our Nation's defense. The bill's goal is to lay to rest as much of the old ammunition industrial base as possible to make space, both physically and fiscally, for more modern facilities and weaponry.

The bill provides an $110 million appropriation for the destruction of old, useless munitions. These munitions, which comprise 13 percent of the stockpile, or over 350,000 tons of material, absorb both space and valuable resources that are required to store them safely. The sooner we rid the inventory of useless munitions, the sooner these funds will be available for forward-looking programs.

In the same vein, the legislation contains an $86 million appropriation to accelerate the layaway of ammunition manufacturing facilities that are not needed for current requirements. This funding will also be available to close facilities no longer needed at all.

In addition to getting rid of the obsolete, the legislation stresses making the operating aspects of the ammunition industrial base more economical and flexible. There is an appropriation of $60 million to modernize facilities and machinery that are still in demand. The ammunitions operation and maintenance account has been funded at $340 million to bring ammunition management accounts up to acceptable levels. These funds will cover safety and security of facilities, receipt and issue, rewarehousing, inventory management, surveillance and maintenance of ammunition management accounts—areas that have long been under funded. It will also provide adequate administration of facility layaway.

To the detriment of our Armed Forces, ammunition procurement has faced severe budget cuts in recent years. In the last decade, overall ammunition procurement has been cut by 78 percent and training munitions and war reserves have reached unacceptably low levels. Further, of the Department's list of 18 munitions that are in need of modernization, funding had been budgeted for only 5. This bill begins to address these problems.

The bill provides a $308.6 million increase in the overall appropriation for ammunition procurement. These funds will begin to provide for 14 munitions modernization and increased procurement to begin to bring war and training reserves up to acceptable levels.

The initiatives I have listed here are among many in this bill designed to bring the ammunition industrial base in line with the real needs of the Department of Defense and its soldiers. They will rid the Department of waste, and free up much needed funds for modernization.

In closing, I again commend Chairman MURTHA and Mr. MCDADE for their foresight and dedication to making sure our Nation's defense is sound, economical, and flexible. I urge my colleagues to support this legislation.

Mr. MCDADE. Mr. Chairman, I yield back the balance of my time.

Mr. MURTHA. Mr. Chairman, I yield back the balance of my time.

Mr. Chairman, I ask unanimous consent that the bill, through page 107, line 4, 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 Pennsylvania?

There was no objection.

The text of the bill, through line 4, page 107, is as follows:

H.R. 4650

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 1995, for military functions administered by the Department of Defense, and for other purposes, namely:

TITLE I

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For pay, allowances, individual clothing, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Army on active duty (except members of reserve components provided for elsewhere), cadets, and aviation cadets; and for payments pursuant to section 156 of Public Law 97-377, as amended (42 U.S.C. 402 note), to section 229(b) of the Social Security Act (42 U.S.C. 429(b)), and to the Department of Defense Military Retirement Fund; $20,737,470,000.

MILITARY PERSONNEL, NAVY

For pay, allowances, individual clothing, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Navy on active duty (except members of the Reserve provided for elsewhere), midshipmen, and aviation cadets; and for payments pursuant to section 156 of Public Law 97-377, as amended (42 U.S.C. 402 note), to section 229(b) of the Social Security Act (42 U.S.C. 429(b)), and to the Department of Defense Military Retirement Fund; $17,692,537,000.

MILITARY PERSONNEL, MARINE CORPS

For pay, allowances, individual clothing, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Marine Corps on active duty (except members of the Reserve provided for elsewhere); and for payments pursuant to section 156 of Public Law 97-377, as amended (42 U.S.C. 402 note), to section 229(b) of the Social Security Act (42 U.S.C. 429(b)), and to the Department of Defense Military Retirement Fund; $5,816,671,000.

MILITARY PERSONNEL, AIR FORCE

For pay, allowances, individual clothing, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Air Force on active duty (except members of reserve components provided for elsewhere), cadets, and aviation cadets; and for payments pursuant to section 156 of Public Law 97-377, as amended (42 U.S.C. 402 note), to section 229(b) of the Social Security Act (42 U.S.C. 429(b)), and to the Department of Defense Military Retirement Fund; $17,311,379,000.

RESERVE PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army Reserve on active duty under sections 265, 3021, and 3038 of title 10, United States Code, or while serving on active duty under section 672(d) of title 10, United States Code, in connection with performing duty specified in section 678(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and for members of the Reserve Officers' Training Corps, and expenses authorized by section 2131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund; $2,183,620,000.

RESERVE PERSONNEL, NAVY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Navy Reserve on active duty under section 265 of title 10, United States Code, or while serving on active duty under section 672(d) of title 10, United States Code, in connection with performing duty specified in section 678(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and for members of the Reserve Officers' Training Corps, and expenses authorized by section 2131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund; $1,398,609,000.

RESERVE PERSONNEL, MARINE CORPS

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Marine Corps Reserve on active duty under section 265 of title 10, United States Code, or while serving on active duty under section 672(d) of title 10, United States Code, in connection with performing duty specified in section 678(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and for members of the Marine Corps platoon leaders class, and expenses authorized by section 2131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund; $354,048,000.

RESERVE PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air Force Reserve on active duty under sections 265, 8021, and 8038 of title 10, United States Code, or while serving on active duty under section 672(d) of title 10, United States Code, in connection with performing duty specified in section 678(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and for members of the Air Reserve Officers' Training Corps, and expenses authorized by section 2131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund; $782,434,000.

NATIONAL GUARD PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army National Guard while on duty under section 265, 3021, or 3496 of title 10 or section 708 of title 32, United States Code, or while serving on duty under section 672(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 678(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 2131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund; $3,378,705,000.

NATIONAL GUARD PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air National Guard on duty under section 265, 8021, or 8496 of title 10 or section 708 of title 32, United States Code, or while serving on duty under section 672(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 678(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 2131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund; $1,238,029,000.

TITLE II

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

(INCLUDING TRANSFER OF FUNDS)

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Army, as authorized by law; and not to exceed $14,437,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Army, and payments may be made on his certificate of necessity for confidential military purposes; $17,836,504,000, of which $150,000,000 for real property maintenance shall be made available for obligation until September 30, 1996 and, in addition, $50,000,000 shall be derived by transfer from the National Defense Stockpile Transaction Fund: *Provided,* That of the funds appropriated in this paragraph, not less than $388,599,000 shall be made available only for conventional ammunition care and maintenance: *Provided further,* That of the funds appropriated in this paragraph, $5,800,000 shall be available only for removal of Department of Defense equipment from Pine Bluff Arsenal: *Provided further,* That of the funds appropriated in this paragraph, $473,763,000 shall not be obligated or expended until authorized by law.

OPERATION AND MAINTENANCE, NAVY

(INCLUDING TRANSFER OF FUNDS)

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Navy and the Marine Corps, as authorized by law; and not to exceed $4,301,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Navy, and payments may be made on his certificate of necessity for confidential military purposes; $21,316,555,000, of which $200,000,000 for real property maintenance shall be made available for obligation until September 30, 1996 and, in addition, $50,000,000 shall be derived by transfer from the National Defense Stockpile Transaction Fund: *Provided,* That of the funds appropriated in this paragraph, $1,206,359,000 shall not be obligated or expended until authorized by law.

OPERATION AND MAINTENANCE, MARINE CORPS

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Marine Corps, as authorized by law; $2,097,395,000, of which $66,000,000 for real property maintenance shall be made available for obligation until September 30, 1996: *Provided,* That of the funds appropriated in this paragraph, $100,300,000 shall not be obligated or expended until authorized by law.

OPERATION AND MAINTENANCE, AIR FORCE

(INCLUDING TRANSFER OF FUNDS)

For expenses, not otherwise provided for, necessary for the operation and maintenance

of the Air Force, as authorized by law; and not to exceed $8,762,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Air Force, and payments may be made on his certificate of necessity for confidential military purposes; $18,913,050,000, of which $84,000,000 for real property maintenance shall be made available for obligation until September 30, 1996 and, in addition, $50,000,000 shall be derived by transfer from the National Defense Stockpile Transaction Fund: *Provided*, That of the funds appropriated in this paragraph, $179,592,000 shall not be obligated or expended until authorized by law.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

For expenses, not otherwise provided for, necessary for the operation and maintenance of activities and agencies of the Department of Defense (other than the military departments), as authorized by law; $8,945,266,000, of which not to exceed $25,000,000 may be available for the CINC initiative fund account; and of which not to exceed $23,768,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of Defense, and payments may be made on his certificate of necessity for confidential military purposes.

OPERATION AND MAINTENANCE, ARMY RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Army Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications; $1,240,109,000.

OPERATION AND MAINTENANCE, NAVY RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Navy Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications; $834,119,000: *Provided*, That of the funds appropriated in this paragraph, $6,300,000 shall not be obligated or expended until authorized by law.

OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Marine Corps Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications; $83,542,000: *Provided*, That of the funds appropriated in this paragraph, $2,080,000 shall not be obligated or expended until authorized by law.

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Air Force Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications; $1,486,805,000: *Provided*, That of the funds appropriated in this paragraph $5,473,000 shall not be obligated or expended until authorized by law.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For expenses of training, organizing, and administering the Army National Guard, including medical and hospital treatment and related expenses in non-Federal hospitals; maintenance, operation, and repairs to structures and facilities; hire of passenger motor vehicles; personnel services in the National Guard Bureau; travel expenses (other than mileage), as authorized by law for Army personnel on active duty, for Army National Guard division, regimental, and battalion commanders while inspecting units in compliance with National Guard Bureau regulations when specifically authorized by the Chief, National Guard Bureau; supplying and equipping the Army National Guard as authorized by law; and expenses of repair, modification, maintenance, and issue of supplies and equipment (including aircraft); $2,498,868,000: *Provided*, That of the funds appropriated in this paragraph, $10,000,000 shall be made available only for a National Guard Outreach Program in the Los Angeles School District: *Provided further*, That of the funds appropriated in this paragraph, $50,253,000 shall not be obligated or expended until authorized by law.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For operation and maintenance of the Air National Guard, including medical and hospital treatment and related expenses in non-Federal hospitals; maintenance, operation, repair, and other necessary expenses of facilities for the training and administration of the Air National Guard, including repair of facilities, maintenance, operation, and modification of aircraft; transportation of things; hire of passenger motor vehicles; supplies, materials, and equipment, as authorized by law for the Air National Guard; and expenses incident to the maintenance and use of supplies, materials, and equipment, including such as may be furnished from stocks under the control of agencies of the Department of Defense; travel expenses (other than mileage) on the same basis as authorized by law for Air National Guard personnel on active Federal duty, for Air National Guard commanders while inspecting units in compliance with National Guard Bureau regulations when specifically authorized by the Chief, National Guard Bureau; $2,797,978,000: *Provided*, That of the funds appropriated under this heading, $1,500,000 shall be made available only for the operation of Air National Guard C-130 operational support aircraft of the 159th Air National Guard Fighter Group: *Provided further*, That of the funds appropriated in this paragraph, $17,800,000 shall not be obligated or expended until authorized by law.

NATIONAL BOARD FOR THE PROMOTION OF RIFLE PRACTICE, ARMY

For the necessary expenses and personnel services (other than pay and non-travel-related allowances of members of the Armed Forces of the United States, except for members of the reserve components thereof called or ordered to active duty to provide support for the national matches) in accordance with law, for operation and maintenance of rifle ranges; the instruction of citizens in marksmanship; the promotion of rifle practice; the conduct of the national matches; the sale of ammunition under the authority of title 10, United States Code, sections 4308 and 4311; the travel of rifle teams, military personnel, and individuals attending regional, national, and international competitions; and the payment to competitors at national matches under section 4312 of title 10, United States Code, of subsistence and travel allowances under section 4313 of title 10, United States Code; not to exceed $2,544,000.

COURT OF MILITARY APPEALS, DEFENSE

For salaries and expenses necessary for the United States Court of Military Appeals; $6,126,000, of which not to exceed $2,500 can be used for official representation purposes.

ENVIRONMENTAL RESTORATION, DEFENSE

(INCLUDING TRANSFER OF FUNDS)

For the Department of Defense; $1,880,200,000, to remain available until transferred: *Provided*, That the Secretary of Defense shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of Defense, or for similar purposes (including programs and operations at sites formerly used by the Department of Defense), transfer the funds made available by this appropriation to other appropriations made available to the Department of Defense as the Secretary may designate, to be merged with and to be available for the same purposes and for the same time period as the appropriations of funds to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation.

SUPPORT FOR INTERNATIONAL SPORTING COMPETITIONS, DEFENSE

For the account "Support for International Sporting Competitions, Defense"; $7,900,000, to be merged with and to be available for the same purposes and the same time period as that appropriation: *Provided*, That of the funds in that appropriation not more than $1,500,000 may be used for the 1995 Special Olympics: *Provided further*, That of the funds in that appropriation not more than $4,400,000 may be used for the 1996 Paralympics: *Provided further*, That funds appropriated in this paragraph shall not be obligated or expended until authorized by law.

HUMANITARIAN ASSISTANCE

For transportation for humanitarian relief for the people of Afghanistan, the Kurdish population and other minorities of northern Iraq, and the people of sub-Saharan Africa, acquisition and shipment of transportation assets to assist in the distribution of such relief, and for transportation and distribution of humanitarian relief supplies, and excess non-lethal property; $60,000,000 of which $12,000,000 shall be made available only for activities to support the clearing of landmines for humanitarian purposes.

TITLE III

PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interest therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing

purposes; $1,264,198,000, to remain available for obligation until September 30, 1997.

MISSILE PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of missiles, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes; $728,095,000, to remain available for obligation until September 30, 1997: *Provided*, That of the funds appropriated in this paragraph, $42,959,000 shall not be obligated or expended until authorized by law.

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

For construction, procurement, production, and modification of weapons and tracked combat vehicles, equipment, including ordnance, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes; $1,001,873,000, to remain available for obligation until September 30, 1997: *Provided*, That of the funds appropriated in this paragraph, $58,987,000 shall not be obligated or expended until authorized by law.

PROCUREMENT OF AMMUNITION, ARMY

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities authorized by section 2854, title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes; $1,274,644,000, to remain available for obligation until September 30, 1997: *Provided*, That of the amounts appropriated for the ARMS program in "Procurement of Ammunition, Army, 1993/1995", $43,000,000 may be available to fund subsidy costs of loan guarantees authorized to be made under that program: *Provided further*, That of the funds appropriated in this paragraph, $419,761,000 shall not be obligated or expended until authorized by law.

OTHER PROCUREMENT, ARMY

For construction, procurement, production, and modification of vehicles, including tactical, support, and nontracked combat vehicles; communications and electronic equipment; other support equipment; spare parts, ordnance, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes; $2,348,806,000, to remain available for obligation until September 30, 1997.

AIRCRAFT PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; $4,820,442,000, to remain available for obligation until September 30, 1997: *Provided*, That of the funds appropriated in this paragraph, $232,435,000 shall not be obligated or expended until authorized by law.

WEAPONS PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of missiles, torpedoes, other weapons, and related support equipment including spare parts, and accessories therefor; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; $1,969,336,000, to remain available for obligation until September 30, 1997: *Provided*, That of the funds appropriated in this paragraph, $70,458,000 shall not be obligated or expended until authorized by law.

PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities authorized by section 2854, title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes; as follows:

For the Navy, $335,368,000;

For the Marine Corps, $158,442,000;

In all: $493,810,000, to remain available for obligation until September 30, 1997: *Provided*, That of the funds appropriated in this paragraph, $34,500,000 shall not be obligated or expended until authorized by law.

SHIPBUILDING AND CONVERSION, NAVY

(INCLUDING TRANSFER OF FUNDS)

For expenses necessary for the construction, acquisition, or conversion of vessels as authorized by law, including armor and armament thereof, plant equipment, appliances, and machine tools and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; procurement of critical, long leadtime components and designs for vessels to be constructed or converted in the future; and expansion of public and private plants, including land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title, as follows:

Carrier replacement program, $2,446,958,000;

DDG–51 destroyer program, $2,607,690,000;

LHD–1 amphibious assault ship program, $50,000,000;

Nuclear submarine main steam condenser industrial base, $1,000,000;

Cost growth on prior years' programs, $8,200,000;

For craft, outfitting, post delivery, conversions, and first destination transportation, $357,521,000;

In all: $5,471,369,000, and, in addition, $1,200,000,000 shall be derived by transfer from the National Defense Sealift Fund for additional funding for the Carrier replacement program, all to remain available for obligation until September 30, 1999: *Provided*, That additional obligations may be incurred after September 30, 1999, for engineering services, tests, evaluations, and other such budgeted work that must be performed in the final stage of ship construction: *Provided further*, That none of the funds herein provided for the construction or conversion of any naval vessel to be constructed in shipyards in the United States shall be expended in foreign facilities for the construction of major components of such vessel: *Provided further*, That none of the funds herein provided shall be used for the construction of any naval vessel in foreign shipyards.

OTHER PROCUREMENT, NAVY

For procurement, production, and modernization of support equipment and materials not otherwise provided for, Navy ordnance (except ordnance for new aircraft, new ships, and ships authorized for conversion); the purchase of not to exceed 262 passenger motor vehicles, of which 162 shall be for replacement only; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; $3,271,088,000, to remain available for obligation until September 30, 1997: *Provided*, That of the funds appropriated in this paragraph, $29,477,000 shall not be obligated or expended until authorized by law.

PROCUREMENT, MARINE CORPS

For expenses necessary for the procurement, manufacture, and modification of missiles, armament, military equipment, spare parts, and accessories therefor; plant equipment, appliances, and machine tools, and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; vehicles for the Marine Corps, including the purchase of not to exceed 103 passenger motor vehicles for replacement only; and expansion of public and private plants, including land necessary therefor, and such lands and interests therein, may be acquired and construction prosecuted thereon prior to approval of title; $452,178,000, to remain available for obligation until September 30, 1997: *Provided*,

That of the funds appropriated in this paragraph, $58,768,000 shall not be obligated or expended until authorized by law.

AIRCRAFT PROCUREMENT, AIR FORCE

For construction, procurement, and modification of aircraft and equipment, including armor and armament, specialized ground handling equipment, and training devices, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things; $6,182,199,000, to remain available for obligation until September 30, 1997: *Provided*, That not less than $103,700,000 of the funds appropriated in this paragraph shall be used only to initiate procurement of non-developmental airlift aircraft no later than September 30, 1995: *Provided further*, That the Department of the Air Force shall qualify a second source producer for the C–17 transport aircraft engine and competitively contract for the procurement of the C–17 engine no later than September 30, 1997: *Provided further*, That of the funds appropriated in this paragraph, $80,432,000 shall not be obligated or expended until authorized by law.

MISSILE PROCUREMENT, AIR FORCE

For construction, procurement, and modification of missiles, spacecraft, rockets, and related equipment, including spare parts and accessories therefor, ground handling equipment, and training devices; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things; $2,758,285,000, to remain available for obligation until September 30, 1997.

PROCUREMENT OF AMMUNITION, AIR FORCE

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities authorized by section 2854, title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes; $278,681,000, to remain available for obligation until September 30, 1997: *Provided*, That of the funds appropriated in this paragraph, $18,963,000 shall not be obligated or expended until authorized by law.

OTHER PROCUREMENT, AIR FORCE

For procurement and modification of equipment (including ground guidance and electronic control equipment, and ground electronic and communication equipment), and supplies, materials, and spare parts therefor, not otherwise provided for; the purchase of not to exceed 678 passenger motor vehicles for replacement only; and expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon, prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; $6,886,613,000, to remain available for obligation until September 30, 1997: *Provided*, That of the funds appropriated in this paragraph, $31,190,000 shall not be obligated or expended until authorized by law.

PROCUREMENT, DEFENSE-WIDE

For expenses of activities and agencies of the Department of Defense (other than the military departments) necessary for procurement, production, and modification of equipment, supplies, materials, and spare parts therefor, not otherwise provided for; the purchase of not to exceed 437 passenger motor vehicles, of which 431 shall be for replacement only; expansion of public and private plants, equipment, and installation thereof in such plants, erection of structures, and acquisition of land for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; $3,020,616,000, to remain available for obligation until September 30, 1997: *Provided*, That of the funds appropriated in this paragraph, $953,922,000 shall not be obligated or expended until authorized by law.

NATIONAL GUARD AND RESERVE EQUIPMENT

For procurement of aircraft, missiles, tracked combat vehicles, ammunition, other weapons, and other procurement for the reserve components of the Armed Forces; $796,200,000, to remain available for obligation until September 30, 1997: *Provided*, That of the funds appropriated in this paragraph, $9,000,000 shall not be obligated or expended until authorized by law.

