

## HOUSE OF REPRESENTATIVES—Tuesday, February 8, 1994

The House met at 2 p.m.

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

Gracious God, from Whom comes every good gift, be with all people who seek to understand their lives, their hopes, and their faith. May the vision that You have given—of a world where the nations live in harmony, where peoples of all backgrounds understand and respect each other, where peace and trust permeate our relations—may this world be our vision and may we dedicate ourselves and our abilities to work to that end. In Your name, we pray. Amen.

### THE JOURNAL

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

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

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

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

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

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

The SPEAKER. Pursuant to the provisions of clause 1, rule I, the Chair will postpone the vote until later in the day.

The point of no quorum is considered withdrawn.

### PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Wyoming [Mr. THOMAS] please come forward and lead the House in the Pledge of Allegiance.

Mr. THOMAS of Wyoming 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 the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 1789. An act to amend title 23, United States Code, to permit the use of funds under the highway bridge replacement and rehabilitation program for seismic retrofit of bridges, and for other purposes.

### APPOINTMENT AS ADVISERS TO U.S. DELEGATIONS TO INTERNATIONAL CONFERENCE ON TRADE

The SPEAKER. Pursuant to the provisions of section 161(a) of the Trade Act of 1974 (19 U.S.C. 2211) and upon the recommendation of the chairman of the Committee on Ways and Means, the Chair has selected the following members of that committee to be accredited by the President as official advisers to the U.S. delegations to international conferences, meetings, and negotiation sessions relating to trade agreements during the 2d session of the 103d Congress: Mr. ROSTENKOWSKI of Illinois; Mr. GIBBONS of Florida; Mr. MATSUI of California; Mr. ARCHER of Texas; and Mr. CRANE of Illinois.

### IT'S TIME FOR ACTION IN BOSNIA

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

Mr. BONIOR. Mr. Speaker, how many innocent people have to die in Bosnia before the world does something about it?

How many innocent children have to be slaughtered before we respond?

Are 200,000 dead Bosnians enough? Are 16,000 slaughtered children enough?

That's how many have died in less than 2 years.

The body count from Saturday's savage assault in Sarajevo stands at 68 and counting.

Bodies were so mangled that one morgue had to spread arms, legs, and feet out on the floor to piece people together.

How can we let this happen?

How can civilized nations sit silent and watch this happen?

Ethnic cleansing is genocide.

And we cannot be silent partners to genocide any longer.

We have waited too long for action.

Too long to lift the arms embargo on Bosnia.

We must use allied air strikes to defend Bosnia now.

Of course there are risks to taking action.

But how many more will die if we do not act?

There can be no more excuses.

If NATO can't respond to this, then what is NATO worth?

And if we cannot respond to this, then the blood of Bosnia isn't just on the hands of the Serbs.

It's on all of us.

### BIPARTISAN EFFORT NEEDED ON HEALTH CARE

(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, 7 minutes ago the Congressional Budget Office's analysis of the Clinton health plan was made available, and it is a very revealing document. Remember that the President came here in his very first speech last year and praised the Congressional Budget Office for its accuracy. What it says is that the health plan is a Government activity, that the money paid for the health insurance under the Government plan should count as Government receipts, and that it is substantially underscored and would add at least \$133 billion to the deficit over the next 5 or 6 years.

Mr. Speaker, what this Congressional Budget Office document says is that the Clinton plan is a big Government, big bureaucracy, big tax plan, that will lead to a bigger deficit. I think it indicates why those of us in the House who want to pass a common sense bill should work together at a practical level and put together a bipartisan bill, but recognize that with this analysis, the Clinton plan is indeed dead on arrival and it is time now to turn to a bipartisan effort to write a health bill.

### ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair wishes to say to all our guests in the gallery that we appreciate their attendance here and we value the opportunity they have to observe the House, but the rules of the House prohibit any demonstration by applause or any other form of approval or disapproval. We ask our guests, please, to comply with this rule.

### TRIBUTE TO RABBI ROBERT SCHUR

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

Mr. FROST. Mr. Speaker, 37 years ago, when I was 15 years old, I received

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

a phone call that changed my life. Rabbi Robert Schur, spiritual leader of Temple Beth-El in Fort Worth, TX, called and persuaded me to attend a conclave sponsored by the youth movement of reform Judaism.

I attended that conclave in August of 1957 and two things occurred. I was elected to my first office of any kind as a regional officer of the Texas Federation of Temple Youth, an event that whetted my appetite for politics. Second, I started down a path of spiritual exploration that provided me many of the values relating to social justice and civil rights that I brought to my current job as a Member of Congress.

Last Thursday, Rabbi Schur died in Fort Worth after a lengthy battle with Alzheimer's disease. He is mourned not just by the Fort Worth Jewish community which he served in an active capacity continuously from 1957 to 1984 but by the civic and religious structure of the entire city. People from all faiths and walks of life attended his funeral last Sunday in the Temple Beth-El sanctuary.