TITLE IV

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, as authorized by law; $5,456,498,000, to remain available for obligation until September 30, 1996: *Provided*, That of the funds appropriated in this paragraph, $35,695,000 shall not be obligated or expended until authorized by law.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, as authorized by law; $8,598,958,000, to remain available for obligation until September 30, 1996: *Provided*, That for continued research and development programs at the National Center for Physical Acoustics, centering on ocean acoustics as it applies to advanced antisubmarine warfare acoustics issues with focus on ocean bottom acoustics, seismic coupling, sea-surface and bottom scattering, oceanic ambient noise, underwater sound propagation, bubble related ambient noise, acoustically active surfaces, machinery noise, propagation physics, solid state acoustics, electrorheological fluids, transducer development, ultrasonic sensors, and other such projects as may be agreed upon, $1,000,000 shall be made available, as a grant, to the Mississippi Resource Development Corporation, of which not to exceed $250,000 of such sum may be used to provide such special equipment as may be required for particular projects: *Provided further*, That none of the funds appropriated in this paragraph may be obligated or expended to develop or purchase equipment for an Aegis destroyer variant (commonly known as "Flight IIA") whose initial operating capability is budgeted to be achieved prior to the initial operating capability of the Ship Self-Defense program, nor to develop sensor, processor, or display capabilities which duplicate in any way those being developed in the Ship Self-Defense program: *Provided further*, That funds appropriated in this paragraph for development of E–2C aircraft upgrades may not be obligated until the Under Secretary of Defense for Acquisition submits a plan to the Committees on Appropriations and Armed Services of each House of Congress for development and deployment of a fully participating cooperative engagement capability on E–2 aircraft to be fielded concurrent with and no later than major computer upgrades for the aircraft: *Provided further*, That funds appropriated in this paragraph for development of the LPD–17 ship may not be obligated unless the baseline design of the ship includes cooperative engagement capability and sufficient own-ship self-defense capability against advanced sea-skimming antiship cruise missiles in the baseline design to achieve an estimated probability of survival from attack by such missiles at a level no less than any other Navy ship.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, as authorized by law; $10,728,533,000, to remain available for obligation until September 30, 1996: *Provided*, That not less than $12,000,000 of the funds appropriated in this paragraph shall be made available only for the Joint Seismic Program and Global Seismic Network administrated by the Incorporated Research Institutions for Seismology: *Provided further*, That not less than $20,000,000 of the funds appropriated in this paragraph shall be made available only for the National Center for Manufacturing Sciences (NCMS).

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

For expenses of activities and agencies of the Department of Defense (other than the military departments), necessary for basic and applied scientific research, development, test and evaluation; advanced research projects as may be designated and determined by the Secretary of Defense, pursuant to law; maintenance, rehabilitation, lease, and operation of facilities and equipment, as authorized by law; $9,419,955,000, to remain available for obligation until September 30, 1996: *Provided*, That not less than $120,000,000 of the funds appropriated in this paragraph are available only for the Sea-Based Wide Area Defense program: *Provided further*, That of the funds appropriated in this paragraph, $361,743,000 shall not be obligated or expended until authorized by law: *Provided further*, That funds appropriated in this paragraph for development of the TIER II Plus

vehicle shall not be obligated until not less than $50,000,000 has been obligated for the TIER III Minus vehicle.

DEVELOPMENTAL TEST AND EVALUATION, DEFENSE

For expenses, not otherwise provided for, of independent activities of the Director, Test and Evaluation in the direction and supervision of developmental test and evaluation, including performance and joint developmental testing and evaluation; and administrative expenses in connection therewith; $251,495,000, to remain available for obligation until September 30, 1996.

OPERATIONAL TEST AND EVALUATION, DEFENSE

For expenses, not otherwise provided for, necessary for the independent activities of the Director, Operational Test and Evaluation in the direction and supervision of operational test and evaluation, including initial operational test and evaluation which is conducted prior to, and in support of, production decisions; joint operational testing and evaluation; and administrative expenses in connection therewith; $12,501,000, to remain available for obligation until September 30, 1996.

TITLE V

REVOLVING AND MANAGEMENT FUNDS

DEFENSE BUSINESS OPERATIONS FUND

For the Defense Business Operations Fund; $1,090,438,000.

NATIONAL DEFENSE SEALIFT FUND

(INCLUDING TRANSFER OF FUNDS)

For National Defense Sealift Fund programs, projects, and activities, $858,600,000, to remain available until expended: *Provided*, That $25,000,000 shall be transferred to the Secretary of Transportation for title XI loan guarantees: *Provided further*, That none of the funds provided in this paragraph shall be used to award a new contract that provides for the acquisition of any of the following major components unless such components are manufactured in the United States: auxiliary equipment, including pumps, for all shipboard services; propulsion system components (that is; engines, reduction gears, and propellers); shipboard cranes; and spreaders for shipboard cranes: *Provided further*, That the exercise of an option in a contract awarded through the obligation of previously appropriated funds shall not be considered to be the award of a new contract: *Provided further*, That the Secretary of the military department responsible for such procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate, that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes: *Provided further*, That funds appropriated in this paragraph shall not be obligated or expended until authorized by law.

TITLE VI

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

For expenses, not otherwise provided for, for medical and health care programs of the Department of Defense, as authorized by law; $9,895,159,000, of which $9,577,770,000 shall be for Operation and maintenance, of which $317,389,000, to remain available for obligation until September 30, 1997, shall be for Procurement: *Provided*, That the Department shall continue to competitively contract during fiscal year 1995 for mail service pharmacy for at least two multi-state regions in addition to the ongoing solicitations for Florida, South Carolina, Georgia, Delaware, New Jersey, Pennsylvania, and Hawaii, as well as each base closure area not supported by an at-risk managed care plan; that such services shall be procured independent of any other Department managed care contracts; that one multi-state region shall include the State of Kentucky and that one multi-state region shall include the State of New Mexico: *Provided further*, That of the funds appropriated in this paragraph, $8,500,000 shall not be obligated or expended until authorized by law.

CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE

For expenses, not otherwise provided for, necessary for the destruction of the United States stockpile of lethal chemical agents and munitions in accordance with the provisions of section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521), and for the destruction of other chemical warfare materials that are not in the chemical weapon stockpile, $562,949,000, of which $345,784,000 shall be for Operation and maintenance, $196,465,000 shall be for Procurement to remain available until September 30, 1997, and $20,700,000 shall be for Research, development, test and evaluation to remain available until September 30, 1996.

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

(INCLUDING TRANSFER OF FUNDS)

For drug interdiction and counter-drug activities of the Department of Defense, for transfer to appropriations available to the Department of Defense for military personnel of the reserve components serving under the provisions of title 10 and title 32, United States Code; for Operation and maintenance; for Procurement; and for Research, development, test and evaluation; $713,053,000: *Provided*, That the funds appropriated by this paragraph shall be available for obligation for the same time period and for the same purpose as the appropriation to which transferred: *Provided further*, That the transfer authority provided in this paragraph is in addition to any transfer authority contained elsewhere in this Act.

OFFICE OF THE INSPECTOR GENERAL

For expenses and activities of the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended; $142,098,000, of which $141,098,000 shall be for Operation and maintenance, of which not to exceed $400,000 is available for emergencies and extraordinary expenses to be expended on the approval or authority of the Inspector General, and payments may be made on his certificate of necessity for confidential military purposes; and of which $1,000,000, to remain available until September 30, 1997, shall be for Procurement.

DEFENSE CONVERSION AND REINVESTMENT

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for transition benefits for military and civilian employees of the Department of Defense, and for assistance to communities and industries affected by the military drawdown; for transfer to appropriations available to the Department of Defense for Operation and maintenance, and for Research, development, test and evaluation; $1,401,944,000: *Provided*, That the funds appropriated by this paragraph shall be available for the same time period and for the same purpose as the appropriation to which transferred: *Provided further*, That the transfer authority provided in this paragraph is in addition to any transfer authority contained elsewhere in this Act: *Provided further*, That $50,000,000 shall be available to cover the costs (as defined in section 502(5) of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a(5))) of loan guarantees issued pursuant to subsection (b)(3) of such section: *Provided further*, That of the funds appropriated in this paragraph, $30,744,000 shall not be obligated or expended until authorized by law.

KOREAN ENHANCED READINESS ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to enhance the readiness of United States Forces to perform the mission assigned to United States Forces, Korea, $250,000,000: *Provided*, That such funds may be transferred by the Secretary to appropriations made available to the Department of Defense for Operation and maintenance, Procurement, and Research, development, test and evaluation: *Provided further*, That the funds appropriated by this paragraph shall be available for the same time period and for the same purpose as the appropriation to which transferred: *Provided further*, That the transfer authority provided in this paragraph is in addition to any transfer authority contained elsewhere in this Act: *Provided further*, That of the funds appropriated by this paragraph, not less than $55,000,000 shall be transferred to "Other procurement, Army", and not less than $15,000,000 shall be transferred to "Research, development, test and evaluation, Defense-Wide": *Provided further*, That no funds made available under this paragraph shall be obligated until 15 days after submission of a report by the Secretary to the House and Senate Committees on Appropriations explaining and justifying the proposed uses of such funds: *Provided further*, That funds appropriated in this paragraph shall not be obligated or expended until authorized by law.

TITLE VII

NATIONAL FOREIGN INTELLIGENCE PROGRAM

CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM FUND

For payment to the Central Intelligence Agency Retirement and Disability System Fund, to maintain proper funding level for continuing the operation of the Central Intelligence Agency Retirement and Disability System; $198,000,000.

COMMUNITY MANAGEMENT ACCOUNT

For necessary expenses of the Community Management Account; $83,084,000: *Provided*, That of the funds appropriated in this paragraph, no more than $2,000,000 may be available for the purchase of information system upgrades at the Department of State Bureau of Intelligence and Research.

TITLE VIII

GENERAL PROVISIONS

SEC. 8001. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.

SEC. 8002. During the current fiscal year, provisions of law prohibiting the payment of compensation to, or employment of, any person not a citizen of the United States shall not apply to personnel of the Department of Defense: *Provided*, That salary increases granted to direct and indirect hire foreign national employees of the Department of Defense funded by this Act shall not be at a

rate in excess of the percentage increase authorized by law for civilian employees of the Department of Defense whose pay is computed under the provisions of section 5332 of title 5, United States Code, or at a rate in excess of the percentage increase provided by the appropriate host nation to its own employees, whichever is higher: *Provided further*, That this section shall not apply to Department of Defense foreign service national employees serving at United States diplomatic missions whose pay is set by the Department of State under the Foreign Service Act of 1980: *Provided further*, That the limitations of this provision shall not apply to foreign national employees of the Department of Defense in the Republic of Turkey.

SEC. 8003. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year, unless expressly so provided herein.

SEC. 8004. No more than 20 per centum of the appropriations in this Act which are limited for obligation during the current fiscal year shall be obligated during the last two months of the fiscal year: *Provided*, That this section shall not apply to obligations for support of active duty training of reserve components or summer camp training of the Reserve Officers' Training Corps, or the National Board for the Promotion of Rifle Practice, Army.

(TRANSFER OF FUNDS)

SEC. 8005. Upon determination by the Secretary of Defense that such action is necessary in the national interest, he may, with the approval of the Office of Management and Budget, transfer not to exceed $2,000,000,000 of working capital funds of the Department of Defense or funds made available in this Act to the Department of Defense for military functions (except military construction) between such appropriations or funds or any subdivision thereof, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: *Provided*, That such authority to transfer may not be used unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which funds are requested has been denied by Congress: *Provided further*, That the Secretary of Defense shall notify the Congress promptly of all transfers made pursuant to this authority or any other authority in this Act.

(TRANSFER OF FUNDS)

SEC. 8006. During the current fiscal year, cash balances in working capital funds of the Department of Defense established pursuant to section 2208 of title 10, United States Code, may be maintained in only such amounts as are necessary at any time for cash disbursements to be made from such funds: *Provided*, That transfers may be made between such funds and the "Foreign Currency Fluctuations, Defense" and "Operation and Maintenance" appropriation accounts in such amounts as may be determined by the Secretary of Defense, with the approval of the Office of Management and Budget, except that such transfers may not be made unless the Secretary of Defense has notified the Congress of the proposed transfer. Except in amounts equal to the amounts appropriated to working capital funds in this Act, no obligations may be made against a working capital fund to procure or increase the value of war reserve material inventory, unless the Secretary of Defense has notified the Congress prior to any such obligation.

SEC. 8007. Using funds available by this Act or any other Act, the Secretary of the Air Force, pursuant to a determination under section 2690 of title 10, United States Code, may implement cost-effective agreements for required heating facility modernization in the Kaiserslautern Military Community in the Federal Republic of Germany: *Provided*, That in the City of Kaiserslautern such agreements will include the use of United States anthracite as the base load energy for municipal district heat to the United States Defense installations: *Provided further*, That at Landstuhl Army Regional Medical Center and Ramstein Air Base, furnished heat may be obtained from private, regional or municipal services, if provisions are included for the consideration of United States coal as an energy source.

SEC. 8008. Funds appropriated by this Act may not be used to initiate a special access program without prior notification 30 calendar days in session in advance to the Committees on Appropriations and Armed Services of the Senate and House of Representatives.

SEC. 8009. None of the funds contained in this Act available for the Civilian Health and Medical Program of the Uniformed Services shall be available for payments to physicians and other authorized individual health care providers in excess of the amounts allowed in fiscal year 1994 for similar services, except that: (a) for services for which the Secretary of Defense determines an increase is justified by economic circumstances, the allowable amounts may be increased in accordance with appropriate economic index data similar to that used pursuant to title XVIII of the Social Security Act; and (b) for services the Secretary determines are overpriced based on allowable payments under title XVIII of the Social Security Act, the allowable amounts shall be reduced by not more than 15 percent (except that the reduction may be waived if the Secretary determines that it would impair adequate access to health care services for beneficiaries). The Secretary shall solicit public comment prior to promulgating regulations to implement this section. Such regulations shall include a limitation, similar to that used under title XVIII of the Social Security Act, on the extent to which a provider may bill a beneficiary an actual charge in excess of the allowable amount.

SEC. 8010. None of the funds provided in this Act shall be available to initiate (1) a multiyear contract that employs economic order quantity procurement in excess of $20,000,000 in any one year of the contract or that includes an unfunded contingent liability in excess of $20,000,000, or (2) a contract for advance procurement leading to a multiyear contract that employs economic order quantity procurement in excess of $20,000,000 in any one year, unless the Committees on Appropriations and Armed Services of the Senate and House of Representatives have been notified at least thirty days in advance of the proposed contract award: *Provided*, That no part of any appropriation contained in this Act shall be available to initiate a multiyear contract for which the economic order quantity advance procurement is not funded at least to the limits of the Government's liability: *Provided further*, That no part of any appropriation contained in this Act shall be available to initiate multiyear procurement contracts for any systems or component thereof if the value of the multiyear contract would exceed $500,000,000 unless specifically provided in this Act: *Provided further*, That no multiyear procurement contract can be terminated without 10-day prior notification to the Committees on Appropriations and Armed Services of the House of Representatives and the Senate: *Provided further*, That the execution of multiyear authority shall require the use of a present value analysis to determine lowest cost compared to an annual procurement.

SEC. 8011. Within the funds appropriated for the operation and maintenance of the Armed Forces, funds are hereby appropriated pursuant to section 401 of title 10, United States Code, for humanitarian and civic assistance costs under chapter 20 of title 10, United States Code. Such funds may also be obligated for humanitarian and civic assistance costs incidental to authorized operations and pursuant to authority granted in section 401 of chapter 20 of title 10, United States Code, and these obligations shall be reported to Congress on September 30 of each year: *Provided*, That funds available for operation and maintenance shall be available for providing humanitarian and similar assistance by using Civic Action Teams in the Trust Territories of the Pacific Islands and freely associated states of Micronesia, pursuant to the Compact of Free Association as authorized by Public Law 99–239: *Provided further*, That upon a determination by the Secretary of the Army that such action is beneficial for graduate medical education programs conducted at Army medical facilities located in Hawaii, the Secretary of the Army may authorize the provision of medical services at such facilities and transportation to such facilities, on a nonreimbursable basis, for civilian patients from American Samoa, the Commonwealth of the Northern Mariana Islands, the Marshall Islands, the Federated States of Micronesia, Palau, and Guam.

SEC. 8012. Notwithstanding any other provision of law, governments of Indian tribes shall be treated as State and local governments for the purposes of disposition of real property recommended for closure in the report of the Defense Secretary's Commission on Base Realignments and Closures, December 1988, the report to the President from the Defense Base Closure and Realignment Commission, July 1991, and Public Law 100–526.

SEC. 8013. (a) The provisions of section 115(a)(4) of title 10, United States Code, shall not apply with respect to fiscal year 1995 or with respect to the appropriation of funds for that year.

(b) During fiscal year 1995, the civilian personnel of the Department of Defense may not be managed on the basis of any end-strength, and the management of such personnel during that fiscal year shall not be subject to any constraint or limitation (known as an end-strength) on the number of such personnel who may be employed on the last day of such fiscal year.

(c) The fiscal year 1996 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 1996 Department of Defense budget request shall be prepared and submitted to the Congress as if subsections (a) and (b) of this provision were effective with regard to fiscal year 1996.

SEC. 8014. None of the funds made available by this Act shall be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before the Congress.

SEC. 8015. None of the funds appropriated by this Act shall be obligated for the pay of any individual who is initially employed after the date of enactment of this Act as a technician in the administration and training of the Army Reserve and the maintenance and repair of supplies issued to the

Army Reserve unless such individual is also a military member of the Army Reserve troop program unit that he or she is employed to support. Those technicians employed by the Army Reserve in areas other than Army Reserve troop program units need only be members of the Selected Reserve.

SEC. 8016. Notwithstanding any other provision of law, the Secretaries of the Army and Air Force may authorize the retention in an active status until age sixty of any person who would otherwise be removed from an active status and who is employed as a National Guard or Reserve technician in a position in which active status in a reserve component of the Army or Air Force is required as a condition of that employment.

SEC. 8017. Notwithstanding any other provision of law, during the current fiscal year and hereafter, proceeds from the investment of the Fisher House Investment Trust Fund will be used to support the operation and maintenance of Fisher Houses associated with Army medical treatment facilities.

SEC. 8018. (a) None of the funds appropriated by this Act shall be used to make contributions to the Department of Defense Education Benefits Fund pursuant to section 2006(g) of title 10, United States Code, representing the normal cost for future benefits under section 1415(c) of title 38, United States Code, for any member of the armed services who, on or after the date of enactment of this Act—

(1) enlists in the armed services for a period of active duty of less than three years; or

(2) receives an enlistment bonus under section 308a or 308f of title 37, United States Code,

nor shall any amounts representing the normal cost of such future benefits be transferred from the Fund by the Secretary of the Treasury to the Secretary of Veterans Affairs pursuant to section 2006(d) of title 10, United States Code; nor shall the Secretary of Veterans Affairs pay such benefits to any such member: *Provided*, That, in the case of a member covered by clause (1), these limitations shall not apply to members in combat arms skills or to members who enlist in the armed services on or after July 1, 1989, under a program continued or established by the Secretary of Defense in fiscal year 1991 to test the cost-effective use of special recruiting incentives involving not more than nineteen noncombat arms skills approved in advance by the Secretary of Defense: *Provided further*, That this subsection applies only to active components of the Army.

(b) None of the funds appropriated by this Act shall be available for the basic pay and allowances of any member of the Army participating as a full-time student and receiving benefits paid by the Secretary of Veterans Affairs from the Department of Defense Education Benefits Fund when time spent as a full-time student is credited toward completion of a service commitment: *Provided*, That this subsection shall not apply to those members who have reenlisted with this option prior to October 1, 1987: *Provided further*, That this subsection applies only to active components of the Army.

SEC. 8019. Funds appropriated in this Act shall be available for the payment of not more than 75 percent of the charges of a postsecondary educational institution for the tuition or expenses of an officer in the Ready Reserve of the Army National Guard or Army Reserve for education or training during his off-duty periods, except that no part of the charges may be paid unless the officer agrees to remain a member of the Ready Reserve for at least four years after completion of such training or education.

SEC. 8020. None of the funds appropriated by this Act shall be available to convert to contractor performance an activity or function of the Department of Defense that, on or after the date of enactment of this Act, is performed by more than ten Department of Defense civilian employees until a most efficient and cost-effective organization analysis is completed on such activity or function and certification of the analysis is made to the Committees on Appropriations of the House of Representatives and the Senate: *Provided*, That this section shall not apply to a commercial or industrial type function of the Department of Defense that: (1) is included on the procurement list established pursuant to section 2 of the Act of June 25, 1938 (41 U.S.C. 47), popularly referred to as the Javits-Wagner-O'Day Act; (2) is planned to be converted to performance by a qualified nonprofit agency for the blind or by a qualified nonprofit agency for other severely handicapped individuals in accordance with that Act; or (3) is planned to be converted to performance by a qualified firm under 51 percent Native American ownership.

SEC. 8021. None of the funds made available by this Act may be obligated for the acquisition of major automated information systems which have not successfully completed oversight reviews required by Department of Defense regulations: *Provided*, That the automated information systems oversight review board will be independent of any other Department review function and chaired by the Assistant Secretary of Defense for Command, Control, Communications and Intelligence: *Provided further*, That except for those programs to modernize and develop migration and standard automated information systems that have been certified by the Department's senior information resource management (IRM) official as being fully compliant with the Department's information management initiative as defined in Defense Department Directive 8000.1, no funds may be expended for modernization or development of any automated information system (AIS) by the military departments, services, defense agencies, Joint Staff or Military Commands in excess of $2,000,000 unless the senior official of the Office of the Secretary of Defense with primary responsibility for the functions being supported or to be supported certifies to the Assistant Secretary of Defense for Command, Control, Communications and Intelligence that the functional requirement(s) is valid and that the system modernization or development has no unnecessary duplication of other available or planned AISs: *Provided further*, That all new Department of Defense procurements shall separately identify software costs in the work breakdown structure defined by MIL-STD-881 in those instances where software is considered to be a major category of cost.

SEC. 8022. Notwithstanding any other provision of law, the Secretary of the Navy may use funds appropriated to charter ships to be used as auxiliary minesweepers providing that the owner agrees that these ships may be activated as Navy Reserve ships with Navy Reserve crews used in training exercises conducted in accordance with law and policies governing Naval Reserve forces.