Bob Schur was remembered as a community leader who stood with Martin Luther King, Jr. for civil rights in Ft. Worth at a time when members of his own congregation would have preferred silence.

I was a member of his first confirmation class and he performed the wedding ceremony for my wife Valerie and me. He was a friend and an inspiration. He changed my life. He will be deeply missed by all who knew him.

#### DEALING WITH THE HEALTH CARE PLAN

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

Mr. THOMAS of Wyoming. Mr. Speaker, despite recent setbacks the President has forged ahead with impassioned promotional speeches in support of his Government-run health care proposal. But the truth is this bureaucratic nightmare is long on promises and short on realistic solutions.

We cannot afford to do nothing. It is time to consider other plans and to take a different approach. Alternatives that offer real reform without new taxes and without 325,000 new health care bureaucrats.

It is time to stop talking about global budgets, job-killing payroll taxes along with untried radical reform and begin implementing reasonable changes that will assure portability so individuals can be secure with changing jobs, eliminate restrictions on pre-existing conditions, and institute real cost containment so health care can be affordable.

There are a number of alternatives, Mr. Speaker. We can preserve individual choice and world-class quality

while dealing with the root cause of the problem. The plans and process to do that are out there today. Better yet, they can be passed this year.

#### WHAT IS NOT IN THE PRESIDENT'S BUDGET

(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, everybody is talking about what is in the President's budget. I am more concerned about what is out and not in the President's budget: namely, \$1.4 trillion in new health care spending, which will be treated off-budget.

What is next, Members? Will the national debt be taken off-budget? Think about it. Will the deficits be considered off-budget? Will they really go away?

Let me say this: any health care spending plan today that is left out of the budget will be health care spending out of control tomorrow.

We cannot fool the American people. The American people are going to foot the entire bill for health care, and we need it. Let us tell them the whole truth.

#### THE TED WILLIAMS RETROSPECTIVE MUSEUM AND LIBRARY

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

Mr. STEARNS. Mr. Speaker, I rise today to recognize the dedication of the Ted Williams Retrospective Museum and Library in Citrus Springs, FL.

It is my privilege to stand before the House to congratulate my long-time friend and constituent, Ted Williams, on this, his latest in a long list of achievements. Ted, always a consummate baseball player, began to attain climactic accomplishments early in his career. In fact, he still holds the record for the highest batting average for a season, a feat he accomplished in 1941 when he hit 406. And in 1942, Ted hit the first of his two triple crowns—a feat that no other player has since repeated.

But, Ted is more than just a baseball player. He is also a patriotic American. He left the game of baseball in 1943 to serve his country in World War II as a Marine Corp fighter pilot. He returned to baseball in 1946, a year in which he won the MVP award.

It seems as if Ted Williams has done it all. He rates as one of the greatest baseball players in the history of the game. He is a patriot, a star, and an upstanding member of our community. He is an American legend, a hero to many of us. Thus, it should come as no surprise to note that he is the first living athlete to have a museum built for him. No one deserves it more.

#### FISCAL YEAR 1995 BUDGET

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

Ms. HARMAN. Mr. Speaker, the fiscal year 1995 budget that President Clinton sent to the Congress yesterday reflects the tough fiscal choices that the Congress made last year. The President has slated over 100 programs for complete elimination, and I think the Congress has an obligation to match or exceed that level of budget discipline.

I was particularly pleased to see the revenue increase and spending reductions credited to the deficit reduction trust fund. As one of the coauthors of the trust fund during the budget deliberations last summer, I viewed it as vital to ensuring that budget savings went to deficit reduction—not new spending.

The fiscal year 1995 budget shows what this means: The deficit was reduced by \$46.7 billion in fiscal year 1994 and will go down another \$82.7 billion in fiscal year 1995. There will be a cumulative total of \$504.8 billion in deficit reduction by fiscal year 1998.

My constituents have demanded real spending cuts and deficit reduction, and it is finally happening.

#### IN APPRECIATION OF THE CBO

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

Mr. GOODLATTE. Mr. Speaker, as we speak—the Congressional Budget Office is testifying before the Ways and Means Committee that the President's health care proposal should be included in his budget. That is a conclusion many of us reached months ago.

The CBO states that the financial transactions of the health alliances should be included in the Federal Government's accounts, and the premium payments should be shown as Governmental receipts.

Why did the President leave health care out of his budget? Because they increase his budget by 25 percent and amount to the largest tax hike in history.

The President's program is financed by huge premium payments—a.k.a. taxes—placed on the shoulders of each and every employer in this Nation. That is more of the same old tired Government taxing and spending—and needs to be included in the budget.

So today as administration officials scurry across Capitol Hill lobbying for favorable treatment of their budget, the real truth is coming out before the Ways and Means Committee—thank you CBO.

### A CALL FOR CORRECT LABELING OF MILK

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

Mr. SANDERS. Mr. Speaker, on February 4, BST, a bovine growth hormone produced by the Monsanto chemical company through genetic engineering, was allowed on the market by the FDA. On that very same day some of the largest dairy retailers and grocery store chains in America, including Ben and Jerry's in Vermont, announced that they would not handle or sell milk or dairy products which came from cows which had been injected with BST.

Mr. Speaker, poll after poll has shown that the American people did not want their milk supply to be treated with BST. And furthermore, they want to know exactly what they are buying in the grocery store. In Vermont, a recent poll showed that 94 percent of the people said that "products containing milk from hormone-treated cows should be labeled."

Mr. Speaker, I am deeply concerned about the FDA's interim guidance statement on labeling. Once again in this process, the wording they recommend protects the interests of Monsanto and not consumers or dairy farmers. The people want to know the answer to one simple question when they read the label: Was this milk produced with a genetically engineering growth hormone, or was it not? They don't want to read more FDA propaganda for Monsanto.

Mr. Speaker, the FDA must allow dairy processors to label milk simply and clearly, and let the consumer decide.

□ 1420

### SIGNIFICANT REGRESSION IN CHINA'S HUMAN RIGHTS

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

Mr. SMITH of New Jersey. Mr. Speaker, the judgment call on conferring MFN on China for another year hinges on significant progress in human rights.

It is becoming increasingly clear that in category after category the Chinese Government is not only not making progress, but is actually getting worse—bringing further shame and dishonor to the Government.

An accurate portrayal of religious freedom and human rights protections in population control in China today would be significant regression.

Effective this past Sunday, for example, are two new Draconian decrees cracking down on religious expression in China.

Order No. 145, for example, bans underground house churches which number in the several thousand. The right to assemble, pray, and worship God—even in your own home—carries severe punishments. The big crackdown has begun. Moreover, foreigners are strictly prohibited from making contact with believers and catchall policy statements such as "No one may use places of worship for activities to destroy national unity, ethnic unity and social stability, to damage public health or undermine the national education system," criminalize just about anything that a believer says or does. These cruel policies are likely to lead to thousands of new arrests, tortures, and mistreatment.

Mr. Speaker, in like manner, the Chinese Government continues to aggressively victimize women who bear children outside of the Government's repressive one child per couple policy. Forced abortion, forced sterilization, and discrimination against the handicapped via cruel eugenics policies are also on the rise.

In a sworn affidavit dated October 29, 1993, Dr. John Aird, former Chief of the China Branch at the U.S. Census Bureau, stated that "coercion in the Chinese family planning program has in the past 2 years reached its second extreme peak, approaching or perhaps exceeding the level of 1983."

China is not making progress in these and other areas, Mr. Speaker, but sadly—is making significant regression in observance of internationally recognized human rights.

### TRAINING PROGRAMS SHOULD REMAIN IN REGIONS HARD HIT BY UNEMPLOYMENT

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

Mr. OWENS. Mr. Speaker, in the current budget there is a recommendation to eliminate certain programs for the training of the unemployed. Programs which offer training for only 6 months have finally been declared unworkable by the Secretary of Labor.

For many years we have been saying to the Secretary of Labor and everybody else concerned that programs which offer only 6 months of training did not work. We wanted a minimum of 1 year for training programs. Now they have discovered it does not work, but instead of replacing the unworkable programs in communities like mine, where there is high unemployment, the unemployment rate is three times the national average for adults. Instead of replacing the unworkable programs with programs that do work by offering 1-year training, they are moving the programs out and taking them to places where defense workers are being laid off.

Mr. Speaker, I am all in favor of training and retraining workers who have been laid off in defense plants, but do not take the money away from the high unemployment area.

There are programs in the allied health professions which guarantee a job after completing them, if you do it for 1 year or 2 years. These programs already exist in Downstate Medical Center, located in my district. We can guarantee a job to every person who goes through a 1-year training for certain jobs and 2-years training for other jobs. Unemployment in my district can be resolved to some degree by just funding the program in the area, in this program that already exists.

Mr. Speaker, it will be unjust and unproductive to move funds out of poor areas to provide for training in defense conversion. We can take the money out of the defense budget, provide more money for training for everybody, and not rob Peter to pay Paul.

### DISASTER RELIEF OFFSETS DON'T OFFSET

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

Mr. SOLOMON. Mr. Speaker, Pro Tempore Barnum once said, "There's a sucker born every minute." Well, last Thursday could have filled a couple of his circus tents with suckers.