SEC. 8023. Funds appropriated or made available in this Act shall be obligated and expended to continue to fully utilize the facilities at the United States Army Engineer's Waterways Experiment Station, including the continued availability of the supercomputer capability: *Provided*, That none of the funds in this Act may be used to purchase any supercomputer which is not manufactured in the United States, unless the Secretary of Defense certifies to the Armed Services and Appropriations Committees of Congress that such an acquisition must be made in order to acquire capability for national security purposes that is not available from United States manufacturers.

SEC. 8024. For the purposes of the Balanced Budget and Emergency Deficit Control Act of 1985 (Public Law 99-177) as amended by the Balanced Budget and Emergency Deficit Control Reaffirmation Act of 1987 (Public Law 100-119) and by the Budget Enforcement Act of 1990 (Public Law 101-508), the term program, project, and activity for appropriations contained in this Act shall be defined as the most specific level of budget items identified in the Department of Defense Appropriations Act, 1995, the accompanying House and Senate Committee reports, the conference report and accompanying joint explanatory statement of the managers of the Committee of Conference, the related classified annexes and reports, and the P-1 and R-1 budget justification documents as subsequently modified by Congressional action: *Provided*, That the following exception to the above definition shall apply:

For the Military Personnel and the Operation and Maintenance accounts, the term "program, project, and activity" is defined as the appropriations accounts contained in the Department of Defense Appropriations Act: *Provided further*, That at the time the President submits his budget for fiscal year 1996, the Department of Defense shall transmit to the Committees on Appropriations and the Committees on Armed Services of the Senate and the House of Representatives a budget justification document to be known as the "O-1" which shall identify, at the budget activity, activity group, and subactivity group level, the amounts requested by the President to be appropriated to the Department of Defense for operation and maintenance in any budget request, or amended budget request, for fiscal year 1996.

SEC. 8025. Of the funds appropriated to the Army, $223,736,000 shall be available only for the Reserve Component Automation System (RCAS): *Provided*, That none of these funds can be expended—

(1) except as approved by the Chief of the National Guard Bureau;

(2) unless RCAS resource management functions are performed by the National Guard Bureau;

(3) to pay the salary of an RCAS program manager who has not been selected and approved by the Chief of the National Guard Bureau and chartered by the Chief of the National Guard Bureau and the Secretary of the Army;

(4) unless the Program Manager (PM) charter makes the PM accountable to the Chief of the National Guard Bureau and fully defines his authority, responsibility, reporting channels and organizational structure;

(5) to pay the salaries of individuals assigned to the RCAS program management office unless such organization is comprised of personnel chosen jointly by the Chiefs of the National Guard Bureau and the Army Reserve;

(6) to pay contracted costs for the acquisition of RCAS unless RCAS is an integrated system consisting of software, hardware, and communications equipment and unless such contract continues to preclude the use of Government furnished equipment, operating systems, and executive applications software; and

(7) unless RCAS performs its own classified information processing:

Provided further, That notwithstanding any other provision of law, none of the funds appropriated shall be available for procurement of computers for the Army Reserve Component which are used to network or expand the capabilities of existing or future information systems or duplicate functions to be provided under the RCAS contract unless the procurement meets the following criteria: (A) at sites scheduled to receive RCAS equipment prior to September 30, 1995, RCAS ADP equipment may be procured and only in the numbers and types allocated by the RCAS program to each site; and at sites scheduled to receive RCAS equipment after September 30, 1995, RCAS ADP equipment or ADP equipment from a list of RCAS compatible equipment approved by the Chief of the National Guard Bureau or his designee, may be procured and only in the numbers and types allocated by the RCAS program to each site; (B) the requesting organizational element has insufficient ADP equipment to perform administrative functions but not to exceed the number of work stations determined by the RCAS program for that site; (C) replacement equipment will not exceed the minimum required to maintain the reliability of existing capabilities; (D) replacement will be justified on the basis of cost and feasibility of repairs and maintenance of present ADP equipment as compared to the cost of replacement; and (E) the procurement under this policy must be approved by the Chief of the National Guard Bureau or his designee, provided that the procurement is a one for one replacement action of existing equipment.

SEC. 8026. None of the funds in this Act may be available for the purchase by the Department of Defense (and its departments and agencies) of welded shipboard anchor and mooring chain 4 inches in diameter and under unless the anchor and mooring chain are manufactured in the United States from components which are substantially manufactured in the United States: *Provided*, That for the purpose of this section manufactured will include cutting, heat treating, quality control, testing of chain and welding (including the forging and shot blasting process): *Provided further*, That for the purpose of this section substantially all of the components of anchor and mooring chain shall be considered to be produced or manufactured in the United States if the aggregate cost of the components produced or manufactured in the United States exceeds the aggregate cost of the components produced or manufactured outside the United States: *Provided further*, That when adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis, the Secretary of the service responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations that such an acquisition must be made in order to acquire capability for national security purposes.

(TRANSFER OF FUNDS)

SEC. 8027. Notwithstanding any other provision of law, the Department of Defense may transfer prior year, unobligated balances and funds appropriated in this Act to the operation and maintenance appropriations for the purpose of providing military technician and Department of Defense medical personnel pay and medical programs (including CHAMPUS) the same exemption from sequestration set forth in the Balanced Budget and Emergency Deficit Control Act of 1985 (Public Law 99-177) as amended by the Balanced Budget and Emergency Deficit Control Reaffirmation Act of 1987 (Public Law 100-119) and by the Budget Enforcement Act of 1990 (Public Law 101-508) as that granted the other military personnel accounts: *Provided*, That any transfer made pursuant to any use of the authority provided by this provision shall be limited so that the amounts reprogrammed to the operation and maintenance appropriations do not exceed the amounts sequestered under the Balanced Budget and Emergency Deficit Control Act of 1985 (Public Law 99-177) as amended by the Balanced Budget and Emergency Deficit Control Reaffirmation Act of 1987 (Public Law 100-119) and by the Budget Enforcement Act of 1990 (Public Law 101-508): *Provided further*, That the authority to make transfers pursuant to this section is in addition to the authority to make transfers under other provisions of this Act: *Provided further*, That the Secretary of Defense may proceed with such transfer after notifying the Appropriations Committees of the House of Representatives and the Senate twenty calendar days in session before any such transfer of funds under this provision.

SEC. 8028. None of the funds available to the Department of the Navy may be used to enter into any contract for the overhaul, repair, or maintenance of any naval vessel homeported on the West Coast of the United States which includes charges for interport differential as an evaluation factor for award.

SEC. 8029. None of the funds appropriated by this Act available for the Civilian Health and Medical Program of the Uniformed Services (CHAMPUS) shall be available for the reimbursement of any health care provider for inpatient mental health service for care received when a patient is referred to a provider of inpatient mental health care or residential treatment care by a medical or health care professional having an economic interest in the facility to which the patient is referred: *Provided*, That this limitation does not apply in the case of inpatient mental health services provided under the program for the handicapped under subsection (d) of section 1079 of title 10, United States Code, provided as partial hospital care, or provided pursuant to a waiver authorized by the Secretary of Defense because of medical or psychological circumstances of the patient that are confirmed by a health professional who is not a Federal employee after a review, pursuant to rules prescribed by the Secretary, which takes into account the appropriate level of care for the patient, the intensity of services required by the patient, and the availability of that care.

SEC. 8030. Operational control of the Naval Reserve Personnel Center, including its functions and responsibilities, shall be under the command and control of the Commander, Naval Reserve Command: *Provided*, That notwithstanding any other provision of law, the one-time costs, including the procurement or lease of new or reutilized automatic data processing investment equipment, peripheral equipment and related software, of the 1993 Report to the President of the Defense Base Closure and Realignment Commission or current DOD Data Center Consolidation shall not exceed $309,000,000.

SEC. 8031. Funds available in this Act may be used to provide transportation for the next-of-kin of individuals who have been prisoners of war or missing in action from the Vietnam era to an annual meeting in the United States, under such regulations as the Secretary of Defense may prescribe.

SEC. 8032. None of the funds available to the Department of Defense shall be obligated or expended for (or to implement) automatic data processing, data processing center, central design activity, DMRD 918, defense information infrastructure, and military or civilian personnel function consolidation plans, consolidations, and disestablishment or realignment plans that impact, in terms of reductions in force or transfers in military and civilian personnel, end strength, billets, functions, or missions, the Enlisted Personnel Management Center, and the collocated Naval Computer and Telecommunications Station, the Naval Reserve Force Information Systems Office, and the Naval Reserve Personnel Center until sixty legislative days after the Secretary of Defense submits to the House and Senate Committees on Appropriations a report, including complete review comments and a validation by the Department of Defense Comptroller, justifying and validating that such plans and actions: (1) do not consolidate, plan to consolidate, disestablish or realign Department of Defense or Service data processing functions or centers, central design activities, or military and civilian personnel functions and activities, or claim savings from such function and activity consolidations and disestablishment, realignment, or consolidation plans, that are in more than one defense management report plan or decision or any other Department of Defense or Service consolidation, disestablishment or realignment plan; (2) utilize criteria primarily weighted to evaluate, measure and compare how data processing centers and activities, central design activities, and military and civilian personnel functions and activities are ranked in terms of operational readiness, customer satisfaction, and the most cost effective and least expensive from a business performance, and regional operations cost standpoint; (3) will provide equal or better service for DOD customers; (4) provide details as to the impacts on the quality of life and benefits of the individual service person, dependents, and civilian personnel; and (5) will not adversely impact the mission and readiness of the Navy and Naval Reserves: *Provided*, That funds made available to the Department of Defense shall be available to implement the 1993 Defense Base Closure and Realignment Commission approved recommendations concerning the Enlisted Personnel Management Center and the collocated Naval Computer and Telecommunications Station.

SEC. 8033. Notwithstanding any other provision of law, during the current fiscal year, the Secretary of Defense may, by Executive Agreement, establish with host nation governments in NATO member states a separate account into which such residual value amounts negotiated in the return of United States military installations in NATO member states may be deposited, in the currency of the host nation, in lieu of direct monetary transfers to the United States Treasury: *Provided*, That such credits may be utilized only for the construction of facilities to support United States military forces in that host nation, or such real property maintenance and base operating costs that are currently executed through monetary transfers to such host nations: *Provided further*, That the Department of Defense's budget submission for fiscal year 1996 shall identify such sums anticipated in residual value settlements, and identify such construction, real property maintenance or base operating costs that shall be funded by the host nation through such credits: *Provided further*, That all military construction projects to be executed

from such accounts must be previously approved in a prior Act of Congress: *Provided further*, That each such Executive Agreement with a NATO member host nation shall be reported to the Committees on Appropriations and Armed Services of the House of Representatives and the Senate thirty days prior to the conclusion and endorsement of any such agreement established under this provision.

SEC. 8034. None of the funds available to the Department of Defense in this Act shall be used to demilitarize or dispose of more than 310,784 unserviceable M1 Garand rifles and M1 Carbines.

SEC. 8035. Notwithstanding any other provision of law, none of the funds appropriated by this Act shall be available to pay more than 50 percent of an amount paid to any person under section 308 of title 37, United States Code, in a lump sum.

SEC. 8036. None of the funds appropriated by this Act may be used by the Department of Defense to assign a supervisor's title or grade when the number of people he or she supervises is considered as a basis for this determination: *Provided*, That savings that result from this provision are represented as such in future budget proposals.

SEC. 8037. Of the funds appropriated by this Act, no more than $18,500,000 shall be available for the mental health care demonstration project at Fort Bragg, North Carolina: *Provided*, That adjustments may be made for normal and reasonable price and program growth.

SEC. 8038. None of the funds appropriated by this Act shall be available for payments under the Department of Defense contract with the Louisiana State University Medical Center involving the use of cats for Brain Missile Wound Research, and the Department of Defense shall not make payments under such contract from funds obligated prior to the date of the enactment of this Act, except as necessary for costs incurred by the contractor prior to the enactment of this Act: *Provided*, That funds necessary for the care of animals covered by this contract are allowed.

SEC. 8039. None of the funds provided in this Act or any other Act shall be available to conduct bone trauma research at any Army Research Laboratory until the Secretary of the Army certifies that the synthetic compound to be used in the experiments is of such a type that its use will result in a significant medical finding, the research has military application, the research will be conducted in accordance with the standards set by an animal care and use committee, and the research does not duplicate research already conducted by a manufacturer or any other research organization.

SEC. 8040. The Secretary of Defense shall include in any base closure and realignment plan submitted to Congress after the date of enactment of this Act, a complete review for the five-year period beginning on October 1, 1994, which shall include expected force structure and levels for such period, expected installation requirements for such period, a budget plan for such period, the cost savings expected to be realized through realignments and closures of military installations during such period, an economics model to identify the critical local economic sectors affected by proposed closures and realignments of military installations and an assessment of the economic impact in each area in which a military installation is to be realigned or closed.

SEC. 8041. No more than $50,000 of the funds appropriated or made available in this Act shall be used for any single relocation of an organization, unit, activity or function of the Department of Defense into or within the National Capital Region: *Provided*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and Senate that such a relocation is required in the best interest of the Government: *Provided further*, That no funds appropriated or made available in this Act shall be used for the relocation into the National Capital Region of the Air Force Office of Medical Support located at Brooks Air Force Base.

SEC. 8042. During the current fiscal year, funds appropriated or otherwise available for any Federal agency, the Congress, the judicial branch, or the District of Columbia may be used for the pay, allowances, and benefits of an employee as defined by section 2105 of title 5 or an individual employed by the government of the District of Columbia, permanent or temporary indefinite, who—

(1) is a member of a Reserve component of the armed forces, as described in section 261 of title 10, or the National Guard, as described in section 101 of title 32;

(2) performs, for the purpose of providing military aid to enforce the law or providing assistance to civil authorities in the protection or saving of life or property or prevention of injury—

(A) Federal service under section 331, 332, 333, 3500, or 8500 of title 10, or other provision of law, as applicable, or

(B) full-time military service for his State, the District of Columbia, the Commonwealth of Puerto Rico, or a territory of the United States; and

(3) requests and is granted—

(A) leave under the authority of this section; or

(B) annual leave, which may be granted without regard to the provisions of sections 5519 and 6323(b) of title 5, if such employee is otherwise entitled to such annual leave:

Provided, That any employee who requests leave under subsection (3)(A) for service described in subsection (2) of this section is entitled to such leave, subject to the provisions of this section and of the last sentence of section 6323(b) of title 5, and such leave shall be considered leave under section 6323(b) of title 5.

SEC. 8043. None of the funds appropriated by this Act shall be available to perform any cost study pursuant to the provisions of OMB Circular A-76 if the study being performed exceeds a period of twenty-four months after initiation of such study with respect to a single function activity or forty-eight months after initiation of such study for a multi-function activity.

SEC. 8044. Funds appropriated by this Act for the American Forces Information Service shall not be used for any national or international political or psychological activities.

SEC. 8045. Notwithstanding any other provision of law or regulation, the Secretary of Defense may adjust wage rates for civilian employees hired for certain health care occupations as authorized for the Secretary of Veterans Affairs by section 7455 of title 38, United States Code.

SEC. 8046. Of the funds made available in this Act, not less than $24,565,000 shall be available for the Civil Air Patrol, of which $13,105,000 shall be available for Operation and Maintenance.

SEC. 8047. None of the funds appropriated or made available in this Act shall be used to reduce or disestablish the operation of the 53rd Weather Reconnaissance Squadron of the Air Force Reserve, if such action would reduce the WC-130 Weather Reconnaissance mission below the levels funded in this Act.

SEC. 8048. (a) Of the funds for the procurement of supplies or services appropriated by this Act, qualified nonprofit agencies for the blind or other severely handicapped shall be afforded the maximum practicable opportunity to participate as subcontractors and suppliers in the performance of contracts let by the Department of Defense.

(b) During the current fiscal year, a business concern which has negotiated with a military service or defense agency a subcontracting plan for the participation by small business concerns pursuant to section 8(d) of the Small Business Act (15 U.S.C. 637(d)) shall be given credit toward meeting that subcontracting goal for any purchases made from qualified nonprofit agencies for the blind or other severely handicapped.

(c) For the purpose of this section, the phrase "qualified nonprofit agency for the blind or other severely handicapped" means a nonprofit agency for the blind or other severely handicapped that has been approved by the Committee for the Purchase from the Blind and Other Severely Handicapped under the Javits-Wagner-O'Day Act (41 U.S.C. 46-48).

SEC. 8049. During the current fiscal year, net receipts pursuant to collections from third party payers pursuant to section 1095 of title 10, United States Code, shall be made available to the local facility of the uniformed services responsible for the collections and shall be over and above the facility's direct budget amount.

SEC. 8050. Notwithstanding any other provision of law or regulation, ships designated T-AGS 63, T-AGS 64 and T-AGS 65 must utilize remanufactured milspec SASS multibeam sonars: *Provided*, That the Secretary of the Navy may waive this restriction by certifying in writing to the Committees on Appropriations that an alternative acquisition must be made in order to acquire capability for national security purposes.

SEC. 8051. Section 8060 of the Department of Defense Appropriations Act, 1994 (Public Law 103-139) is hereby repealed, which contained authority for acquisition of LANDSAT 7.

SEC. 8052. Notwithstanding any other provision of law, of the funds appropriated for the Defense Health Program during this fiscal year and hereafter, the amount payable for services provided under this section shall not be less than the amount calculated under the coordination of benefits reimbursement formula utilized when CHAMPUS is a secondary payor to medical insurance programs other than Medicare, and such appropriations as necessary shall be available (notwithstanding the last sentence of section 1086(c) of title 10, United States Code) to continue Civilian Health and Medical Program of the Uniformed Services (CHAMPUS) benefits, until age 65, under such section for a former member of a uniformed service who is entitled to retired or retainer pay or equivalent pay, or a dependent of such a member, or any other beneficiary described by section 1086(c) of title 10, United States Code, who becomes eligible for hospital insurance benefits under part A of title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) solely on the grounds of physical disability, or end stage renal disease: *Provided*, That expenses under this section shall only be covered to the extent that such expenses are not covered under parts A and B of title XVIII of the Social Security Act and are otherwise covered under CHAMPUS: *Provided further*, That

no reimbursement shall be made for services provided prior to October 1, 1991.

SEC. 8053. During the current fiscal year, the Department of Defense is authorized to incur obligations of not to exceed $250,000,000 for purposes specified in section 2350j(c) of title 10, United States Code in anticipation of receipt of contributions, only from the Government of Kuwait, under that section: *Provided*, That, upon receipt, such contributions from the Government of Kuwait shall be credited to the appropriation or fund which incurred such obligations.

SEC. 8054. (a) Funds appropriated in this Act to finance activities of Department of Defense (DOD) Federally Funded Research and Development Centers (FFRDCs) may not be obligated or expended for an FFRDC if a member of its Board of Directors or Trustees simultaneously serves on the Board of Directors or Trustees of a profit-making company under contract to the Department of Defense unless the FFRDC has a DOD approved conflict of interest policy for its members.

(b) None of the funds appropriated in this Act are available to establish a new FFRDC, either as a new entity, or as a separate entity administered by an organization managing another FFRDC, or as a nonprofit membership corporation consisting of a consortium of other FFRDCs and other nonprofit entities.

(c) Notwithstanding any other provision of law, of the amounts available to the Department of Defense during fiscal year 1995, not more than $1,252,650,000 may be obligated for financing activities of FFRDCs.

(d) The Secretary of Defense may not obligate more than one-half of the funds available to FFRDCs until the Congressional defense committees receive the report on establishing pay caps for FFRDC employees that was directed in the Committee's report accompanying the fiscal year 1994 Department of Defense Appropriations Act.

SEC. 8055. None of the funds appropriated or made available in this Act shall be used to procure carbon, alloy or armor steel plate for use in any Government-owned facility or property under the control of the Department of Defense which were not melted and rolled in the United States or Canada: *Provided*, That these procurement restrictions shall apply to any and all Federal Supply Class 9515, American Society of Testing and Materials (ASTM) or American Iron and Steel Institute (AISI) specifications of carbon, alloy or armor steel plate: *Provided further*, That the Secretary of the military department responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes: *Provided further*, That these restrictions shall not apply to contracts which are in being as of the date of enactment of this Act.

SEC. 8056. For the purposes of this Act, the term "congressional defense committees" means the Committees on Armed Services, the Committees on Appropriations, and the subcommittees on Defense of the Committee on Appropriations, of the Senate and the House of Representatives.

SEC. 8057. Notwithstanding any other provision of law, during the current fiscal year, the Department of Defense may acquire the modification, depot maintenance and repair of aircraft, vehicles and vessels as well as the production of components and other Defense-related articles, through competition between Department of Defense depot maintenance activities and private firms: *Provided*, That the Senior Acquisition Executive of the military department or defense agency concerned, with power of delegation, shall certify that successful bids include comparable estimates of all direct and indirect costs for both public and private bids: *Provided further*, That Office of Management and Budget Circular A-76 shall not apply to competitions conducted under this section.

SEC. 8058. (a)(1) If the Secretary of Defense, after consultation with the United States Trade Representative, determines that a foreign country which is party to an agreement described in paragraph (2) has violated the terms of the agreement by discriminating against certain types of products produced in the United States that are covered by the agreement, the Secretary of Defense shall rescind the Secretary's blanket waiver of the Buy American Act with respect to such types of products produced in that foreign country.

(2) An agreement referred to in paragraph (1) is any reciprocal defense procurement memorandum of understanding, between the United States and a foreign country pursuant to which the Secretary of Defense has prospectively waived the Buy American Act for certain products in that country.