This entire House was suckered into believing that it was partially offsetting the disaster relief bill with some \$2½ billion in rescissions by adopting the Fazio amendment. But, in point of fact, it was not. It simply freed-up another \$2½ billion for additional spending under the fiscal 1994 discretionary spending cap.

How could this happen when Mr. FAZIO assured the Rules Committee, and this House, that he was partially offsetting the disaster relief expenditures? I would like to think it was a simple drafting error. But nowhere in his amendment is there one word about offsets. And, by remaining silent, the amendment will be scored as freeing up the 2½ plus billion dollars for new spending.

Mr. Speaker, I hope this technical drafting error will be corrected in the other body—or in conference. But, just in case it is not, I am today introducing a concurrent resolution directing the Clerk to correct the enrollment of H.R. 3759 to ensure that the offset is truly counted as an offset.

### PROMISES, PROMISES

(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, Americans want more health security—but they are not willing to trade their freedom

to get it. The President's promise of "health care that can never be taken away" looks warm and fuzzy—so does a porcupine. Ask the thousands of veterans in my district who—while promised health care for life after serving their country—now must drive 150 miles for the nearest VA hospital if space is available.

The only outpatient clinic available to 150,000 of them was designed for 40,000 cases a year. It is now overwhelmed with requirements for 60,000 cases a year.

Ask the millions of Americans on Medicare and Medicaid who are beneficiaries, who cannot find a participating physician to serve them. Let us face it, Government-run health care systems have a poor track record, and they are driving the American taxpayer into the poorhouse.

Most people are not fooled by impossible promises and plastic gimmicks. As the debate heats up, most Americans will not be bullied by the bully pulpit. After all, polls show more people are happy with their health care than they are with the Clinton administration. Of course, both could be improved, and there are choices, because this is America.

#### STOP HAITI SANCTIONS

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

Mr. MICA. Mr. Speaker, this past weekend, nationalist zealots murdered 68 innocent civilians in Bosnia. The world and many in this Congress expressed outrage.

Tragically, the sanctions imposed on Haiti by this administration are killing innocent Haitian babies. In the 2 days during that same weekend in Bosnia, more than 70 infants died in Haiti, and no one spoke out.

In fact, more than 1,000 Haitian infants now die each month because of the United States' economic sanctions imposed on Haiti. And no one seems to care.

What seems even worse, this week the United States will ask the United Nations to impose even tougher economic sanctions on Haiti.

Despite evidence that the ruling military thugs and criminals are unaffected by these sanctions, we plan to step up our baby-killing policy.

How much more suffering can we impose on the oppressed Haitian people? Haiti is becoming an even greater hell on earth than Bosnia, under our charge and in our backyard.

This week we may not be able to stop the killing in Bosnia, but we can end the infant deaths in Haiti.

I urge my colleagues to join me in sending a letter to President Clinton urging him to end United States sanctions, restore democracy in Haiti, and

demand United Nations action now to end this disgrace in the Western Hemisphere.

#### CUBA EMBRACING CAPITALISM WHILE AMERICA MOVES TOWARD BIGGER GOVERNMENT

(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, on February 3, the New York Times ran a headline that said: "On the Street, Cubans Fondly Embrace Capitalism."

The story said life in Cuba is being transformed by a "frantic search for dollars."

The story went on to say this:

Although Cuba's Communist leadership has often sought to rein in the changes, repeatedly reminding the people that it has not chosen capitalism as a solution to the country's grave economic problems, almost everywhere one looks these days private enterprise is filling voids left by an exhausted government.

Just 5 months ago, the Cuban government allowed people to begin setting up new small businesses.

The Times reported that the response was "so enthusiastic that it caused serious absentee problems in state jobs and clogged downtown streets with petty merchants."

Amazing. Cuba is beginning to embrace capitalism while we in the United States head away from it toward more and more government.

For those who believe that government can solve all of our problems, I say look at Cuba.

Why can we not see that big government only makes our problems worse. When will we realize that the Federal Government has directly or indirectly, brought about most of the very problems that we are now trying so desperately to correct.

#### HEALTH CARE: THE CURRENT CRISIS VERSUS THE CLINTON CRISIS

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

Mr. SMITH of Texas. Mr. Speaker, the Democrats would like to debate the health care issue on whether or not there is a crisis.

The only problem is, that is not what the debate is about.

The Republican plan retains the quality and choice of the health care Americans have now and takes out the Government bureaucracy that drives up the cost.

But the Democrats will not let a Republican plan be debated, so the debate before America is the Clinton plan.

And if you think there is a health care crisis now, wait until Uncle Sam

clips into a surgical smock. I say, You ain't seen nothing yet. If you think there is a crisis now, wait until you have waited in line for your health care. If you think there is a crisis now, wait until you try to change the choice the Government gives you. If you think there is a crisis now, wait until you see where the people who can't balance the Federal budget try to balance the health care budget. If you think there is a crisis in health care, then compare it to the coming Clinton crisis, and, believe me, you ain't seen nothing yet.

#### PRESIDENT'S BUDGET PROPOSAL FOR DEFENSE

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

Mr. BARTLETT of Maryland. Mr. Speaker, today I rise to express concern about the President's budget proposals for defense. For example, in the Clinton defense budget, spending is slightly increased. This gives a thinly veiled appearance of increased defense spending, but in reality our military readiness and force structure is gutted because the actual dollar outlays are substantially cut.

This is not only unwise but is potentially dangerous. Although the cold war has been won, the world today is not less dangerous. From North Korea to Iraq to the Balkans there are threats to world security and our vital national interests. The future of reforms in Russia is uncertain, and a nationalistic relapse would threaten the security of an area which includes the second, third, and fourth largest nuclear powers in the world.

In spite of the potential for the need of a strong and prepared military, this President responds by cutting the U.S. defense budget in order to increase domestic and social spending. Mr. Speaker, we must maintain an adequate military, and this budget does not accomplish this.

#### UNWISE PROGRAM ELIMINATIONS IN PRESIDENT'S BUDGET

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

Mr. SCHIFF. Mr. Speaker, when the President released his budget yesterday to the Congress and to the American people, the administration touted the fact that there was a proposal to eliminate approximately 100 programs that the administration felt were no longer necessary, totaling approximately 3/4 billion dollars' worth of spending.

One of these programs was a program of the Department of Justice, and even though this was only one program, the spending on this one program at \$358

million a year makes up more than 10 percent of this entire cut. Now what was this program that the administration proposes to eliminate from the Department of Justice? This is the main program that provides grants to aid State and local law enforcement agencies for the arrest and prosecution of dangerous criminals.

Mr. Speaker, only a week or so before this in this Chamber, the President of the United States said that fighting crime was a major objective of his administration this year, and that included helping State and local law enforcement agencies, because as we all know, it is they who bear the great brunt of this fight.

It seems to me that this proposal in the budget release yesterday to eliminate the main grant and aid program to State and local law enforcement agencies contradicts the stated goal of the administration to help fight crime.

Mr. Speaker, I am drafting a letter to the President of the United States to urge him to reconsider this proposed termination of a program that is so vital to accomplishing the goals of this administration, and I urge all Members to join me in signing it.

#### CONGRESS SHOULD CLEAN UP ITS OWN HOUSE

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

Mr. ISTOOK. Mr. Speaker, this body will investigate anyone but ourselves when it comes to scandals and impropriety.

Got suspicious activity in foreign banks? We will have hearings. Something up with Iran-Contra? We will have hearings. Got a Senator accused of sexual harassment? They will have hearings.

But when Members of this House are implicated for embezzling through the House Post Office? We will defer to the Justice Department. Maybe they will bury it for us.

It is a national embarrassment.

A sworn confession from the former House Postmaster, Robert Rota, says he helped several Members of this body to embezzle taxpayer money from the House Post Office. He pleaded guilty to being a conspirator with Congressmen.

That is far stronger evidence than is usually used to spark a congressional investigation. But no investigation this time, because it hits too close to home.

It is past time to face this issue. The House Ethics Committee must get to the bottom of this.

Millions of Americans are disgusted with Congress, and this is a big reason why. We must clean up our own house.

#### SOCIAL SECURITY PAYMENTS TO DRUG ADDICTS

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

Mr. ROTH. Mr. Speaker, I want to thank the gentleman from Mississippi [Mr. MONTGOMERY] who is currently in the chair, for all he is doing for the American veteran.

Mr. Speaker, last year more than a quarter of a million drug addicts in America received \$1.5 billion in cash payments from the Social Security fund.

□ 1440

Much of this money was for addiction treatment, but instead, these cash payments went to satisfy the addicts' drug habits.

Hundreds of millions of dollars taken from senior citizens are flowing directly to addicts who are buying heroin, cocaine, and other drugs on the street. These addicts are taking the Social Security System and the American taxpayer for a ride.

I am asking you here in Congress to help me right this wrong. It is time to stop this waste, fraud, and abuse in our Social Security System.

In my opinion, Social Security should be used for Social Security purposes only. We cannot allow cash to be taken from the Social Security System and given directly to addicts. Our senior citizens and the American people, plus just plain common sense, demands that we take and make this change.

As the chairman of the Social Security task force, I ask all the Members of Congress to join me in that endeavor.

#### HEALTH CARE: CAPITALISM VERSUS SOCIALISM

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

Mr. CALVERT. Mr. Speaker, Winston Churchill once observed that "the inherent vice of capitalism is the unequal sharing of blessings \* \* \* while the inherent virtue of socialism is the equal sharing of miseries." As Congress begins in earnest to consider proposals for health care reform, we would do well to remember Mr. Churchill's words.