(b) The Secretary of Defense shall submit to Congress a report on the amount of Department of Defense purchases from foreign entities in fiscal year 1995. Such report shall separately indicate the dollar value of items for which the Buy American Act was waived pursuant to any agreement described in subsection (a)(2), the Trade Agreement Act of 1979 (19 U.S.C. 2501 et seq.), or any international agreement to which the United States is a party.

(c) For purposes of this section, the term "Buy American Act" means title III of the Act entitled "An Act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1934, and for other purposes", approved March 3, 1933 (41 U.S.C. 10a et seq.).

SEC. 8059. (a) Of the funds made available in this Act in title II, Operation and Maintenance, Army, $2,000,000 shall be available only to execute the cleanup of uncontrolled hazardous waste contamination affecting the Sale Parcel at Hamilton Air Force Base, in Novato, in the State of California.

(b) Notwithstanding any other provision of law, in the event that the purchaser of the Sale Parcel exercises its option to withdraw from all or a portion of the sale, as provided in the Agreement and Modification, dated September 25, 1990, between the Department of Defense, the General Services Administration, and the purchaser, as amended, the purchaser's deposit of $4,500,000 shall be returned by the General Services Administration and funds eligible for reimbursement under the Agreement and Modification, as amended, shall come from the funds made available to the Department of Defense by this Act.

(c) In the event that the purchaser purchases only a portion of the Sale Parcel and exercises its option to withdraw from the sale as to the rest of the Sale Parcel, the portion of the Sale Parcel that is not purchased (other than Landfill 26 and an appropriate buffer area around it and the groundwater treatment facility site), together with any of the land referred to in section 9099(e) of Public Law 102-396 that is not purchased by the purchaser, shall be sold to the City of Novato, in the State of California, for the sum of One Dollar as a public benefit transfer for school, classroom or other educational use, for use as a public park or recreation area or for further conveyance as provided herein, subject to the following restrictions: (1) if the City sells any portion of such land to any third party within ten years after the transfer to the City, which sale may be made without the foregoing use restrictions, any proceeds received by the City in connection with such sale, minus the demonstrated reasonable costs of conducting the sale and of any improvements made by the City to the land following its acquisition of the land (but only to the extent such improvements increase the value of the portion sold), shall be immediately turned over to the Army in reimbursement of the withdrawal payment made by the Army to the contract purchaser and the costs of cleaning up the Landfill and (2) until one year following completion of the cleanup of contaminated soil in the Landfill and completion of the groundwater treatment facilities, the sale must be at a per-acre price for the portion sold that is at least equal to the per-acre contract price paid by the purchaser for the portion of the Sale Parcel purchased under the Agreement and Modification, as amended, and thereafter must be at a price at least equal to the fair market value of the portion sold. The foregoing restrictions shall not apply to a transfer to another public or quasi-public agency for public uses of the kind described above. The deed to the City shall contain a clause providing that, if any of the proceeds referred to in clause (1) are not delivered to the Army within 30 days after sale, or any portion of the land not sold as provided herein is used for other than educational, park or recreational uses, title to the applicable portion of such land shall revert to the United States Government at the election of the General Services Administration. The Army shall agree to deliver into the applicable closing escrow an acknowledgement of receipt of any proceeds described in clause (1) above and a release of the reverter right as to the affected land, effective upon such receipt.

(d) Notwithstanding any other provision of law, the Air Force shall be reimbursed for expenditures in excess of $15,000,000 in connection with the total clean-up of uncontrolled hazardous waste contamination on the aforementioned Sale Parcel from the proceeds collected upon the closing of any portion of the Sale Parcel purchased by the contract purchaser under the Agreement and Modification, as amended.

(e) Notwithstanding any other provision of law, the purchaser's reimbursement claims shall be audited by the Defense Contract Audit Agency for reasonableness and accuracy before the Department of Defense provides any funds under the purchaser's withdrawal and reimbursement rights.

SEC. 8060. Notwithstanding any other provision of law, the Secretary of Defense may, when he considers it in the best interest of the United States, cancel any part of an indebtedness, up to $2,500, that is or was owed to the United States by a member or former member of a uniformed service if such indebtedness, as determined by the Secretary, was incurred in connection with Operation Desert Shield/Storm: *Provided*, That the amount of an indebtedness previously paid by a member or former member and cancelled under this section shall be refunded to the member.

SEC. 8061. Appropriations contained in this Act that remain available at the end of the

current fiscal year as a result of energy cost savings realized by the Department of Defense shall remain available for obligation for the next fiscal year to the extent, and for the purposes, provided in section 2865 of title 10, United States Code.

SEC. 8062. During the current fiscal year and thereafter, voluntary separation incentives payable under 10 U.S.C. 1175 may be paid in such amounts as are necessary from the assets of the Voluntary Separation Incentive Fund established by section 1175(h)(1).

(INCLUDING TRANSFER OF FUNDS)

SEC. 8063. Amounts deposited during fiscal years 1994 and 1995 to the special account established under 40 U.S.C. 485(h)(2) and to the special account established under 10 U.S.C. 2667(d)(1) are appropriated and shall be available until transferred by the Secretary of Defense to current applicable appropriations or funds of the Department of Defense under the terms and conditions specified by 40 U.S.C. 485(h)(2) (A) and (B) and 10 U.S.C. 2667(d)(1)(B), to be merged with and to be available for the same time period and the same purposes as the appropriation to which transferred.

SEC. 8064. In order to maintain an electric furnace capacity in the United States, preference for the purchase of chromite ore and manganese ore authorized for disposal from the National Defense Stockpile shall be given to domestic producers of high carbon ferrochromium and high carbon ferromanganese—

(A) whose primary output during the three preceding years has been ferrochromium or ferromanganese; and

(B) who guarantee to use the chromite and manganese ore for domestic purposes.

SEC. 8065. None of the funds in this or any other Act shall be available for the preparation of studies on—

(a) the feasibility of removal and transportation of unitary chemical weapons from the eight chemical storage sites within the continental United States: *Provided*, That this prohibition shall not apply to non-stockpile material in the United States or to studies needed for environmental analysis required by the National Environmental Policy Act, or for General Accounting Office studies requested by a Member of Congress or a Congressional Committee; and

(b) the potential future uses of the nine chemical disposal facilities other than for the destruction of stockpile chemical munitions and as limited by section 1412(c)(2), Public Law 99-145: *Provided*, That this prohibition does not apply to future use studies for the CAMDS facility at Tooele, Utah.

SEC. 8066. During the current fiscal year, appropriations available to the Department of Defense may be used to reimburse a member of a reserve component of the Armed Forces who is not otherwise entitled to travel and transportation allowances and who occupies transient government housing while performing active duty for training or inactive duty training: *Provided*, That such members may be provided lodging in kind if transient government quarters are unavailable as if the member was entitled to such allowances under subsection (a) of section 404 of title 37, United States Code: *Provided further*, That if lodging in kind is provided, any authorized service charge or cost of such lodging may be paid directly from funds appropriated for operation and maintenance of the reserve component of the member concerned.

SEC. 8067. For fiscal year 1995, the total amount appropriated to fund the Uniformed Services Treatment Facilities program, operated pursuant to section 911 of Public Law 97-99 (42 U.S.C. 248c), is limited to $329,000,000, of which not more than $300,000,000 may be provided by the funds appropriated by this Act.

SEC. 8068. None of the funds available in this Act may be used to support in any manner, including travel or other related expenses, the "Tailhook Association": *Provided*, That investigations by the Secretary of the Navy or consultation with the Tailhook Association are not prohibited by this provision.

SEC. 8069. The President shall include with each budget for a fiscal year submitted to the Congress under section 1105 of title 31, United States Code, materials that shall identify clearly and separately the amounts requested in the budget for appropriation for that fiscal year for salaries and expenses related to administrative activities of the Department of Defense, the military departments, and the Defense Agencies.

SEC. 8070. None of the funds available to the Department of Defense may be obligated or expended for construction of Ground Wave Emergency Network (GWEN) sites in Fiscal Year 1995.

SEC. 8071. Notwithstanding any other provision of law, the Naval shipyards of the United States shall be eligible to participate in any manufacturing extension program financed by funds appropriated in this or any other Act.

SEC. 8072. During the current fiscal year, amounts contained in the Department of Defense Overseas Military Facility Investment Recovery Account established by section 2921(c)(1) of the National Defense Authorization Act of 1991 (Public Law 101-510; 10 U.S.C. 2687 note) shall be available until expended for the payments specified by section 2921(c)(2) of that Act.

SEC. 8073. During the current fiscal year and thereafter, annual payments granted under the provisions of section 4416 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102-428; 106 Stat. 2714) shall be made from appropriations in this Act which are available for the pay of reserve component personnel.

SEC. 8074. None of the funds appropriated by this Act may be used to relocate the 116th Fighter Wing of the Air National Guard from Dobbins Air Reserve Base to Robins Air Force Base, or to convert that wing from F-15A aircraft to B-1B aircraft.

SEC. 8075. None of the funds appropriated by this Act shall be used to procure aircraft fuel cells unless the fuel cells are produced or manufactured in the United States by a domestic-operated entity: *Provided*, That the Secretary of the military department responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes.

SEC. 8076. During the current fiscal year, appropriations which are available to the Department of Defense for operation and maintenance may be used to purchase items having an investment item unit cost of not more than $50,000.

SEC. 8077. During the current fiscal year and thereafter, appropriations available for the pay and allowances of active duty members of the Armed Forces shall be available to pay the retired pay which is payable pursuant to section 4403 of Public Law 102-484 (10 U.S.C. 1293 note) under the terms and conditions provided in section 4403.

SEC. 8078. (a) During the current fiscal year, none of the appropriations or funds available to the Defense Business Operations Fund shall be used for the purchase of an investment item for the purpose of acquiring a new inventory item for sale or anticipated sale during the current fiscal year or a subsequent fiscal year to customers of the Defense Business Operations Fund if such an item would not have been chargeable to the Defense Business Operations Fund during fiscal year 1994 and if the purchase of such an investment item would be chargeable during the current fiscal year to appropriations made to the Department of Defense for procurement.

(b) The fiscal year 1996 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 1996 Department of Defense budget shall be prepared and submitted to the Congress on the basis that any equipment which was classified as an end item and funded in a procurement appropriation contained in this Act shall be budgeted for in a proposed fiscal year 1996 procurement appropriation and not in the supply management business area or any other area or category of the Defense Business Operations Fund.

SEC. 8079. None of the funds provided in this Act shall be available for use by a Military Department to modify an aircraft, weapon, ship or other item of equipment, that the Military Department concerned plans to retire or otherwise dispose of within five years after completion of the modification: *Provided*, That this prohibition shall not apply to safety modifications: *Provided further*, That this prohibition may be waived by the Secretary of a Military Department if the Secretary determines it is in the best national security interest of the country to provide such waiver and so notifies the congressional defense committees in writing.

SEC. 8080. No part of the funds in this Act shall be available to prepare or present a request to the Committees on Appropriations for reprogramming of funds, unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which reprogramming is requested has been denied by the Congress.

SEC. 8081. None of the funds appropriated by this Act shall be available for payment of the compensation of personnel assigned to or serving in the National Foreign Intelligence Program in excess of 94 percent of such personnel actually assigned to or serving in the National Foreign Intelligence Program on September 30, 1992: *Provided*, That in making any reduction in the number of such personnel that may be required pursuant to this section, the percentage of reductions to Senior Intelligence Service positions shall be equal to or exceed the percentage of reductions to non-Senior Intelligence Service positions: *Provided further*, That in making any reduction in the number of such personnel that may be required pursuant to this section, the percentage of reductions to positions in the National Capital Region shall be equal to or exceed the percentage of reductions to positions outside of the National Capital Region.

SEC. 8082. None of the funds provided by this Act may be used to pay the salaries of any person or persons who authorize the transfer of obligated and deobligated appropriations into the Reserve for Contingencies of the Central Intelligence Agency.

SEC. 8083. None of the funds appropriated by this Act for programs of the Central Intelligence Agency shall remain available for obligation beyond the current fiscal year, except for funds appropriated for the Reserve for Contingencies, which shall remain available until September 30, 1996.

SEC. 8084. The classified Annex prepared by the Committee on Appropriations to accompany the report on the Department of Defense Appropriations Act, 1995 is hereby incorporated into this Act: *Provided*, That the amounts specified in the classified Annex are not in addition to amounts appropriated by other provisions of this Act: *Provided further*, That the President shall provide for appropriate distribution of the classified Annex, or of appropriate portions of the classified Annex, within the executive branch of the Government.

SEC. 8085. Notwithstanding any other provision of law, funds made available in this Act for the Defense Intelligence Agency may be used for the design, development, and deployment of General Defense Intelligence Program intelligence communications and intelligence information systems for the Services, the Unified and Specified Commands, and the component commands.

SEC. 8086. None of the funds appropriated by this Act shall be available for the planning, programming or actual movement of any component or function of the Defense Mapping Agency Aerospace Center annex from the St. Louis, Missouri area.

SEC. 8087. Notwithstanding any other provision of law, reimbursements received from the North Atlantic Treaty Organization for the E-3 Airborne Warning and Control System (AWACS) Radar System Improvement Program (RSIP) attributable to development work for fiscal years 1987 through 1992 shall be available to the Air Force until September 30, 1995, for meeting that service's financial commitments for the AWACS RSIP.

SEC. 8088. (a) None of the funds appropriated or otherwise made available in this Act may be used to transport or provide for the transportation of chemical munitions to the Johnston Atoll for the purpose of storing or demilitarizing such munitions.

(b) The prohibition in subsection (a) shall not apply to any obsolete World War II chemical munition of the United States found in the World War II Pacific Theater of Operations.

(c) The President may suspend the application of subsection (a) during a period of war in which the United States is a party.

SEC. 8089. Notwithstanding any other provision of law, funds made available in this Act and in the fiscal year 1994 Department of Defense Appropriations Act (Public Law 103-139) under the heading "Procurement, Defense-Wide" shall be available to pay equitable adjustments to which the contractor is legally entitled for Coastal Patrol Craft that were procured in prior fiscal years.

SEC. 8090. Notwithstanding any other provision of law, funds appropriated in this Act for the High Performance Computing Modernization Plan shall be made available only for the upgrade, purchase, or modernization of supercomputing capability and capacity at all DOD high performance computing sites: *Provided*, That contracts, contract modifications, or contract options are awarded as the result of full and open competition based upon the requirements of the users.

SEC. 8091. Amounts collected for the use of the facilities of the National Science Center for Communications and Electronics during the current fiscal year pursuant to section 1459(g) of the Department of Defense Authorization Act, 1986 and deposited to the special account established under subsection 1459(g)(2) of that Act are appropriated and shall be available until expended for the operation and maintenance of the Center as provided for in subsection 1459(g)(2).

SEC. 8092. The Secretary of Defense and the Director of Central Intelligence shall deliver, no later than January 1, 1995, a report providing the following information about all research and development projects involving the implementation, monitoring, or verification of current and projected international arms control agreements: (a) annual and total budgets, goals, schedules, and priorities; (b) relationships among related projects being funded by the Department of Defense, the National Foreign Intelligence Program, and other departments and agencies of the Federal Government; and (c) comments by the Arms Control and Disarmament Agency about the relevance of each project to the arms control priorities of the United States.

SEC. 8093. Notwithstanding any other provision of law, none of the funds appropriated in this or any other Act shall be used for the purchase of a totally enclosed lifeboat survival system, which consists of the lifeboat and associated davits and winches, if less than 75 percent of the entire system's components are manufactured in the United States, and if less than 75 percent of the labor in the manufacture and assembly of the entire system is performed in the United States.

SEC. 8094. (a) None of the funds appropriated in this Act may be expended by an entity of the Department of Defense unless the entity, in expending the funds, complies with the Buy American Act. For purposes of this subsection, the term "Buy American Act" means title III of the Act entitled "An Act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1934, and for other purposes", approved March 3, 1933 (41 U.S.C. 10a et seq.).

(b) If the Secretary of Defense determines that a person has been convicted of intentionally affixing a label bearing a "Made in America" inscription to any product sold in or shipped to the United States that is not made in America, the Secretary shall determine, in accordance with section 2410f of title 10, United States Code, whether the person should be debarred from contracting with the Department of Defense.

SEC. 8095. None of the funds available to the Department of Defense in this Act shall be used by the Secretary of a military department to purchase coal or coke from foreign nations for use at United States defense facilities in Europe when coal from the United States is available.

SEC. 8096. None of the funds appropriated or otherwise made available by this Act may be used for a defense technology reinvestment project that is not selected pursuant to the applicable competitive selection and other procedures set forth in chapter 148 of title 10, United States Code.

SEC. 8097. None of the funds appropriated in this Act are available for development of bistatic active capability in SURTASS unless the acoustic signal processing for this capability is hosted exclusively on the AN/UYS-2 in the operational system.

SEC. 8098. None of the funds appropriated by this Act shall be available for a contract for studies, analyses, or consulting services entered into without competition on the basis of an unsolicited proposal unless the head of the activity responsible for the procurement determines—

(1) as a result of thorough technical evaluation, only one source is found fully qualified to perform the proposed work, or

(2) the purpose of the contract is to explore an unsolicited proposal which offers significant scientific or technological promise, represents the product of original thinking, and was submitted in confidence by one source, or

(3) the purpose of the contract is to take advantage of unique and significant industrial accomplishment by a specific concern, or to insure that a new product or idea of a specific concern is given financial support:

Provided, That this limitation shall not apply to contracts in an amount of less than $25,000, contracts related to improvements of equipment that is in development or production, or contracts as to which a civilian official of the Department of Defense, who has been confirmed by the Senate, determines that the award of such contract is in the interest of the national defense.

SEC. 8099. Notwithstanding any other provision of law, the Secretary of the Navy shall obligate funds made available in the fiscal year 1993 Department of Defense Appropriations Act (Public Law 102-396) and the fiscal year 1994 Department of Defense Appropriations Act (Public Law 103-139) under the heading "Aircraft Procurement, Navy" for the USH-42 mission recorder for S-3 aircraft.

SEC. 8100. It is the sense of Congress that none of the funds appropriated or otherwise made available by this Act should be available for the purposes of deploying United States Armed Forces to participate in the implementation of a peace settlement in Bosnia-Herzegovina, unless previously authorized by the Congress.

(TRANSFER OF FUNDS)

SEC. 8101. In addition to any other transfer authority contained in this Act, funding appropriated under the heading "Operation and Maintenance, Defense-Wide" for increasing energy and water efficiency in Federal buildings may be transferred to other appropriations or funds of the Department of Defense, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred.

SEC. 8102. Funds appropriated by this Act for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 1995 until the enactment of the Intelligence Authorization Act for fiscal year 1995.

SEC. 8103. (1) Except as provided in subsection (c) below, it is the sense of the Congress that none of the funds appropriated by this Act should be obligated or expended for costs incurred by the United States Armed Forces units serving in any international peacekeeping or peace-enforcement operations under the authority of Chapter VI or Chapter VII of the United Nations Charter and under the authority of a United Nations Security Council Resolution, or for costs incurred by United States Armed Forces serving in any significant international humanitarian, peacekeeping or peace-enforcement operations, unless—

(a) the President initiates consultations with the bi-partisan leadership of Congress, including the leadership of the relevant committees, regarding such operations; these consultations should be initiated at least fifteen days prior to the initial deployment of United States Armed Forces units to participate in such an operation, whenever possible,

but in no case later than forty-eight hours after such a deployment; and these consultations should continue on a periodic basis throughout the period of the deployment;

(b) such consultation should include discussion of—

(1) the goals of the operation and the mission of any United States Armed Forces units involved in the operation;

(2) the United States interests that will be served by the operation;

(3) the estimated cost of the operation;

(4) the strategy by which the President proposes to fund the operation, including possible supplemental appropriations or payments from international organizations, foreign countries or other donors;

(5) the extent of involvement of armed forces and other contributions of personnel from other nations; and

(6) the operation's anticipated duration and scope;

(c) subsection (a) does not apply with respect to an international humanitarian assistance operation carried out in response to natural disasters; or to any other international humanitarian assistance operation if the President reports to Congress that the estimated cost of such operation is less than $50,000,000.

(2) Further, it is the sense of the Congress that the President should seek supplemental appropriations for any significant deployment of United States Armed Forces when such forces are to perform or have been performing international humanitarian, peacekeeping or peace-enforcement operations.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8104. Balances of the funds appropriated in Public Laws 102-172, 102-396, and 103-139, under the headings "World University Games", "Summer Olympics", and "World Cup USA 1994" in title II of those Acts shall be merged into a single account entitled "Support for International Sporting Competitions, Defense", to remain available until expended: *Provided further*, That such account shall be available for the purpose of liquidating obligations incurred under the appropriations from which funds are transferred pursuant to the provisions of this section and for providing support to the 1996 Games of the XXVI Olympiad to be held in Atlanta, Georgia, under the terms and conditions specified in those Acts under the headings "Summer Olympics" and for providing support to any other international sporting competitions, as provided for in Authorization or Appropriations Acts, during the current fiscal year and thereafter.

SEC. 8105. Of the funds appropriated in this Act, not to exceed $68,000,000 may be used for the purchase or construction of vessels for the Ready Reserve Force component of the National Defense Reserve Fleet, as established by section 11 of the Merchant Ship Sales Act of 1946 (50 U.S.C. App. 1744).

SEC. 8106. After September 1, 1995, none of the funds in this Act are available for research, development, acquisition, or launch of Titan IV expendable launch vehicles: *Provided*, That the above provision shall not apply if the Secretary of Defense certifies to the Congress a plan for the development of and initiation of a competition for a family of launch vehicles that is—

(1) capable of launching both medium and heavy payloads,

(2) fully funded in the outyears, and

(3) scheduled to be available prior to the launch of the 41st Titan IV expendable launch vehicle:

Provided further, That MILSTAR satellites 1 through 6 shall be launched on vehicles being procured as a part of the current contract for 41 Titan IV launch vehicles: *Provided further*, That none of the funds in this Act may be used to procure more than 41 Titan IV expendable launch vehicles.

SEC. 8107. Notwithstanding any other provision of law, of the funds appropriated to the Department of the Navy for Operation and Maintenance, not less than $3,000,000 shall be obligated and expended only for operation and maintenance, purchase of automatic data processing equipment, or in-house central design development for the Naval Reserve Force Information Systems Office, the Navy Reserve Personnel Center, the Enlisted Personnel Management Center, and the collocated Naval Computer and Telecommunications Station: *Provided*, That notwithstanding any other provision of law, of the funds appropriated to the Department of Defense for Procurement, Defense-Wide not less than $10,000,000 shall be obligated and expended only for automatic data processing equipment or software, or in-house central design development for the Naval Reserve Force Information Systems Office, the Naval Reserve Personnel Center, the Enlisted Personnel Management Center and the collocated Naval Computer and Telecommunications Station: *Provided further*, That the Secretary of the Navy shall establish the Naval Reserve Force Information Systems Office, the Enlisted Personnel Management Center, and the collocated Naval Computer and Telecommunications Station, as the designers, developers, managers, integrators and central design activity for the software development and maintenance of the Naval active and reserve Single Source Data Collection System.

SEC. 8108. No funds available to the Department of Defense may be used to establish additional field operating agencies or field offices of any element of the Department during fiscal year 1995: *Provided*, That after August 30, 1995, none of the funds available to the Department of Defense shall be used to support more than fifty percent of the field operating agencies or field offices of any element of the Department of Defense which were in existence on September 30, 1994.

SEC. 8109. None of the funds made available in this Act under the heading "Shipbuilding and Conversion, Navy" may be obligated for the DDG-51 destroyer program or the LHD-1 amphibious assault ship program until the fiscal year 1995 options for acquisition of sealift ships have been exercised.

SEC. 8110. None of the funds provided in this Act may be used to procure crystal oscillator carriers, ceramic package incorporating ceramic components joined with glass (frit) or epoxy seals, or multi-layer cofired single chip ceramic packages unless such products are produced or manufactured in the United States: *Provided*, That when adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis, the Secretary of the service responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations that such an acquisition must be made in order to acquire capability for national security purposes.

SEC. 8111. Notwithstanding any other provision of law, funds made available in the fiscal year 1993 and 1994 Department of Defense Appropriations Acts for the EA-6B program are to be used exclusively to begin engineering changes that will increase the capability of the Navy's EA-6B aircraft by insertion of the critical elements of the EA-6B ADVCAP receiver processor group system into the on-board system and the addition of the ALQ-149 Command, Control, and Communications countermeasure system: *Provided*, That these funds shall be obligated no later than 120 days after enactment of this Act: *Provided further*, That the Secretary of the Navy shall obligate $6,000,000 made available in the fiscal year 1994 Department of Defense Appropriations Act (Public Law 103-139) exclusively for the miniaturization of the EA-6B RPG technology for use on the Navy's electronic warfare aircraft.

(TRANSFER OF FUNDS)

SEC. 8112. For the rehabilitation of damage caused to Rongelap Atoll by the nuclear testing program and for the resettlement of Rongelap Atoll, $5,000,000 is appropriated to the Department of Defense, which shall be transferred to the Department of the Interior for deposit into the Rongelap Resettlement Trust Fund.

SEC. 8113. None of the funds provided in this Act may be used to develop the Sustaining Base Information System until the Assistant Secretary of Defense for Command, Control, Communications and Intelligence has certified to the Armed Services and Appropriations Committees of Congress that the Department of Defense has published a complete and comprehensive system functional description governing the acquisition and has received from the contractor an estimate of the number of lines of software code to implement such functional description and an estimate of the attendant cost: *Provided*, That none of the work content of the Sustaining Base Information System contract may be performed instead by government in-house activities without being competed if such efforts are passed through government organizations to other than Sustaining Base Information System contractors.

SEC. 8114. The Assistant Secretary of Defense for Command, Control, Communications and Intelligence shall establish and implement a master plan for all acquisitions of automated document conversion systems, equipment, and technologies: *Provided*, That none of the funds in this Act may be used to develop technologies or to acquire new automated document conversion equipment, services, or systems which cost more than $5,000,000 after January 1, 1995 unless such acquisitions are approved in advance by the Assistant Secretary or his designee: *Provided further*, That of the funds appropriated to the Department of Defense for Procurement, Defense-Wide, not less than $30,000,000 shall be used only to integrate the Automated Document Conversion System into the Joint Engineering Data Management and Information Control System.

SEC. 8115. Notwithstanding any other provision of law, none of the funds provided in this Act may be used to procure vessel propellers six feet in diameter and greater unless such propellers are manufactured in the United States incorporating only casting which are poured and finished in the United States. Nor may any of the funds provided in this Act be used to procure ship propulsion shafting unless such ship propulsion shafting is manufactured in the United States: *Provided*, That when adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis, the Secretary of the service responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations that such an acquisition must be made in order to acquire capability for national security purposes.

(TRANSFER OF FUNDS)

SEC. 8116. Notwithstanding any other provision of law, $16,300,000 made available in the fiscal year 1993 Department of Defense Appropriations Act (Public Law 102-396) for "Other Procurement, Navy" and $5,900,000 made available in the fiscal year 1994 Department of Defense Appropriations Act (Public Law 103-139) for "Other Procurement, Navy" shall be transferred to "Research, Development, Test and Evaluation, Navy" for the SPS-48E program.

SEC. 8117. Notwithstanding any other provision of law, the Department of Defense shall award contracts for the CHAMPUS Reform Initiative in California-Hawaii and the Managed Care Support initiative in Washington-Oregon regions in sufficient time for the contractors to begin to provide health care under those contracts no later than April 1, 1995 in California and Hawaii, and not later than March 1, 1995 for Washington and Oregon, or as soon thereafter as practicable.

SEC. 8118. None of the funds appropriated in this Act shall be used for the recruitment or enrollment of a new student or class of students at the Uniformed Services University of the Health Sciences.

SEC. 8119. None of the funds appropriated or made available by this Act shall be obligated to procure active matrix liquid crystal displays unless the displays, including the active and passive plates, are produced or manufactured in the United States by a domestic-owned and domestic-operated entity: *Provided*, That the Secretary of the military department or head of a Defense Agency responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes: *Provided further*, That these restrictions shall not apply to contracts which are in being as of the date of enactment of this Act.

SEC. 8120. None of the funds appropriated in this Act to the Department of the Army may be obligated for procurement of 120mm mortars or 120mm mortar ammunition manufactured outside of the United States.

The CHAIRMAN. Are there any points of order to the bill?

Are there any amendments to the bill?

Mrs. SCHROEDER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I really do not have an amendment but I just want to have a colloquy with the chairman about a very important thing that he has been wonderful on, and that is the Defense Women's Health Research.

I notice in the report that I think there was a mistake in there in that it got earmarked, and we have been very good about keeping it nonearmarked and keeping it with the Army so the Army can manage it in the best possible way.

Mr. MURTHA. Mr. Chairman, will the gentlewoman yield?

Mrs. SCHROEDER. I am happy to yield to the gentleman from Pennsylvania.

Mr. MURTHA. The gentlewoman is absolutely correct. The Committee did not mean to earmark that language for that $40 million. It is for general purposes, and we will change that.

Mrs. SCHROEDER. So we can unanimously change the record by doing this?

Mr. MURTHA. Yes. That is correct.

Mrs. SCHROEDER. I thank the gentleman from Pennsylvania. And I thank him for his hard work on all of this wonderful women's and men's research.

AMENDMENT OFFERED BY MRS. MALONEY

Mrs. MALONEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mrs. MALONEY: Page 14, strike lines 4 through 22.

Mrs. MALONEY. Mr. Chairman, I offer an amendment to cut the single most ridiculous item in the budget.

Let me make this simple and quick. Three simple facts: The Civilian Marksmanship Program is obsolete. Created in 1903 during the Spanish-American War, it is no longer needed to train men and women to shoot straight. It is time to declare victory and cut this boondoggle out of the budget. It is a boondoggle.

It hands out millions of rounds of ammunition to private gun clubs. The Army does not want it. The Department of Defense does not want it. The Office of Management and Budget does not want the money.

If we cannot cut here, where? Where are we going to cut?

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

Mr. Chairman, I yield back the balance of my time, and I ask for a vote on the amendment.

The CHAIRMAN. Do other Members seek to be recognized for debate on the amendment?

The question is on the amendment offered by the gentlewoman from New York [Mrs. MALONEY].

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

RECORDED VOTE

Mrs. MALONEY. Mr. Chairman, I demand a recorded vote, and I make the point of order that a quorum is not present.

The CHAIRMAN. The gentlewoman from New York has requested a recorded vote.

Those in favor of a recorded vote will rise and remain standing until counted. The Chair will count for a recorded vote.

Mrs. MALONEY. Mr. Speaker, I note the absence of a quorum.

The CHAIRMAN. The gentlewoman makes a point of order that a quorum is not present. The Chair will count for a quorum.

A quorum is present.

Mrs. MALONEY. Mr. Chairman, I demand a division.

The CHAIRMAN. The gentlewoman from New York has demanded a division.

Those in favor of the amendment will rise and remain standing until counted.

Those opposed will rise and remain standing until counted.

On this vote, in the affirmative: 20; opposed: 69.

Mrs. MALONEY. In the absence of a quorum, I asked for a quorum.

Mr. MURTHA. Regular order.

Mrs. MALONEY. Notice of a quorum.

The CHAIRMAN. The gentlewoman has made a point of order of no quorum. The Chair must again count for a quorum since there has been a division vote.

The Chair has counted more than 100 Members for a quorum. A quorum is present.

Mrs. MALONEY. Division; I ask for a division.

Mr. SOLOMON. Regular order.

The CHAIRMAN. The gentlewoman is not able to ask for a division again. A division vote has been conducted.

Mr. MURTHA. Regular order.

Mrs. MALONEY. I demand a recorded vote.

The CHAIRMAN. The gentlewoman cannot ask for another division. Is the gentlewoman asking for a recorded vote?

Mrs. MALONEY. Yes, Mr. Speaker.

The CHAIRMAN. Those in favor of a recorded vote will rise and remain standing.

An insufficient number has arisen.

The amendment is rejected.

AMENDMENT OFFERED BY MS. FURSE

Ms. FURSE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Ms. FURSE: On page 107 of the bill, after line 4, insert the following new section:

SEC. 8121. The total amount appropriated to or for the use of the Department of Defense by this act for research, development, test and evaluation for management support is hereby reduced by $30,000,000: *Provided*, That the Secretary of Defense shall allocate the amount reduced in the preceding sentence and not later than December 31, 1994, report to the Senate and the House Committees on Appropriations and Armed Services how this reduction was allocated among the services and Defense agencies.

Mr. MURTHA (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

Mr. MURTHA. Mr. Chairman, will the gentlewoman yield?

Ms. FURSE. I am happy to yield to the gentleman from Pennsylvania.

Mr. MURTHA. Mr. Chairman, we accept the amendment. We have both looked at the amendment, and we accept the amendment.

Ms. FURSE. Mr. Chairman, I appreciate the subcommittee chairman's accepting the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Oregon [Ms. FURSE].

The amendment was agreed to.

The CHAIRMAN. Are there further amendments?

If not, the Clerk will read.

The Clerk read as follows:

This Act may be cited as the "Department of Defense Appropriations Act, 1995".

Mr. MURTHA. Mr. Chairman, I move that the committee do now rise and report the bill back to the House with an amendment, with the recommendation the amendment be agreed to, and the bill, as amended, do pass.

The CHAIRMAN. The question is on the motion offered by the gentleman from Pennsylvania [Mr. MURTHA].

The motion was agreed to.

□ 2250

Accordingly the committee rose; and the Speaker pro tempore (Mr. MCNULTY) having assumed the chair, Mr. TORRICELLI, 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. 4650) making appropriations for the Department of Defense for the fiscal year ending September 30, 1995, and for other purposes, had directed him to report the bill back to the House with an amendment, with the recommendation that the amendment be agreed to, and that the bill, as amended, do pass.

The SPEAKER pro tempore. Without objection, the previous question is ordered

There was no objection.

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

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

Mr. BUNNING. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 330, nays 91, not voting 13, as follows:

[Roll No. 313]

YEAS—330

Abercrombie
Ackerman
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Applegate
Bacchus (FL)
Baesler
Barca
Barcia
Barlow
Barrett (NE)
Bateman
Becerra
Beilenson
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Bishop
Blackwell
Bliley
Blute
Boehlert
Boehner
Bonilla
Bonior
Borski
Boucher
Brewster
Brooks
Browder
Brown (FL)
Brown (OH)
Bryant
Byrne
Callahan
Calvert
Canady
Cantwell
Cardin
Carr
Castle
Chapman
Clay
Clayton
Clement
Clinger
Clyburn
Coleman
Collins (GA)
Collins (MI)
Condit
Conyers
Cooper
Coppersmith
Costello
Coyne
Cramer
Danner
Darden
de la Garza
Deal
DeLauro
Derrick
Deutsch
Dickey
Dicks
Dingell
Dixon
Dooley
Durbin
Edwards (TX)
Emerson
Engel
English
Eshoo
Evans
Everett
Farr
Fazio
Fields (LA)
Filner
Fingerhut
Flake
Foglietta
Ford (TN)
Fowler
Franks (CT)
Frost
Furse
Gallegly
Gallo
Gejdenson
Gekas
Gephardt
Geren
Gilchrest
Gillmor
Gilman
Gingrich
Glickman
Gonzalez
Goodlatte
Goodling
Gordon
Green
Gunderson
Gutierrez
Hall (OH)
Hall (TX)
Hamilton
Harman
Hastert
Hastings
Hayes
Hefner
Hilliard
Hinchey
Hoagland
Hobson
Hochbrueckner
Holden
Horn
Houghton
Hoyer
Hughes
Hutchinson
Hutto
Hyde
Inslee
Istook
Jacobs
Jefferson
Johnson (CT)
Johnson (GA)
Johnson (SD)
Johnson, E. B.
Kanjorski
Kaptur
Kasich
Kennedy
Kennelly
Kildee
Kim
King
Kingston
Kleczka
Klein
Klink
Kolbe
Kopetski
Kreidler
LaFalce
Lambert
Lancaster
Lantos
LaRocco
Laughlin
Lazio
Leach
Lehman
Levin
Levy
Lewis (CA)
Lewis (FL)
Lewis (GA)
Lewis (KY)
Lightfoot
Linder
Lipinski
Livingston
Lloyd
Long
Lowey
Lucas
Maloney
Mann
Manton
Manzullo
Markey
Martinez
Matsui
Mazzoli
McCandless
McCloskey
McCollum
McCrery
McCurdy
McDade
McDermott
McHale
McKeon
McKinney
McMillan
McNulty
Meehan
Meek
Menendez
Mfume
Mica
Michel
Miller (CA)
Mineta
Mink
Moakley
Molinari
Mollohan
Montgomery
Moran
Morella
Murtha
Nadler
Neal (MA)
Neal (NC)
Obey
Olver
Ortiz
Orton
Oxley
Packard
Pallone
Parker
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Pickett
Pickle
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quillen
Quinn
Rahall
Rangel
Ravenel
Reed
Regula
Reynolds
Richardson
Ridge
Roberts
Roemer
Rogers
Rohrabacher
Rose
Rostenkowski
Rowland
Roybal-Allard
Rush
Sabo
Sangmeister
Santorum
Sarpalius
Sawyer
Saxton
Schenk
Schiff
Schroeder
Schumer
Scott
Serrano
Sharp
Shaw
Shepherd
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slattery
Slaughter
Smith (IA)
Smith (MI)
Smith (NJ)
Smith (TX)
Snowe
Spence
Spratt
Stenholm
Stokes
Strickland
Studds
Stupak
Sundquist
Swett
Synar
Talent
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas (CA)
Thompson
Thornton
Thurman
Torkildsen
Torres
Torricelli
Towns
Traficant
Tucker
Unsoeld
Upton
Valentine
Velazquez
Visclosky
Volkmer
Vucanovich
Walker
Walsh
Waters
Watt
Weldon
Wheat
Williams
Wilson
Wise
Wolf
Woolsey
Wynn
Young (AK)
Young (FL)

NAYS—91

Allard
Archer
Armey
Bachus (AL)
Baker (CA)
Baker (LA)
Ballenger
Barrett (WI)
Bartlett
Barton
Bentley
Brown (CA)
Bunning
Burton
Buyer
Camp
Coble
Collins (IL)
Combest
Cox
Crane
Crapo
Cunningham
DeFazio
Diaz-Balart
Doolittle
Dornan
Dreier
Duncan
Dunn
Edwards (CA)
Ehlers
Ewing
Fawell
Fields (TX)
Frank (MA)
Franks (NJ)
Goss
Grams
Greenwood
Hamburg
Hancock
Hansen
Hefley
Herger
Hoekstra
Hoke
Huffington
Hunter
Inglis
Inhofe
Johnson, Sam
Johnston
Klug
Knollenberg
Kyl
Margolies-Mezvinsky
McHugh
McInnis
Meyers
Miller (FL)
Minge
Moorhead
Myers
Nussle
Oberstar
Owens
Paxon
Penny
Peterson (MN)
Petri
Pombo
Ramstad
Ros-Lehtinen
Roth
Roukema
Royce
Sanders
Schaefer
Sensenbrenner
Shays
Solomon
Stark
Stearns
Stump
Thomas (WY)
Vento
Waxman
Wyden
Zeliff
Zimmer

NOT VOTING—13

DeLay
Dellums
Fish
Ford (MI)
Gibbons
Grandy
Machtley
Murphy
Smith (OR)
Swift
Washington
Whitten
Yates

□ 2316

Messrs. OWENS, OBERSTAR, and WAXMAN changed their vote from "yea" to "nay."

Mr. CONDIT changed his vote from "nay" to "yea."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

LEGISLATIVE PROGRAM

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

Mr. MICHEL. Mr. Speaker, I would like to inquire of the distinguished Majority Leader how he envisions the evening unfolding at this juncture.

Mr. GEPHARDT. Mr. Speaker, if the gentleman will yield, because of all the good cooperation we made here this evening, the good progress made, we have one additional matter tonight, as I said earlier, which is a motion to instruct on the crime bill. That should come right away.

Tomorrow we will meet at 10 o'clock, and we will try to proceed with the District of Columbia appropriations bill. Negotiations are still going on with regard to that. We hope it can be worked out.

Mr. MICHEL. I thank the gentleman. Mr. Speaker, we have an adjournment resolution then to consider. Does the gentleman intend to do that?

Mr. GEPHARDT. I intend to do that right now.

PROVIDING FOR ADJOURNMENT OF THE HOUSE FROM THURSDAY, JUNE 30, 1994, TO TUESDAY, JULY 12, 1994, AND ADJOURNMENT OR RECESS OF THE SENATE FROM THURSDAY, JUNE 30, 1994, FRIDAY, JULY 1, 1994, SATURDAY, JULY 2, 1994, OR SUNDAY, JULY 3, 1994, TO MONDAY, JULY 11, 1994

Mr. GEPHARDT. Mr. Speaker, I offer a privileged concurrent resolution (H. Con. Res. 263) and ask unanimous consent for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 263

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on the legislative day of Thursday, June 30, 1994, it stand adjourned until 10:30 a.m. on Tuesday, July 12, 1994, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns at the close of business on Thursday, June 30, 1994, Friday, July 1, 1994, Saturday, July 2, 1994, or Sunday, July 3, 1994 pursuant to a motion made by the Majority Leader or his designee, in accordance with this resolution, it stand recessed or adjourned until noon on Monday, July 11, 1994, or at such time on that day as may be specified by the Majority Leader or his designee in the motion to recess or adjourn, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Speaker of the House and the Majority Leader of the Senate, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and the Senate, respectively, to reassemble whenever, in their opinion, the public interest shall warrant it.

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

There was no objection.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

□ 2320

MOTION TO INSTRUCT CONFEREES ON H.R. 3355, VIOLENT CRIME CONTROL AND LAW ENFORCEMENT ACT OF 1994

Ms. MOLINARI. Mr. Speaker, pursuant to the provisions of rule XXVIII, clause 1(c), I offer a privileged motion to instruct conferees on the bill (H.R. 3355) to amend the Omnibus Crime Control and Safe Streets Act of 1968 to allow grants to increase police presence, to expand and improve cooperative efforts between law enforcement agencies and members of the community to address crime and disorder problems, and otherwise to enhance public safety.

The SPEAKER. The Clerk will report the motion.

The Clerk read as follows:

Ms. MOLINARI moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the House amendment to the Senate amendment to the bill H.R. 3355 be instructed not to make any agreement that does not include Subtitle E of Title VIII of the Senate amendment, providing for the admissibility of evidence of similar crimes in sex offense cases.