During this debate, let us not forget that our country is blessed with the finest health care system in the world.

And in our quest to make the blessings of high quality health care available to more Americans, let us be careful not to lower the quality of health care for all Americans.

#### GENOCIDE IN BOSNIA

(Mr. OLVER asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. OLVER. Mr. Speaker, for 2 years now the genocide in Bosnia has continued. The whole world has watched dumbstruck as CNN, Headline News, ABC, CBS, and NBC have brought the bloody pictures to us of more than 200,000 people who have been slaughtered by Serbian Socialists simply because of their religion; more than 2 million refugees because of their religion who have now been scattered all over Europe; hospitals in Sarajevo bursting with civilians bombarded in food lines and water lines; extended families from babes in arms to 80-year-olds lined up and slaughtered because of their religion; children slaughtered in Sarajevo playing soccer.

Mr. Speaker, the appeasement of Belgrade by the United Nations, the European Community, and NATO has failed. It has utterly failed.

There is no need to urgently investigate who the bombardiers are. Mr. Perry, Mr. Lake, Mr. Shalikashvili know, everyone in the United Nations, the EC, and NATO knows every incident of deliberate bombardment of Sarajevo civilians has been Serbian bombardment.

There is no honor whatsoever in treating the aggressors and the victims as if they were identical. The killing in Bosnia will end when the Serbs realize they will not be allowed to continue it.

Mr. President, it is time to do what is right; stop the genocide in Bosnia.

#### WAR OF THE WORDS

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

Mr. HORN. Mr. Speaker, I ask my colleagues to think back to a broadcast which alarmed millions about a crisis that affected the entire Nation's security. Many believed it and were pushed to panic.

If my colleagues think I am talking about Orson Welles' famous radio broadcast, "War of the Worlds"—where America was being destroyed by an alien invasion, then they are right.

If my colleagues thought I was talking about any of President Clinton's speeches on health care, where America's health care system can only be saved by being destroyed, then they are right again.

On one hand we have Orson Welles and on the other we have something Orwellian, not Wellesian. On one hand we have the "War of the Worlds" and on the other we have the "War of the Words."

Unlike Orson Welles, who only gave his performance once, President Clinton has given his over and over to the American people.

In the Clinton administration, words mean whatever they want them to

mean and they do whatever they want to be done. In the case of health care they want more big government, more big spending, and more of your money.

For a year they did nothing about health care, nothing about crime, nothing about campaign reform, and nothing about welfare.

But not for a second have they ceased to talk about them. Stay tuned tomorrow, America—for another episode of rhetoric without reform.

#### INTRODUCTION OF LEGISLATION PROHIBITING FEMALE GENITAL MUTILATION

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

Mrs. SCHROEDER. Mr. Speaker, I have a bill in that would make it illegal to deal in female genital mutilation in this country.

I know many people think that this is not an issue. But in today's newspaper, once again, we see it as an issue in a woman who was about to be deported with her two young daughters.

It is very, very frightening: If they go back home, both of the children will be genitally mutilated. That had happened to her, and that is the culture, and that is what she will be returning to. This appears to be some kind of a domestic dispute between herself and her husband.

He refused to file a paper, and thought this would be a nice way, I guess, that he could get her out of here.

But I think it tells the real horror of what has gone on in so many countries, and this country did not pay much attention to it. But this year, thank goodness, we did include that under human rights violations, and I hope we can pass the bill to make this illegal. I hope we can move to do everything we can in the world leadership community to put this awful barbaric practice to an end that kills so many young women every year needlessly.

#### THE MISSING PRIORITIES IN THE BUDGET

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

Mr. WALKER. Mr. Speaker, when the President outlines the priorities for the country, you would think that his administration might follow them in the budget, and yet that did not happen. When you look at the administration's budget, it somehow missed the President's call for health care reform. In fact, the President's budget does not cover the costs of his Health Care Reform Program.

With the President talking so much about welfare reform, you would think it would be reflected in the budget. The

budget does not cover the President's Welfare Reform Program.

With the President endorsing the Crime Program now before the Senate, you would think his budget would have included money to carry out the Crime Program. It does not.

You would think that with the President talking so much about Government reorganization and the cutting of 252,000 employees, you would think that that would be reflected in the budget. It was not.

The President's budget does not match what the President has been saying. That will be a problem for us as we deal with these matters before the Congress.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. MONTGOMERY). Pursuant to the provisions of clause 5 of rule I, the Chair announces that he will postpone further proceedings today on the motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 4 of rule XV.

Such rollcall vote, if postponed, will be taken later today, following the Journal vote. The votes will not occur earlier than 4 p.m.