The SPEAKER. The gentlewoman from New York [Ms. MOLINARI] will be recognized for 30 minutes, and the gentleman from New Jersey [Mr. HUGHES] will be recognized for 30 minutes.

The Chair recognizes the gentlewoman from New York (Ms. MOLINARI).

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

Mr. Speaker, I thank the indulgence of my colleagues and I assure the Members we will move very quickly, but this is a deadly serious subject.

Mr. Speaker, this motion instructs the conferees to accept language in the Senate crime bill that changes the Federal Rules of Evidence to let prosecutors in two cases, sexual assault and child molestation, to introduce evidence that the defendant has committed similar crimes in the past. This same language was adopted by the other body 75 to 19 and is part of their crime bill.

Mr. Speaker, The People versus Hansen. In this case the defendant, Hansen, was found guilty of inducement of child prostitution and attempted sexual assault on a child. Hansen had been the subject of a police investigation after parents complained that he had engaged in obscene telephone conversations with their preteen daughters. The investigation showed that the defendant's name and phone number were common knowledge at a junior high school, and when the girls called him, he would ask them to come to his residence to have sex with him. He would then give them money and arrange necessary transportation. Conversations were taped by the police in which he made this proposition to two 11-year-old girls.

In order to apprehend Hansen, the police had one of the girls call him and have him send a cab to take her and her sisters to his residence. Hansen was arrested as he paid the girls' cab driver.

The evidence at the trial included testimony by two other young girls that the defendant had also solicited sex with them in phone conversations. However, the appellate court held that admission of the testimony with the other two girls was reversible error because this evidence was "unnecessary to establish intent" and hence, in the court's view, "was without a valid purpose."

Mr. Speaker, this happens time and time again in sexual assault and in child molestation cases where there are no witnesses other than the victim. This allows, it does not mandate, a judge's discretion in only those two instances, when he or she thinks that the cases are similar and relevant enough to introduce prior evidence of past convictions.

Mr. Speaker, this will allow the States and the Federal Government to proceed to convict and apprehend and put away child molesters and sexual assaulters without fear of technical overturning.

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

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

Mr. Speaker, I rise in strong opposition to the motion to instruct conferees. I do so on two grounds. It is very difficult to argue against something that would suggest that in some way we are going to make it easier for child molesters or sexual abusers to walk.

First of all, Mr. Speaker, we in the Congress many years ago set up an extensive process called the Rules Enabling Act, which has served us well for a long time. Under this particular process, changes in the rules of evidence and procedure for Federal courts originate not in the Congress but in the federal court system. We decided that a long time ago.

The governing body of the Federal courts, the Judicial Conference of the United States, develops and proposes rules changes which must be approved by the Supreme Court before being submitted to Congress. The changes go into effect 6 months later unless rejected or modified by the Congress. The Federal Rules of Evidence, like all other Federal rules, affect the daily business of all of our courts, and also serve as a pattern for many State procedural rules.

In fact, on the Rules Enabling Panel we have State court justices, we have constitutional scholars, the Chief Justice makes the appointments, and it has served us well over the years.

The pervasive and substantial impact of the Federal Rules demands exacting and meticulous care in drafting amendments. This is not evident in the proposal before us. The existing rulemaking process involves a minimum of six levels of scrutiny or stages of formal review. This has gone through none. This is an amendment offered on the floor of the Senate after about 20 minutes' debate, without very much thought, and it is procedurally and substantively flawed. There has been no debate about the impact it would have on criminal or civil cases.

Mr. Speaker, I think it is the height of irresponsibility to suggest that we change our rules of evidence on the basis of no hearings, totally abandoning the process we have set up that served us well. The proposed new rules of evidence, this particular rule would create an exception to rule 404(a),

which excludes admission of a person's character for the purpose of proving action in conformity therewith on a particular occasion.

In effect, Mr. Speaker, 404(a) states that we cannot convict a person for a particular crime based on past conduct of a similar nature. In prosecutions of sexual assault or child molestation offenses, this type of evidence would be particularly prejudicial.

These proposed new rules of evidence changes would go further and allow admission of evidence, not conviction. We are talking about allowing evidence, not a record of conviction. Even if the defendant had been acquitted of the charges on previous occasions, any evidence, regardless of conviction, could be offered under this particular rule of evidence.

Mr. Speaker, there is the "no need for a conviction" language in the proposal that makes admissible all evidence of the defendant's commission of another offense that is similar in nature. I know that in our actions on crime bills we all have a tendency to want to be tough, sound tough, but come on, this is ridiculous. It is ridiculous.

Frankly, Mr. Speaker, what the gentlewoman is doing, it raises serious constitutional questions. If the only evidence in the prosecution's case-in-chief is evidence that is hearsay or was rejected by a previous jury when they acquitted the defendant, it raises constitutional questions as to whether the conviction could stand.

Mr. Speaker, this has not been thought through. We ought to reject this.

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

Ms. MOLINARI. Mr. Speaker, I yield myself 1 minute to respond.

First of all, we did not have hearings on this measure in this body, that is accurate. That is not by fault of this gentlewoman. I went before the Committee on Rules for the last three years to try to get a hearing in the people's body and was denied that opportunity.

Number two, to instill a judicial conference to study this bill, this effort has been part of every crime bill that has left this House, but has failed to be passed into law by this Congress while the current system goes unchecked and unheeded.

Number three, with due respect to the gentleman from New Jersey [Mr. HUGHES], I think if we talked to any one of the victims or the parents of the victims whose assailant has been allowed to go free because of a technical difficulty, they would not deem this measure ridiculous, and they would not agree to the statement that the current system serves us well.

Mr. Speaker, I yield 3 minutes to the gentleman from Arizona [Mr. KYL].

Mr. KYL. Mr. Speaker, under the Federal Rules of Evidence, prior similar offenses may be admitted at trial even when the defendant has not been charged with offenses, but there is no Federal rule expressly authorizing such admissibility in the sex crime context. Ironically, Mr. Speaker, this is the context in which it is needed the most.

□ 2330

In other context, such evidence is permitted to prove motive, opportunity, intent, knowledge or absence of mistake. In sex-related crimes, it can be particularly useful to demonstrate a propensity of the accused to commit similar prior offenses.

We are not talking about allegations. We are talking about prior offenses. So that if as the gentlewoman from New York pointed out in the case that she discussed there is a clear pattern of conduct by an accused who has been convicted of similar conduct in the past and the case revolves around a question of belief of his word or her word, the evidence of that prior offense has probative value to determine the guilt of innocence of the accused. In that situation, the judge ought to have the discretion to admit the evidence.

It is not automatic. The judge simply would be permitted the discretion to admit the evidence in this limited situation. The judge still has total discretion to exclude the evidence if its probative value is substantially outweighed by the danger of unfair prejudice to the defendant.

Mr. Speaker, there is no taking away of the rights of the accused. It is only in a very limited circumstance in which the judge would allow the evidence but an important circumstance, a circumstance in which perhaps the only credible evidence for the jury because of the dispute between the only two people who know what happened is evidence of offenses of similar conduct in the past.

This is an important but small step for us to take to begin to grant the victims of crime equal protection in our criminal justice system.

Mr. Speaker, as the gentlewoman pointed out, the reason we did not have an opportunity to have the debate on this is because we were denied that opportunity by the Committee on Rules. But the Senate approved this language by a vote of 75–19. It is important for us to instruct our conferees to agree with the Senate provision to take this small step for justice for the victims of crime in our society. I urge a "yes" vote.

I have appreciated working with Representative MOLINARI on this important issue. Sexual violence is one of the most troubling issues facing our Nation today, and the importance of State and national commitment to strengthening laws against sexual violence cannot be underscored.

Let me start by stating some of the statistics, often heard, but important enough to this debate to mention again. Police records indicate a woman is raped every six minutes in the United States. According to the Uniform Crime Report sponsored by the FBI, four women are raped every day in Arizona. In Phoenix alone last year, there were 476 rapes reported. And, according to National Victim Center statistics, of these sexual violence victims only around 22 percent report the crime to police. According to the same group, we spend ten times more in resources defending those accused of sexual assault than we spend in helping the victims of sexual violence.

And, yet, behind the shocking statistics of sexual violence there lies a criminal justice system that oftentimes works more for the accused than for the victim. Take the following example:

On May 4, 1986, Suzanne Harrison, an 18-year-old honor student in Texas, three weeks away from high school graduation, was abducted. The next day she was found raped brutally beaten and strangled to death. She was murdered by a parolee named Jerry Walter McFadden, a man who calls himself "Animal." McFadden had been convicted of two 1973 rapes and sentenced to two 15-year sentences. Paroled in 1978, he was again sentenced to 15 years in 1981 for a three-count crime spree in which he kidnapped, raped, and sodomized a Texas woman. Released on parole again in July of 1985, even though his record now contained three sex-related convictions and two prison sentences, McFadden raped and murdered Suzanne Harrison less than one year later.

Clearly, if a criminal justice system were better able to keep rapists in jail, Suzanne Harrison and thousands of other victims might be alive today.

Tonight, we have the opportunity to instruct conferees to make a small but important change to our criminal justice system so that victims of sexual abuse and child molestation are not revictimized once they bring charges against a perpetrator and enter into the court system. Members can do this by approving this motion to instruct crime bill conferees to accept section 831 of the Senate-passed crime bill.

This important provision would amend the Federal Rules of Evidence to make it easier for prosecutors in sexual violence and child molestation cases to introduce evidence showing that the accused has committed similar sexual assault crimes in the past. This very amendment, introduced by Senator DOLE, passed 75–19 during debate on the Senate crime bill. The amendment is also a provision of H.R. 688, the Sexual Assault Prevention Act, which Representative MOLINARI and I have introduced to combat sexual and domestic violence. There are currently 113 bipartisan cosponsors of our bill.

Unfortunately, House Members did not have an opportunity to vote on the Federal Rules of Evidence amendment. Representative MOLINARI and I both offered amendments during Rules Committee consideration of the crime bill to change the Federal Rules of Evidence in the same manner that Senator DOLE's amendment does; but, the Rules Committee would not permit its consideration, so this is your first opportunity to vote on this provision.

It is critical that we accept this provision of the Senate bill. Its effect is to help ensure that the criminal justice system is not skewed unfairly toward the rights of the accused at the expense of the victim.

It will go a long way toward helping to neutralize the psychological damage a sexual assault or child molestation victim experiences going thorough the judicial process. And, it will provide a model upon which States can base reforms of their own rules of evidence.

In most rape or molestation cases, it is the word of the defendant against the word of the victim. If the defendant has committed similar acts in the past, the claims of the victim are more likely to be considered truthful if there is substantiation of other assaults.

It is also common in rape and child molestation cases that the victim is too traumatized, intimidated, or humiliated to file a complaint and go through the full course of proceedings of a criminal prosecution. Nevertheless, the victims in such cases are often willing to bear the burden of testifying when they know that the person who marred their lives has also victimized others and that these revelations will come out at trial. According to Justice Department statistics released last week, girls under 18 are the victims of more than half the rapes reported to police. Allowing the prosecution to bring to trial similar child molestation crimes of the accused will certainly held these young victims bring their attacker to justice.

It is important to note that the Senate provision does not require that evidence of prior sexual assault be admitted. The trial court retains the total discretion to include or exclude this type of evidence moreover, under the Senate provision the defendant would have 15 days notice of the evidence to be offered and cross examination would be allowed. Essentially what this amendment does is make it clear that a judge will not necessarily be reversed on appeal if he admits evidence of prior similar acts in sex-related cases. The judge retains the discretion to exclude the evidence if its probative value is substantially outweighed by the danger of unfair prejudice to the defendant.

Mr. Chairman, this should not be controversial. For the thousands of individuals who are victims of sexual violence every year, we should strengthen our sexual violence laws by instructing conferees to include section 831 in the crime conference report. Members should not pass up this opportunity to make a positive difference in the lives of those who have experienced the tragedy of sexual assault and child molestation. Members should vote yes on this motion to instruct.

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

Let me just say to my colleague, the gentleman from Arizona, I do not know whether he heard my original statement, but that is not the process. We have a rules enabling act that we created. We have a process, the Judicial Conference of the United States is the one that takes the testimony, basically decides changes in the rules of evidence and they implement them. We have the right to reject. We are basically circumventing the process that we set up. It is not the Committee on Rules of this House that basically works its will on rules of evidence. It was done so that we should have the kind of expertise and consideration that the Judicial Conference of the United States would provide.

Mr. Speaker, I yield 3 minutes to the gentleman from New York [Mr. SCHUMER].

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

Mr. Speaker, I would say to my colleagues that this is something that is one of the most inadvisable things that we could do if we believe in the criminal law.

I believe as strongly as anybody that we ought to go after people who commit crimes, sexual crimes, and rape. But we should do it based on the laws of evidence. Make no mistake about it, my colleagues, this would say, not just a conviction but any allegation at all would be admissible in a court, not for all crimes but for these crimes. That is turning our system of due process on its head.

Let me state, why do you think the NOW legal defense fund, one of the strongest women's groups in this country that has made a campaign to eliminate rape, to eliminate sexual harassment, why are they opposed to this? They are very simply opposed because this is the kind of measure that does not belong in a system where we talk about freedom, where we talk about due process, where we talk about evidence. To say that any allegation for these particular cases shall be admissible in court is a very, very serious matter, I would argue a serious mistake, but if we are going to do this, then we ought to be very careful about where and when we do it and not just rush headlong into passing a motion like this which while I know is not binding would say something terrible about our beliefs in how we prosecute criminals.

Mr. Speaker, I do not believe that the Civil Liberties Union is right on every issue, but this goes so far beyond.

Mr. Speaker, I would simply say that to say that any allegation whatsoever for these two crimes shall be admissible as evidence, not a conviction, not even something that was admitted in court, but any prior evidence would be a serious mistake. I would ask my colleagues to think twice before we rush to pass something that so flies in the face of what Anglo-Saxon jurisprudence has stood for for 200 years.

Ms. MOLINARI. Mr. Speaker, I yield 2 minutes to the gentleman from Oklahoma [Mr. MCCURDY].

Mr. MCCURDY. Mr. Speaker, unfortunately I believe the American public is tired of hearing about process and rules, especially when we see the fact that the gentlewoman was not offered an opportunity to present this amendment and have it fully debated.

Mr. Speaker, I rise in strong support of the gentlewoman's motion to instruct and urge its passage.

(By unanimous consent Mr. MICHEL was allowed to proceed out of order.)

LEGISLATIVE PROGRAM

Mr. MICHEL. Mr. Speaker, I take this time to give the membership an update on where we are, and I yield to the distinguished majority leader.

Mr. GEPHARDT. Mr. Speaker, if the gentleman will yield, as we informed the Members earlier, a negotiation has been going on about the DC bill. It is my understanding that negotiation has not succeeded. Therefore, it is intended to have a pro forma session tomorrow and to not bring up the DC bill.

I would tell the Members on this side of the aisle that the whip meeting which is scheduled for tomorrow will be held tomorrow morning at 8:30.

Mr. MICHEL. Might I also for the edification of the Members on our date to come back, Tuesday, July 12, would we expect votes on Tuesday? Do we know enough about that as of yet?

Mr. GEPHARDT. We will try to notify the Cloakrooms as to what time they might begin, but we would expect votes on Tuesday.

Mr. MICHEL. I thank the distinguished majority leader.

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

Mr. MICHEL. I yield to the distinguished gentleman from Mississippi.

Mr. MONTGOMERY. Mr. Speaker, I would like to announce to all sinners here tonight, we will have the prayer breakfast here at 8 o'clock tomorrow in the Capitol Building.

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

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

Mr. ARMEY. Mr. Speaker, let me announce to Members on our side that we will have the conference as scheduled tomorrow morning. Members will find it an interesting conference. There is going to be a surprise announcement there that Members will all be interested in. We are not telling the other side over there.

Mrs. SCHROEDER. Mr. Speaker, will the gentleman yield?

Mr. MICHEL. I yield to the gentlewoman from Colorado.

Mrs. SCHROEDER. Mr. Speaker, I know the minority leader would also like to have those on this side join with him in wishing the gentlewoman from New York and the gentleman from New York a wonderful wedding that they are going to be having over the break.

Ms. MOLINARI. Mr. Speaker, if the gentleman will yield, I thank the gentlewoman from Colorado for her thoughtfulness.

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

Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania [Mr. SANTORUM].

Mr. SANTORUM. Mr. Speaker, let me just address two issues that have been brought up by the other side.

First, with the gentleman from New York who talked about the fact that this amendment is going to require the evidence to be admitted. That is not what this amendment does. It allows the judge the discretion to admit it.

Mr. Speaker, how come when it comes to judge's discretion in sentencing for criminals it is OK, for a judge's discretion for evidence with respect to criminals, that is OK, but for a judge's discretion with respect to victims, it is not OK.

□ 2340

I think we have to start looking at both sides of the equation and start looking at what kind of discretion we allow judges to use. If we trust their judgement in one respect, we should trust it just as much for the other party involved in the crime.

Second, when it comes to the issue of process, I cannot believe what we are saying here tonight is that we are going to allow a serial rapist, a serial sexual assaulter, a serial child molester the opportunity to continue without having that relevant evidence brought before the judge because the process of the Supreme Court and the committee that judges rules of evidence has not gotten around to dealing with this issue. That is what we are elected to do, not wait for them to tell us what is in our best interests, but in fact move forward.

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

Mr. SANTORUM. I am happy to yield to the gentleman from New York.

Mr. SCHUMER. Mr. Speaker, I would ask the gentleman if we have a serial rapist who has a conviction for serial rape, is it not true that the rules of evidence allow and the judge cannot block that evidence from being admitted right now.

Mr. SANTORUM. The gentleman is correct.

Mr. SCHUMER. I thank the gentleman.

Mr. SANTORUM. I urge an "aye" vote.

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

Mr. Speaker, a lot of statements are being made.

Members have to read the rule. The rule makes it admissible. It can be hearsay. The defendant could have been acquitted of a prior offense, similar offense, and it still is admissible. That is what it says. It is not within the discretion of the court.

For that reason and that reason alone, Members should reject this. It is ridiculous to suggest we are going to introduce evidence on another matter that indicates on a previous matter there was some evidence of a criminal offense when that defendant was acquitted of that offense. That is crazy. I mean we are talking about changes that have not been thought through. They really go to the heart of the whole due process that we accord to defendants, and I would urge my colleagues to reject the motion to instruct.

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

Ms. MOLINARI. Mr. Speaker, I yield myself 2 minutes to respond.

The law as proposed states, "In a criminal cause in which the defendant is accused of an offense of sexual assault, evidence of the defendant's commission of another offense or offenses of sexual assault is admissible and may be considered for its bearing on any matter to which it is deemed relevant by the judge." It is not mandatory.

Mr. Speaker, I will cite one more case study and then I will close.

State v. *Pace*, 275 S.E.2d 254 (N.C. App. 1981). In this case, the victim, Cynthia Hairston, was an acquaintance of the defendant Pace. Pace encountered the victim while she was waiting for a bus, and invited her to wait in his car because it was cold in the bus station. When she got into the car, he drove to a dead end street, and there twice raped her and forced her to perform oral sex. The victim attempted to resist but was limited in her ability to do so by the fact that she was eight months pregnant at the time.

At the trial of Pace for assaulting Cynthia Hairston, the government also presented another witness, Vickie Rorie, who testified that Pace had raped her about two months earlier, At that time, she met Pace through a friend. Later on the day that they met, Pace had come to her apartment, threatened her with a weapon, and raped her. As with Cynthia Hairston, Pace addressed her as "Baby Girl" during the assault.

In relation to both incidents, Pace admitted engaging in sex with the victims at the times in question, but stated that it had been consensual. This defense was disbelieved, and Pace was convicted.

Because of the law as it stands today, the conviction was reversed on appeal. The appellate court said that the testimony of Vickie Rorie only "tended to show the bad character of the defendant and his disposition to commit sex crimes," and hence was deemed inadmissible, and the case was overturned.

Mr. Speaker, to close the debate, I yield such time as he may consume to the gentleman from Florida [Mr. MCCOLLUM].

Mr. MCCOLLUM. Mr. Speaker, I thank the gentlewoman for yielding me the time.

Mr. Speaker, I would just like to point out in closing this debate here tonight that it has been 10 weeks since we passed a crime bill on the floor of the House, 10 weeks. It was back in April when we did this. We have had one pro forma meeting of the conference committee between the House and the Senate.

According to the crime statistics clock that runs all of the time, there is a rape committed every 5 minutes. By the calculations that I have made, over that 10-week period there have been almost 21,000 forcible rapes committed in this country. Tonight we have an opportunity by this motion to instruct to do something we did not do in that crime bill but we have the opportunity to do and to correct a little bit when the conference committee meets. That is to give an instruction, and that is all Members are voting on tonight, an instruction to our conferees to agree to a provision in the Senate bill that we never got the opportunity to vote on out here or to debate on the floor. But it is something the gentlewoman from New York has been trying to do for a long time, and it is the right thing to do.

All of the technicalities notwithstanding, there is a problem with the rules of evidence with regard to the ability to produce the kind of background necessary to get rape convictions in this country. It is an important vote, and I certainly urge a yes vote and I thank the gentlewoman for offering it and for giving us this opportunity.

Mr. LEWIS of Florida. Mr. Speaker, I wish to express my support for subtitle E of title VIII of the Senate crime bill, and for the motion to instruct House conferees on H.R. 3355 to not agree to a report that does not contain this important provision. Had I been present I would have voted "yes" on last night's motion to instruct.