#### CONCURRING IN SENATE AMENDMENT TO H.R. 2339, TECHNOLOGY-RELATED ASSISTANCE FOR INDIVIDUALS WITH DISABILITIES ACT AMENDMENTS OF 1994, WITH AN AMENDMENT

Mr. OWENS. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 351) to take from the Speaker's table the bill (H.R. 2339) to revise and extend the programs of the Technology-Related Assistance for Individuals With Disabilities Act of 1988, and for other purposes, with a Senate amendment thereto, and concur in the Senate amendment with an amendment.

The Clerk read as follows:

H. RES. 351

#### SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Technology-Related Assistance for Individuals With Disabilities Act Amendments of 1994".

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

- Sec. 1. Short title; table of contents.
- Sec. 2. References.
- Sec. 3. Findings, purposes, and policy.
- Sec. 4. Definitions.

#### TITLE I—GRANTS TO STATES

- Sec. 101. Program authorized.
- Sec. 102. Development grants.
- Sec. 103. Extension grants.
- Sec. 104. Progress criteria and reports.
- Sec. 105. Administrative provisions.
- Sec. 106. Authorization of appropriations.
- Sec. 107. Repeals.

#### TITLE II—PROGRAMS OF NATIONAL SIGNIFICANCE

- Sec. 201. National classification system.
- Sec. 202. Training and demonstration projects.

#### TITLE III—ALTERNATIVE FINANCING MECHANISMS

- Sec. 301. Alternative financing mechanisms authorized.

#### TITLE IV—AMENDMENTS TO OTHER ACTS

- Sec. 401. Individuals with Disabilities Education Act.
- Sec. 402. Rehabilitation Act of 1973.
- Sec. 403. Administrative requirements under the Head Start Act.
- Sec. 404. Technical and conforming amendments.

#### TITLE V—EFFECTIVE DATE

- Sec. 501. Effective date.

#### SEC. 2. REFERENCES.

Except as otherwise specifically provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or a repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Technology-Related Assistance for Individuals With Disabilities Act of 1988 (29 U.S.C. 2201 et seq.).

#### SEC. 3. FINDINGS, PURPOSES, AND POLICY.

(a) SECTION HEADING.—Section 2 (29 U.S.C. 2201) is amended by striking the heading and inserting the following:

"SEC. 2. FINDINGS, PURPOSES, AND POLICY."

(b) FINDINGS.—Section 2(a) (29 U.S.C. 2201(a)) is amended to read as follows:

"(a) FINDINGS.—The Congress finds as follows:

"(1) Disability is a natural part of the human experience and in no way diminishes the right of individuals to—

- "(A) live independently;
- "(B) enjoy self-determination;
- "(C) make choices;

"(D) pursue meaningful careers; and  
 "(E) enjoy full inclusion and integration in the economic, political, social, cultural, and educational mainstream of American society.

"(2) During the past decade, there have been major advances in modern technology. Technology is now a powerful force in the lives of all residents of the United States. Technology can provide important tools for making the performance of tasks quicker and easier.

"(3) For some individuals with disabilities, assistive technology devices and assistive technology services are necessary to enable the individuals—

"(A) to have greater control over their lives;

"(B) to participate in, and contribute more fully to, activities in their home, school, and work environments, and in their communities;

"(C) to interact to a greater extent with individuals who do not have disabilities; and  
 "(D) to otherwise benefit from opportunities that are taken for granted by individuals who do not have disabilities.

"(4) Substantial progress has been made in the development of assistive technology devices, including adaptations to existing equipment, that significantly benefit individuals with disabilities of all ages. Such devices can be used to increase the involvement of such individuals in, and reduce expenditures associated with, programs and activities such as early intervention, education, rehabilitation and training, employ-

ment, residential living, independent living, recreation, and other aspects of daily living.

"(5) Most States have technology-related assistance programs carried out under this Act. In spite of the efforts made by such programs, there remains a need to support systems change and advocacy activities in order to assist States to develop and implement consumer-responsive, comprehensive statewide programs of technology-related assistance for individuals with disabilities of all ages.

"(6) Notwithstanding the efforts of such State technology-related assistance programs, there is still a lack of—

"(A) resources to pay for assistive technology devices and assistive technology services;

"(B) trained personnel to assist individuals with disabilities to use such devices and services;

"(C) information among individuals with disabilities and their family members, guardians, advocates, and authorized representatives, individuals who work for public agencies, or for private entities (including insurers), that have contact with individuals with disabilities, educators and related service personnel, technology experts (including engineers), employers, and other appropriate individuals about the availability and potential of technology for individuals with disabilities;

"(D) aggressive outreach to underrepresented populations and rural populations;

"(E) systems that ensure timely acquisition and delivery of assistive technology devices and assistive technology services, particularly with respect to children;

"(F) coordination among State human services programs, and between such programs and private entities, particularly with respect to transitions between such programs and entities; and

"(G) capacity in such programs to provide the necessary technology-related assistance.