This title clarifies the right of judges to allow prosecutors, when appropriate, to use available evidence demonstrating that defendants in sexual assault or child molestation cases have previously committed similar sexual offenses. This section does not require such evidence to be used, but rather reinforces the judge's authority to admit such testimony when he or she sees fit.

Many of those who commit crimes of sexual assault and child molestation have a terrible history of sexually violent and abusive behavior, terrorizing victim after victim with circumstances making it difficult to prosecute effectively. This provision will help break many of these chains of violence, by allowing the relevant facts of a sexual predator's past to be used against him. I trust our judicial system to ensure this practice will not tread on the presumption of a defendant's innocence, or in any way dilute the right of a fair and speedy trial.

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

Mr. HUGHES. Mr. Speaker, I move the previous question on the motion to instruct.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair wishes to announce before putting the question that in addition to the program announced by the majority and minority leaders, the Chair will recognize the gentleman from North Carolina [Mr. ROSE] following the conclusion of the pending business, for the purpose of offering a Senate Concurrent Resolution 68 concerning the printing of a document on which I understand there will be no objection from either side.

Without objection, the previous question is ordered.

There was no objection.

The SPEAKER. The question is on the motion to instruct offered by the gentleman from New York [Ms. MOLINARI].

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

RECORDED VOTE

Ms. MOLINARI. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 348, noes 62, not voting 24, as follows:

[Roll No. 314]

AYES—348

Ackerman	Baesler	Barrett (NE)
Allard	Baker (CA)	Barrett (WI)
Andrews (NJ)	Baker (LA)	Bartlett
Archer	Ballenger	Barton
Armey	Barca	Bentley
Bacchus (FL)	Barcia	Bereuter
Bachus (AL)	Barlow	Bevill

Bilbray
Bilirakis
Bishop
Blackwell
Bliley
Blute
Boehlert
Boehner
Bonilla
Bonior
Borski
Brewster
Browder
Brown (FL)
Brown (OH)
Bryant
Bunning
Burton
Buyer
Byrne
Callahan
Calvert
Camp
Canady
Cantwell
Cardin
Carr
Castle
Chapman
Clement
Clinger
Clyburn
Coble
Coleman
Collins (GA)
Combest
Condit
Cooper
Coppersmith
Costello
Cox
Cramer
Crane
Crapo
Cunningham
Danner
Darden
de la Garza
Deal
DeLauro
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dooley
Doolittle
Dornan
Dreier
Duncan
Dunn
Durbin
Edwards (TX)
Ehlers
Emerson
Engel
English
Eshoo
Everett
Ewing
Farr
Fawell
Fazio
Fields (LA)
Fields (TX)
Filner
Fingerhut
Ford (TN)
Fowler
Frank (MA)
Franks (CT)
Franks (NJ)
Frost
Gallegly
Gallo
Gejdenson
Gekas
Gephardt
Geren
Gilchrest
Gillmor
Gilman
Gingrich
Glickman
Goodlatte
Goodling
Gordon
Goss
Grams
Green
Greenwood
Gunderson
Gutierrez
Hall (TX)
Hamilton
Hancock
Hansen
Harman
Hastert
Hayes
Hefley
Hefner
Herger
Hilliard
Hinchey
Hoagland
Hobson
Hochbrueckner
Hoekstra
Hoke
Holden
Horn
Houghton
Hoyer
Huffington
Hunter
Hutchinson
Hutto
Hyde
Inglis
Inhofe
Inslee
Istook
Jacobs
Jefferson
Johnson (CT)
Johnson (GA)
Johnson (SD)
Johnson, E. B.
Johnson, Sam
Johnston
Kaptur
Kasich
Kennelly
Kildee
Kim
King
Kingston
Kleczka
Klein
Klink
Klug
Knollenberg
Kolbe
Kreidler
Kyl
LaFalce
Lambert
Lancaster
Lantos
LaRocco
Laughlin
Lazio
Leach
Lehman
Levin
Levy
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Lipinski
Livingston
Lloyd
Long
Lucas
Maloney
Manton
Manzullo
Margolies-Mezvinsky
Markey
Martinez
Matsui
Mazzoli
McCandless
McCloskey
McCollum
McCrery
McCurdy
McDade
McHale
McHugh
McInnis
McKeon
McMillan
McNulty
Meehan
Menendez
Meyers
Mfume
Mica
Michel
Miller (FL)
Mineta
Minge
Mink
Moakley
Molinari
Montgomery
Moorhead
Moran
Morella
Myers
Neal (MA)
Neal (NC)
Nussle
Oberstar
Obey
Ortiz
Orton
Oxley
Packard
Pallone
Parker
Pastor
Paxon
Payne (VA)
Penny
Peterson (FL)
Peterson (MN)
Petri
Pickle
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quillen
Quinn
Rahall
Ramstad
Ravenel
Reed
Regula
Reynolds
Richardson
Ridge
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Roth
Rowland
Royce
Sabo
Santorum
Sarpalius
Sawyer
Saxton
Schaefer
Schenk
Schiff
Schroeder
Sensenbrenner
Serrano
Sharp
Shaw
Shays
Shepherd
Shuster
Sisisky
Skeen
Skelton
Slattery
Slaughter
Smith (IA)
Smith (MI)
Smith (NJ)
Smith (TX)
Snowe
Solomon
Spence
Spratt
Stearns
Stenholm
Strickland
Stump
Stupak
Sundquist
Swett
Talent
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas (CA)
Thomas (WY)
Thompson
Thornton
Thurman
Torkildsen
Torres
Torricelli
Traficant
Upton
Volkmer
Vucanovich
Walker
Walsh
Weldon
Wheat
Williams
Wilson
Wise
Wolf
Wyden
Wynn
Young (AK)
Young (FL)
Zeliff
Zimmer

NOES—62

Abercrombie
Andrews (ME)
Becerra
Beilenson
Berman
Brooks
Brown (CA)
Clayton
Collins (IL)
Collins (MI)
Conyers
Coyne
Derrick
Dixon
Edwards (CA)
Evans
Flake
Foglietta
Furse
Gonzalez
Hamburg
Hastings
Hughes
Kanjorski
Kennedy
Kopetski
Lewis (GA)
Lowey
Mann
McDermott
McKinney
Meek
Miller (CA)
Mollohan
Nadler
Olver
Owens
Payne (NJ)
Pelosi
Rangel
Rostenkowski
Roukema
Roybal-Allard
Rush
Sanders
Sangmeister
Schumer
Scott
Skaggs
Stokes
Swift
Synar
Towns
Tucker
Unsoeld
Velazquez
Vento
Visclosky
Waters
Watt
Waxman
Woolsey

NOT VOTING—24

Andrews (TX)
Applegate
Bateman
Boucher
Clay
DeFazio
Dellums
Fish
Ford (MI)
Gibbons
Grandy
Hall (OH)
Lewis (FL)
Machtley
Murphy
Murtha
Pickett
Smith (OR)
Stark
Studds
Valentine
Washington
Whitten
Yates

□ 0004

Ms. PELOSI changed her vote from "aye" to "no."

Messrs. MOAKLEY, HOKE, ACKERMAN, and JEFFERSON changed their vote from "no" to "aye."

So the motion to instruct was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

AUTHORIZING PRINTING OF SENATOR ROBERT C. BYRD'S ADDRESSES TO THE UNITED STATES SENATE ON THE HISTORY OF ROMAN CONSTITUTIONALISM

Mr. ROSE. Mr. Speaker, I ask unanimous consent for the immediate consideration of Senate concurrent resolution (S. Con. Res. 68) to authorize printing of "Senator Robert C. Byrd's Addresses to the United States Senate on the History of Roman Constitutionalism."

The Clerk read the title of the Senate concurrent resolution.

The SPEAKER pro tempore (Mr. BARRETT of Wisconsin). Is there objection to the request of the gentleman from North Carolina?

Mr. THOMAS of California. Mr. Speaker, reserving the right to object, I do so for the purpose of asking the chairman of the committee a question.

To be able to print the "Robert Byrd Addresses to the United States Senate on the History of Roman Constitutionalism," the printing presses have to be free on any jobs that probably were anticipated to be printed prior to printing this. And the only thing I could think of was, of course, the task force on the Post Office's support that was ordered to be compiled and printed. Is that going to be done?

Mr. ROSE. Mr. Speaker, will the gentleman from California yield?

Mr. THOMAS of California. I certainly yield to the gentleman from North Carolina, the chairman of the committee.

Mr. ROSE. I thank the gentleman for yielding.

Mr. Speaker, I am very happy to tell the gentleman that tomorrow morning the transcript of those proceeding will be sent to the Public Printer for printing at once.

Mr. THOMAS of California. Now, the supporting documents could be rightfully called an appendix, though the transcripts were the primary concern, and I am pleased to hear that they will be sent to the printer tomorrow morning, and as soon as possible my assumption is then the materials that would be in the follow-on appendix would be compiled and sent to the printer as well.

Mr. ROSE. This gentleman is correct.

Mr. THOMAS of California. Mr. Speaker, that means the printing presses would be cleared to print "Senator Robert C. Byrd's Addresses to the United States Senate on the History of Roman Constitutionalism," and I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the Senate concurrent resolution, as follows:

Resolved by the Senate (the House of Representatives concurring), That there shall be printed as a Senate document "U.S. Senator Robert C. Byrd's Addresses to the United States Senate on the History of Roman Constitutionalism", delivered between May 5, 1993 and October 18, 1993.

SEC. 2. The document referred to in the first section shall be—

(1) published under the supervision of the Secretary of the Senate; and

(2) in such style, form, manner, and binding as directed by the Joint Committee on Printing, after consultation with the Secretary of the Senate.

The document shall include illustrations.

SEC. 3. In addition to the usual number of copies of the document, there shall be printed the lesser of—

(1) 5,000 copies for the use of the Secretary of Senate; or

(2) such number of copies as does not exceed a total production and printing cost of $47,864.

The Senate concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 3266

Mr. DOOLEY. Mr. Speaker, I ask unanimous consent to withdraw my name as a cosponsor of H.R. 3266.

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

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. GOSS for 5 minutes on June 30.

Mrs. MORELLA for 5 minutes on June 30.

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. SOLOMON in two instances.
Mr. POMBO.
Mr. FIELDS.
Mr. SHAYS.
Mr. GILLMOR.
Mr. KING.
Mrs. VUCANOVICH.
Mr. KNOLLENBERG.
Mr. SANTORUM.
Mr. DORNAN in four instances.
Mr. FAWELL.

(The following Members (at the request of Mr. DOOLEY) to revise and extend their remarks and include extraneous material:)

Mr. LEVIN in two instances.
Mr. CLEMENT.
Mr. DE LUGO.
Mr. KILDEE in two instances.
Mr. ANDREWS of Texas.
Mr. STARK.
Mr. HOYER.
Mr. HAMILTON.
Mrs. MALONEY.
Ms. LONG.
Mrs. COLLINS of Illinois in two instances.
Mr. SCHUMER.
Mr. PETE GEREN of Texas.
Mr. HOCHBRUECKNER.
Ms. ESHOO.
Mr. MORAN.
Mr. LANCASTER.
Mr. BROWN of California.
Mr. SPRATT.
Mr. BECERRA.
Mr. TOWNS in six instances.
Mr. FINGERHUT.
Mr. RUSH.
Mr. RICHARDSON.
Mr. JACOBS.
Mr. COPPERSMITH.
Ms. LAMBERT.
Mr. STUPAK in two instances.
Mr. CHAPMAN.
Mr. LEVIN.
Mr. HALL of Texas.

BILLS PRESENTED TO THE PRESIDENT

Mr. ROSE, from the Committee on House Administration, reported that that committee did on the following date present to the President, for his approval, bills of the House of the following title:

On June 28, 1994:

H.R. 1758. An act to revise, codify, and enact without substantive change certain general and permanent laws, related to transportation, as subtitles II, III, and V–X of title 49, United States Code, "Transportation", and to make other technical improvements in the Code.

H.R. 3724. An act to designate the United States courthouse located in Bridgeport, Connecticut, as the "Brien McMahon Federal Building".

H.R. 4568. An act making supplemental appropriations for the Department of Housing and Urban Development for the fiscal year ending September 30, 1994, and for other purposes.

ADJOURNMENT

Mr. DOOLEY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to: accordingly (at 12 o'clock and 11 minutes a.m.), the House adjourned until today, Thursday, June 30, 1994, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

3436. A letter from the Executive Director, Thrift Depositor Protection Oversight Board, transmitting the annual report of the Thrift Depositor Protection Oversight Board on the Resolution Funding Corporation for the calendar year 1993, pursuant to Public Law 101–73, section 511(a) (103 Stat. 404); to the Committee on Banking, Finance and Urban Affairs.

3437. A letter from the Secretary of Health and Human Services, transmitting a draft of proposed legislation entitled, the "Saint Elizabeths Hospital Amendment of 1994"; to the Committee on the District of Columbia.

3438. A letter from the Secretary of Education, transmitting final regulations—Federal Family Education Loan Program, pursuant to 20 U.S.C. 1232(d)(1); to the Committee on Education and Labor.

3439. A letter from the Secretary of Agriculture, transmitting the annual report on the Youth Conservation Corps Program in the Department for fiscal year 1993, pursuant to 16 U.S.C. 1705; to the Committee on Education and Labor.

3440. A letter from the Assistant Secretary for Environment, Safety and Health, Department of Energy, transmitting a copy of the summary of the draft Environmental Impact Statement [EIS] for Programmatic Spent Nuclear Fuel Management and Idaho National Engineering Laboratory Environmental Restoration and Waste Management Programs; to the Committee on Energy and Commerce.

3441. A letter from the Secretary of Health and Human Services, transmitting the Department's report on the health care services in the Home Demonstration Program, pursuant to section 397(d)(2) of the Public Health Service Act; to the Committee on Energy and Commerce.

3442. A letter from the Acting Director, Defense Security Assistance Agency, transmitting the Department of the Army's proposed lease of defense articles to Bahrain (Transmittal No. 20–94), pursuant to 22 U.S.C. 2796a(a); to the Committee on Foreign Affairs.

3443. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a report of activities under the Freedom of Information Act for calendar year 1993, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

3444. A letter from the Chairman, Federal Election Commission, transmitting a copy of the annual report in compliance with the Government in the Sunshine Act during the calendar year 1993, pursuant to 5 U.S.C. 552b; to the Committee on Government Operations.

3445. A letter from the Inspector General, General Services Administration, transmitting a copy of his office's audit report register, including all financial recommendations, for the period ending March 31, 1994, pursuant to Public Law 95–452, section 5(b) (102 Stat. 2526); to the Committee on Government Operations.

3446. A letter from the Director, Office of Personnel Management, transmitting the semiannual report on the activities of the inspector general for the period October 1, 1993, through March 31, 1994, pursuant to Public Law 95–452, section 5(b) (102 Stat. 2526); to the Committee on Government Operations.

3447. A letter from the Director, Office of Personnel Management, transmitting the office's fiscal year 1993 financial statements; to the Committee on Government Operations.

3448. A letter from the Secretary of the Treasury, transmitting the semiannual report of activities of the inspector general for the period ended March 31, 1994, pursuant to Public Law 95–452, section 5(b) (102 Stat. 2515, 2526); to the Committee on Government Operations.

3449. A letter from the Deputy Associate Director for Compliance, Department of the Interior, transmitting notification of proposed refunds of excess royalty payments in OCS areas, pursuant to 43 U.S.C. 1339(b); to the Committee on Natural Resources.

3450. A letter from the Deputy Associate Director for Compliance, Department of the Interior, transmitting notification of proposed refunds of excess royalty payments in OCS areas, pursuant to 43 U.S.C. 1339(b); to the Committee on Natural Resources.

3451. A letter from the Secretary, Department of the Interior, transmitting the 23d annual report of the actual operation during water year 1993 for the reservoirs along the Colorado River; projected plan of operation for water year 1994, pursuant to 43 U.S.C. 1552(b); to the Committee on Natural Resources.

3452. A letter from the Secretary, Department of Transportation, transmitting the Department's annual report on the progress in implementing the Coast Guard Environmental Compliance and Restoration Program for fiscal year 1993, pursuant to Public Law 101–225, section 222(a) (103 Stat. 1918); to the Committee on Merchant Marine and Fisheries.

3453. A letter from the Director, Office of Personnel Management, transmitting a draft of proposed legislation entitled, the "Federal Employees Health Benefits Provider Integrity Amendments of 1994"; to the Committee on Post Office and Civil Service.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk

for printing and reference to the proper calendar, as follows:

Mr. FROST: Committee on Rules. House Resolution 469. Resolution waiving certain points of order against the bill (H.R. 4650) making appropriations for the Department of Defense for the fiscal year ending September 30, 1995, and for other purposes (Rept. 103-568). Referred to the House Calendar.

Mr. DERRICK: Committee on Rules. House Resolution 470. Resolution waiving points of order against the conference report to accompany the bill (H.R. 4454) making appropriations for the legislative branch for the fiscal year ending September 30, 1995, and for other purposes (Rept. 103-569). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BROWN of California (for himself, Mr. VALENTINE, Mrs. MORELLA, Mr. KLEIN, Mr. MCHALE, and Mr. JOHNSON of Georgia):

H.R. 4673. A bill to establish a U.S. Design Council as an advisory committee within the Department of Commerce to promote understanding of the importance of design in the development of products and systems, and for other purposes; jointly, to the Committees on Energy and Commerce and Science, Space, and Technology.

By Mrs. COLLINS of Illinois:

H.R. 4674. A bill to provide for the reliquidation of certain entries of imported chemicals; to the Committee on Ways and Means.

By Ms. LONG (for herself, Mr. DE LA GARZA, Mr. EMERSON, Mr. KINGSTON, Mr. POMEROY, Mr. BEREUTER, Mr. ROSE, Mr. STENHOLM, Mr. JOHNSON of South Dakota, Mr. CONDIT, Mr. PETERSON of Minnesota, Mr. DOOLEY, Mrs. CLAYTON, Mr. MINGE, Mr. HOLDEN, Ms. MCKINNEY, Mr. BAESLER, Mrs. THURMAN, Mr. THOMPSON, Mr. BISHOP, Ms. LAMBERT, Mr. FARR, Mr. GUNDERSON, Mr. COMBEST, Mr. ALLARD, Mr. BARRETT of Nebraska, Mr. NUSSLE, Mr. BOEHNER, Mr. DICKEY, Mr. POMBO, Mr. EVERETT, Mr. FAZIO, Mr. HAYES, Mr. LEACH, Mr. MCHUGH, Mr. MONTGOMERY, Mr. GILCHREST, Mr. LANCASTER, Mr. LIGHTFOOT, Mr. LIVINGSTON, Mr. CRAPO, Mr. CLYBURN, Mr. HASTINGS, Mr. LEWIS of Florida, Mr. EVANS, Mr. BARTON of Texas, Mr. WILLIAMS, Mr. SARPALIUS, and Mr. LUCAS):

H.R. 4675. A bill to maintain the ability of U.S. agriculture to remain viable and competitive in domestic and international markets, to meet the food and fiber needs of United States and international consumers, and for other purposes; jointly, to the Committees on Agriculture and Foreign Affairs.

By Ms. LAMBERT (for herself and Mr. MCCLOSKEY):

H.R. 4676. A bill to provide for the coordination and implementation of a national aquaculture policy for the private sector by the Secretary of Agriculture, to establish an aquaculture development and research program, and for other purposes; jointly, to the Committees on Agriculture and Merchant Marine and Fisheries.

By Mr. LEVIN:

H.R. 4677. A bill to provide for monthly reporting of child support obligations to certain consumer reporting agencies; to the Committee on Ways and Means.

By Mr. ORTON:

H.R. 4678. A bill to amend the Congressional Budget Act of 1974 to provide more program specificity during consideration of concurrent resolutions on the budget, and for other purposes; to the Committee on Rules.

By Mr. SPRATT (for himself and Mr. CONYERS:)

H.R. 4679. A bill to amend the Inspector General Act of 1978 to expand the mission of inspectors general, to provide for greater independence for inspectors general, and to make inspectors general more effective and accountable; to the Committee on Government Operations.

H.R. 4680. A bill to amend title 5, United States Code, to provide sanctions and remedies for violations of the right of executive branch employees to provide information to the Congress and its committees, and to amend the Inspector General Act of 1978 to provide protections for executive branch employees who provide information to an inspector general; jointly, to the Committees on Post Office and Civil Service and Government Operations.

By Mr. RICHARDSON (for himself, Mrs. COLLINS of Illinois, and Mrs. SCHROEDER):

H.R. 4682. A bill to guarantee the participation of small businesses, rural telephone companies, and businesses owned by members of minority groups and women in spectrum auctions; to the Committee on Energy and Commerce.

By Mr. PALLONE:

H.R. 4683. A bill to amend the Solid Waste Disposal Act to provide congressional authorization of State control over transportation of municipal solid waste, and for other purposes; to the Committee on Energy and Commerce.

By Mr. GEPHARDT:

H. Con. Res. 263. Concurrent resolution providing for an adjournment or recess of the two Houses; considered and agreed to.

By Mr. ACKERMAN (for himself and Mr. LEACH):

H. Res. 471. A resolution to urge the Government of Burma [Myanmar] to release Aung San Suu Kyi, and for other purposes; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

435. By the SPEAKER: Memorial of the House of Representatives of the Commonwealth of Pennsylvania, relative to memorializing the Congress of the United States to support H.R. 3666 and S. 2007, the George C. Marshall Commemorative Coin Acts; to the Committee on Banking, Finance and Urban Affairs.

436. Also, memorial of the House of Representatives of the Commonwealth of Pennsylvania, relative to memorializing the Congress of the United States to support an amendment to the U.S. Constitution to restore voluntary prayer in the public school system; to the Committee on the Judiciary.

437. Also, memorial of the House of Representatives of the Commonwealth of Pennsylvania, relative to memorializing the President of the United States to appoint a special presidential commission to study domestic violence, the adequacy of the response of the criminal justice system, the adequacy of social services, and the adequacy of police protection for victims of domestic violence; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. OBEY introduced a bill (H.R. 4681) to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade and on the Great Lakes and their tributary and connecting waters in trade with Canada for the vessel *Eagle Mar;* which was referred to the Committee on Merchant Marine and Fisheries.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 123: Mr. BREWSTER.
H.R. 214: Mr. KINGSTON.
H.R. 465: Mr. KINGSTON.
H.R. 662: Mr. KINGSTON.
H.R. 723: Mr. KINGSTON.
H.R. 911: Mr. MILLER of Florida and Mr. BALLENGER.
H.R. 1080: Mr. BALLENGER and Mr. BACHUS of Alabama.
H.R. 1082: Mr. TORRICELLI.
H.R. 1164: Mr. ANDREWS of Maine.
H.R. 1181: Mr. HILLIARD.
H.R. 1277: Mr. HANSEN.
H.R. 1293: Mr. WALKER and Mr. KINGSTON.
H.R. 1487: Mr. KINGSTON.
H.R. 1490: Mr. ORTON and Mr. LUCAS.
H.R. 1500: Mr. DEUTSCH and Mr. RICHARDSON.
H.R. 1518: Mr. KYL.
H.R. 1621: Mrs. BYRNE.
H.R. 1627: Mr. LUCAS.
H.R. 1671: Mr. SABO.
H.R. 1683: Mrs. UNSOELD.
H.R. 1709: Mr. BARCA of Wisconsin and Mr. WHEAT.
H.R. 1737: Mr. OWENS, Mr. FARR, and Mr. FROST.
H.R. 2043: Mr. GEJDENSON.
H.R. 2175: Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 2258: Mr. PARKER and Ms. SHEPHERD.
H.R. 2418: Mr. TAYLOR of North Carolina, Ms. KAPTUR, Mr. MINGE, and Mr. NEAL of North Carolina.
H.R. 2467: Mr. REGULA, Mr. SAM JOHNSON, and Mr. VISCLOSKY.
H.R. 2588: Mr. DEFAZIO.
H.R. 2646: Mr. KINGSTON.
H.R. 2717: Mr. SOLOMON, Mr. BURTON of Indiana, and Mr. DORNAN.
H.R. 2790: Mr. COLEMAN.
H.R. 2826: Mr. SYNAR, Mr. WYNN, Mr. SANGMEISTER, and Mr. FILNER.
H.R. 2858: Mr. KYL.
H.R. 2959: Mr. QUINN.
H.R. 3025: Mr. JOHNSTON of Florida.
H.R. 3065: Mr. ROYCE.
H.R. 3255: Mr. MCHUGH and Mr. KYL.
H.R. 3320: Mr. DEFAZIO, Mr. DOOLITTLE, Mr. PETE GEREN of Texas, and Mr. BARTLETT of Maryland.
H.R. 3324: Ms. BROWN of Florida and Mr. JEFFERSON.
H.R. 3433: Mr. BARRETT of Wisconsin, Mr. MURPHY, Mr. RAVENEL, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. RANGEL, Mr. MONTGOMERY, Mr. REYNOLDS, Mr. WHEAT, and Mr. SKAGGS.
H.R. 3439: Mr. ROGERS.
H.R. 3442: Mr. KINGSTON.

H.R. 3486: Mr. CAMP.
H.R. 3574: Mr. PARKER.
H.R. 3646: Mr. GILMAN, Mr. LEWIS of Florida, Mr. SKEEN, and Mr. DEUTSCH.
H.R. 3725: Ms. DUNN, Mr. GOSS, and Mr. CANADY.
H.R. 3795: Mr. TORRICELLI and Mr. SOLOMON.
H.R. 3820: Mr. STUPAK.
H.R. 3866: Mr. FINGERHUT, Mr. SKELTON, Mr. STUPAK, and Ms. BROWN of Florida.
H.R. 3871: Mr. PARKER.
H.R. 3875: Mr. TANNER and Ms. LAMBERT.
H.R. 3940: Mr. PARKER and Mr. INGLIS of South Carolina.
H.R. 3955: Mr. BAESLER and Mr. DICKEY.
H.R. 3971: Mr. PAXON, Mrs. JOHNSON of Connecticut, and Mr. JOHNSON of Georgia.
H.R. 3978: Mr. SMITH of Oregon.
H.R. 3990: Mr. FINGERHUT.
H.R. 3994: Mr. MCNULTY.
H.R. 4024: Ms. MCKINNEY.
H.R. 4036: Ms. MARGOLIES-MEZVINSKY, Mrs. MEYERS of Kansas, Mr. MCDADE, and Mr. DOOLITTLE.
H.R. 4050: Mr. KENNEDY.
H.R. 4051: Ms. NORTON.
H.R. 4100: Mr. SCHIFF.
H.R. 4115: Mr. MORAN, Mr. MANTON, and Mr. FISH.
H.R. 4129: Mr. BLACKWELL, Mr. PAYNE of New Jersey, Mr. ANDREWS of Maine, Mr. HANSEN, Mr. CHAPMAN, and Mr. PICKETT.
H.R. 4146: Mr. BAKER of Louisiana.
H.R. 4210: Mr. SOLOMON, Mrs. MALONEY, Mr. PALLONE, Mr. BORSKI, and Mr. KING.
H.R. 4271: Ms. WOOLSEY.
H.R. 4279: Mr. MURPHY, Mrs. ROUKEMA, and Mr. ANDREWS of Maine.
H.R. 4318: Mr. YATES and Mr. FROST.
H.R. 4366: Mr. TORRES.
H.R. 4375: Mr. BONIOR.
H.R. 4386: Mr. GUNDERSON, Mr. THORNTON, and Mr. DUNCAN.
H.R. 4403: Mr. HERGER.
H.R. 4404: Ms. SHEPHERD, Mr. WAXMAN, Mr. THOMPSON, Mr. BARLOW, and Mr. MINETA.
H.R. 4434: Ms. FURSE, Mr. POSHARD, Ms. SCHENK, and Mr. SOLOMON.
H.R. 4491: Mr. MACHTLEY, Mr. LIPINSKI, and Mr. COOPER.
H.R. 4507: Mr. BALLENGER.
H.R. 4514: Mr. FRANK of Massachusetts and Mr. OWENS.
H.R. 4517: Mr. ROGERS.
H.R. 4519: Mr. PETE GEREN of Texas.
H.R. 4528: Mr. STARK.
H.R. 4555: Mr. POMEROY.
H.R. 4618: Mr. KLECZKA, Mr. OLVER, and Mrs. MALONEY.
H.R. 4634: Mr. GRANDY, Mr. ROBERTS, Mr. HOAGLAND, Mr. PETERSON of Minnesota, Mr. OBEY, Mr. COSTELLO, Mr. SKELTON, Mr. EMERSON, Ms. DANNER, Mr. LEACH, Mr. GLICKMAN, Mr. BEREUTER, Mr. BARRETT of Nebraska, Mr. POMEROY, Mr. SLATTERY, Mr. MANZULLO, Mr. EWING, Mr. EVANS, Mr. LIGHTFOOT, Ms. LONG, Mr. DE LA GARZA, Mr. NUSSLE, Mr. ABERCROMBIE, Mrs. THURMAN, Mrs. MINK of Hawaii, Mr. CONDIT, Mr. SARPALIUS, Ms. MCKINNEY, Mr. WILLIAMS, Mr. HOLDEN, Mr. ROSE, Mr. MANN, Mr. DICKEY, Mr. PENNY, Mr. SABO, Mr. WHEAT, Mr. FROST, Mr. COMBEST, Mr. BARCA of Wisconsin, Mr. LANCASTER, Mr. GUNDERSON, and Mr. EHLERS.
H.R. 4643: Mr. TRAFICANT.
H.R. 4661: Mr. TORRICELLI and Mr. GALLO.
H.R. 4662: Mr. TORRICELLI and Mr. GALLO.
H.J. Res. 38: Mr. LEWIS of Kentucky and Mr. LUCAS.
H.J. Res. 297: Mr. LAFALCE, Mrs. UNSOELD, Mr. ROWLAND, Mr. GLICKMAN, Mr. BILIRAKIS, Mr. LEHMAN, Mr. RUSH, Mr. HALL of Texas, Mrs. MALONEY, Mr. CONDIT, Mr. DARDEN, Mr. SWIFT, Mr. RICHARDSON, Mr. SCOTT, Mr. COSTELLO, Mr. MARKEY, Mr. COLEMAN, Mr. SYNAR, Mr. DURBIN, Mr. HASTINGS, Mr. KLINK, Mr. ROMERO-BARCELÓ, Mr. MILLER of California, Mr. FORD of Michigan, Mrs. MINK of Hawaii, Mr. ROBERTS, Mr. STUMP, Mr. COPPERSMITH, Mr. TRAFICANT, Mr. LAZIO, Mr. WYDEN, Mr. BREWSTER, Ms. DANNER, Mr. HINCHEY, Mr. POSHARD, Mr. SAWYER, Mr. SARPALIUS, Mr. ROEMER, Mr. DEAL, Mr. MCKEON, Mr. PETERSON of Florida, Mr. FIELDS of Texas, Mr. JACOBS, Mr. COYNE, Mr. LIPINSKI, Mr. DOOLEY, Mr. JOHNSON of Georgia, Mr. MOLLOHAN, Mr. PAYNE of Virginia, Mr. ANDREWS of Texas, Mr. VOLKMER, Mr. SPRATT, Mr. TAYLOR of Mississippi, Mrs. BYRNE, Mr. ANDREWS of New Jersey, Mr. BROOKS, Ms. SLAUGHTER, and Mr. FRANKS of Connecticut.
H.J. Res. 314: Mr. SERRANO and Mr. SKEEN.
H.J. Res. 332: Mr. WOLF, Mr. POSHARD, Mr. MURPHY, Mr. SYNAR, Mr. HOLDEN, Mr. WALSH, Mr. HUNTER, Mr. CRANE, Mr. SANDERS, Ms. LOWEY, Mr. KOPETSKI, Mr. HUTTO, Mr. ANDREWS of New Jersey, Mr. CLEMENT, Mr. MACHTLEY, Mr. EDWARDS of Texas, Mr. SAXTON, Mrs. BENTLEY, Mr. BREWSTER, Mr. QUILLEN, and Mr. FILNER.
H.J. Res. 338: Mr. LAROCCO, Mr. GOODLING, Mrs. UNSOELD, and Mr. OLVER.
H.J. Res. 353: Mr. SCHIFF, Mr. BONIOR, and Mrs. FOWLER.
H.J. Res. 362: Mr. MARTINEZ and Mr. MONTGOMERY.
H.J. Res. 364: Mrs. BENTLEY, Mr. BAESLER, Mr. DE LUGO, Mr. GONZALEZ, Mr. JACOBS, Mr. SAWYER, Mr. RICHARDSON, Mr. SERRANO, Mr. FISH, and Mr. BACCHUS of Florida.
H.J. Res. 373: Mr. GILMAN.
H.J. Res. 374: Ms. SLAUGHTER, Mr. LIPINSKI, Mr. FLAKE, Mr. WHEAT, and Mr. HOYER.
H. Con. Res. 6: Mr. DEAL.
H. Con. Res. 15: Mr. MEEHAN.
H. Con. Res. 148: Ms. KAPTUR.
H. Con. Res. 152: Mr. GILMAN.
H. Con. Res. 166: Mr. KINGSTON.
H. Con. Res. 199: Mr. GRAMS.
H. Con. Res. 212: Mr. DICKS, Mr. HINCHEY, and Mr. VISCLOSKY.
H. Con. Res. 234: Mr. BERMAN, Mr. BROWN of California, Mr. GUTIERREZ, Mr. JOHNSTON of Florida, Mr. MCHALE, Mr. SAWYER, Mr. SHAYS, and Mr. WAXMAN.
H. Con. Res. 247: Mr. LEVY, Mr. DOOLEY, Ms. WOOLSEY, Mr. BATEMAN, Mr. WAXMAN, Ms. SLAUGHTER, and Mr. BARCA of Wisconsin.
H. Con. Res. 254: Mr. MCCLOSKEY, Ms. PELOSI, Ms. WOOLSEY, Mr. MCDERMOTT, Mr. RAMSTAD, Mr. ABERCROMBIE, Mr. ACKERMAN, Mrs. LLOYD, Mr. GEJDENSON, Mr. BERMAN, Mrs. MORELLA, Mr. SHAYS, Ms. FURSE, Mr. PORTER, Mr. GILMAN, Mr. MCNULTY, and Mr. EVANS.
H. Res. 234: Mr. EHLERS and Mr. LIGHTFOOT.
H. Res. 247: Mr. FISH and Mr. BALLENGER.
H. Res. 330: Mr. KINGSTON.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R. 3266: Mr. DOOLEY.

PETITIONS, ETC.

Under clause 1 of rule XXII,

100. The SPEAKER presented a petition of the citizens of Brooklyn, NY, relative to Mrs. Stein, a citizen of Brooklyn; to the Committee on the Judiciary.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 4299

By Mr. GOSS:

—At the end of title III (page 5, after line 23), add the following:

SEC. 303. DISCLOSURE OF CLASSIFIED INFORMATION BY MEMBERS OF CONGRESS.

During the fiscal year 1995, no element of the United States Government for which funds are authorized in this Act may provide any classified information concerning or derived from the intelligence or intelligence related activities of any such element to a Member of the House of Representatives unless and until a copy of the following oath of secrecy has been signed by that Member and has been published in the Congressional Record:

"I do solemnly swear that I will not willfully directly or indirectly disclose to any unauthorized person any classified information received from any department of the Government funded in the Intelligence Authorization Act for Fiscal Year 1995 in the course of my duties as a Member of the United States House of Representatives, except pursuant to the Rules and Procedures of the House.".

H.R. 4600

By Mr. SOLOMON:

—In lieu of the matter proposed to be inserted by the amendment in the nature of a substitute by Mr. Stenholm, insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "The Enhanced Rescission/Receipts Act of 1994".

SEC. 2. LEGISLATIVE LINE ITEM VETO RESCISSION AUTHORITY.

(a) IN GENERAL.—Notwithstanding the provisions of part B of title X of The Congressional Budget and Impoundment Control Act of 1974, and subject to the provisions of this section, the President may rescind all or part of any discretionary budget authority or veto any targeted tax benefit within any revenue bill which is subject to the terms of this Act if the President—

(1) determines that—

(A) such rescission or veto would help reduce the Federal budget deficit;

(B) such rescission or veto will not impair any essential Government functions; and

(C) such rescission or veto will not harm the national interest; and

(2) notifies the Congress of such rescission or veto by a special message not later than twenty calendar days (not including Saturdays, Sundays, or holidays) after the date of enactment of a regular or supplemental appropriation act or a joint resolution making continuing appropriations providing such budget authority or a revenue bill containing a targeted tax benefit.

The President shall submit a separate rescission message for each appropriation bill and for each revenue bill under this paragraph.

SEC. 3. RESCISSION EFFECTIVE UNLESS DISAPPROVED.

(A)(1) Any amount of budget authority rescinded under this Act as set forth in a special message by the President shall be deemed canceled unless, during the period described in subsection (b), a rescission/recepts disapproval bill making available all of the amount rescinded is enacted into law.

(2) Any provision of law vetoed under this Act as set forth in a special message by the President shall be deemed repealed unless,

during the period described in subsection (b), a rescission/receipts disapproval bill restoring that provision is enacted into law.

(b) The period referred to in subsection (a) is—

(1) a congressional review period of twenty calendar days of session during which Congress must complete action on the rescission/receipts disapproval bill and present such bill to the President for approval or disapproval;

(2) after the period provided in paragraph (1), an additional ten days (not including Sundays) during which the President may exercise his authority to sign or veto the rescission/receipts disapproval bill; and

(3) if the President vetoes the rescission/receipts disapproval bill during the period provided in paragraph (2), an additional five calendar days of session after the date of the veto.

(c) If a special message is transmitted by the President under this Act and the last session of the Congress adjourns sine die before the expiration of the period described in subsection (b), the rescission or veto, as the case may be, shall not take effect. The message shall be deemed to have been retransmitted on the first day of the succeeding Congress and the review period referred to in subsection (b) (with respect to such message) shall run beginning after such first day.

SEC. 4. DEFINITIONS.

As used in this Act:

(1) The term "rescission/receipts disapproval bill" means a bill or joint resolution which—

(A) only disapproves a rescission of budget authority, in whole, rescinded, or

(B) only disapproves a veto of any provision of law that would decrease receipts, in a special message transmitted by the President under this Act.

(2) The term "calendar days of session" shall mean only those days on which both Houses of Congress are in session.

(3) The term "targeted tax benefit" means any provision which has the practical effect of providing a benefit in the form of a differential treatment to a particular taxpayer or a limited class of taxpayers, whether or not such provision is limited by its terms to a particular taxpayer or a class of taxpayers. Such term does not include any benefit provided to a class of taxpayers distinguished on the basis of general demographic conditions such as income, number of dependents, or marital status.

SEC. 5. CONGRESSIONAL CONSIDERATION OF LEGISLATIVE LINE ITEM VETO RESCISSIONS.

(a) PRESIDENTIAL SPECIAL MESSAGE.—Whenever the President rescinds any budget authority as provided in this Act or vetoes any provision of law as provided in this Act, the President shall transmit to both Houses of Congress a special message specifying—

(1) the amount of budget authority rescinded or the provision vetoed;

(2) any account, department, or establishment of the Government to which such budget authority is available for obligation, and the specific project or governmental functions involved;

(3) the reasons and justifications for the determination to rescind budget authority or veto any provision pursuant to this Act;

(4) to the maximum extent practicable, the estimated fiscal, economic, and budgetary effect of the rescission or veto; and

(5) all factions, circumstances, and considerations relating to or bearing upon the rescission or veto and the decision to effect the rescission or veto, and to the maximum extent practicable, the estimated effect of the rescission upon the objects, purposes, and programs for which the budget authority is provided.

(b) TRANSMISSION OF MESSAGES TO HOUSE AND SENATE.—

(1) Each special message transmitted under this Act shall be transmitted to the House of Representatives and the Senate on the same day, and shall be delivered to the Clerk of the House of Representatives if the House is not in session, and to the Secretary of the Senate if the Senate is not in session. Each special message so transmitted shall be referred to the appropriate committees of the House of Representatives and the Senate. Each such message shall be printed as a document of each House.

(2) Any special message transmitted under this Act shall be printed in the first issue of the Federal Register published after such transmittal.

(c) REFERRAL OF RESCISSION/RECEIPTS DISAPPROVAL BILL.—Any rescission/receipts disapproval bill introduced with respect to a special message shall be referred to the appropriate committees of the House of Representatives or the Senate, as the case may be.

(d) CONSIDERATION IN THE SENATE.—

(1) Any rescission/receipts disapproval bill received in the Senate from the House shall be considered in the Senate pursuant to the provisions of this Act.

(2) Debate in the Senate on any rescission/receipts disapproval bill and debatable motions and appeals in connection therewith, shall be limited to not more than ten hours. The time shall be equally divided between, and controlled by, the majority leader and the minority leader or their designees.

(3) Debate in the Senate on any debatable motions or appeal in connection with such bill shall be limited to one hour, to be equally divided between, and controlled by the mover and the manager of the bill, except that in the event the manager of the bill is in favor of any such motion or appeal, the time in opposition thereto shall be controlled by the minority leader or his designee. Such leaders, or either of them, may, from the time under their control on the passage of the bill, allot additional time to any Senator during the consideration of any debatable motion or appeal.

(4) A motion to further limit debate is not debatable. A motion to recommit (except a motion to recommit with instructions to report back within a specified number of days not to exceed one, not counting any day on which the Senate is not in session) is not in order.

(e) POINTS OF ORDER.—

(1) It shall not be in order in the Senate or the House of Representatives to consider any rescission/receipts disapproval bill that relates to any matter other than the rescission of budget authority or veto of the provision of law transmitted by the President under this Act.

(2) It shall not be in order in the Senate or the House of Representatives to consider any amendment to a rescission/receipts disapproval bill.

(3) Paragraphs (1) and (2) may be waived or suspended in the Senate only by a vote of three-fifths of the members duly chosen and sworn.

H. Res. 467

By Mr. DREIER:

—On page 2, at line 25, insert the following new section after the period:

"Sec. 2. Notwithstanding the foregoing provisions of this resolution, following the disposition of amendments to "the Expedited Rescissions Act of 1994," as provided for in the foregoing provisions of this resolution, it shall be in order, any rule of the House to the contrary notwithstanding, to consider an amendment at the end of the bill by, and if offered by, Representative Hamilton of Indiana or Representative Dreier of California, or their designees, consisting of the text of the bill H.R. 3801, the "Legislative Reorganization Act of 1994." as original text for the purpose of further amendment under the five-minute rule, titles I through III of the bill shall be redesignated as titles II through IV of the amendment, and all points of order against the amendment and against its consideration are waived. The amendment shall be read by title for amendment and each title shall be considered as read.

"Sec. 3."

H.R. 4650

By Mr. PENNY:

—Page, 21, line 12, strike "$1,969,336,000" and insert "$1,273,336,000".