"(7) Many individuals with disabilities cannot access existing telecommunications and information technologies and are at risk of not being able to access developing technologies. The failure of Federal and State governments, hardware manufacturers, software designers, information systems managers, and telecommunications service providers to account for the specific needs of individuals with disabilities results in the exclusion of such individuals from the use of telecommunications and information technologies and results in unnecessary costs associated with the retrofitting of devices and product systems.

"(8) There are insufficient incentives for the commercial pursuit of the application of technology devices to meet the needs of individuals with disabilities, because of the perception that such individuals constitute a limited market.

"(9) At the Federal level, there is a lack of coordination among agencies that provide or pay for the provision of assistive technology devices and assistive technology services. In addition, the Federal Government does not provide adequate assistance and information with respect to the use of assistive technology devices and assistive technology services to individuals with disabilities and their family members, guardians, advocates, and authorized representatives, individuals who work for public agencies, or for private entities (including insurers), that have contact with individuals with disabilities, educators and related services personnel, technology experts (including engineers), employers, and other appropriate individuals."

(c) PURPOSES.—Section 2(b) (29 U.S.C. 2201(b)) is amended to read as follows:

"(b) PURPOSES.—The purposes of this Act are as follows:

"(1) To provide financial assistance to the States to support systems change and advocacy activities designed to assist each State in developing and implementing a consumer-responsive comprehensive statewide program of technology-related assistance, for individuals with disabilities of all ages, that is designed to—

"(A) increase the availability of, funding for, access to, and provision of, assistive technology devices and assistive technology services;

"(B) increase the active involvement of individuals with disabilities and their family members, guardians, advocates, and authorized representatives, in the planning, development, implementation, and evaluation of such a program;

"(C) increase the involvement of individuals with disabilities and, if appropriate, their family members, guardians, advocates, or authorized representatives, in decisions related to the provision of assistive technology devices and assistive technology services;

"(D) increase the provision of outreach to underrepresented populations and rural populations, to enable the two populations to enjoy the benefits of programs carried out to accomplish purposes described in this paragraph to the same extent as other populations;

"(E) increase and promote coordination among State agencies, and between State agencies and private entities, that are involved in carrying out activities under this title, particularly providing assistive technology devices and assistive technology services, that accomplish a purpose described in another subparagraph of this paragraph;

"(F)(i) increase the awareness of laws, regulations, policies, practices, procedures, and organizational structures, that facilitate the availability or provision of assistive technology devices and assistive technology services; and

"(ii) facilitate the change of laws, regulations, policies, practices, procedures, and organizational structures, that impede the availability or provision of assistive technology devices and assistive technology services;

"(G) increase the probability that individuals with disabilities of all ages will, to the extent appropriate, be able to secure and maintain possession of assistive technology devices as such individuals make the transition between services offered by human service agencies or between settings of daily living;

"(H) enhance the skills and competencies of individuals involved in providing assistive technology devices and assistive technology services;

"(I) increase awareness and knowledge of the efficacy of assistive technology devices and assistive technology services among—

"(i) individuals with disabilities and their family members, guardians, advocates, and authorized representatives;

"(ii) individuals who work for public agencies, or for private entities (including insurers), that have contact with individuals with disabilities;

"(iii) educators and related services personnel;

"(iv) technology experts (including engineers);

"(v) employers; and

"(vi) other appropriate individuals;

"(J) increase the capacity of public agencies and private entities to provide and pay for assistive technology devices and assistive technology services on a statewide basis for individuals with disabilities of all ages; and

"(K) increase the awareness of the needs of individuals with disabilities for assistive technology devices and for assistive technology services.

"(2) To identify Federal policies that facilitate payment for assistive technology devices and assistive technology services, to identify Federal policies that impede such payment, and to eliminate inappropriate barriers to such payment.

"(3) To enhance the ability of the Federal Government to provide States with—

"(A) technical assistance, information, training, and public awareness programs relating to the provision of assistive technology devices and assistive technology services; and

"(B) funding for demonstration projects."

(d) POLICY.—Section 2 (29 U.S.C. 2201) is amended by adding at the end the following:

"(c) POLICY.—It is the policy of the United States that all programs, projects, and activities receiving assistance under this Act shall be consumer-responsive and shall be carried out in a manner consistent with the principles of—

"(1) respect for individual dignity, personal responsibility, self-determination, and pursuit of meaningful careers, based on informed choice, of individuals with disabilities;

"(2) respect for the privacy, rights, and equal access (including the use of accessible formats), of such individuals;

"(3) inclusion, integration, and full participation of such individuals;

"(4) support for the involvement of a family member, a guardian, an advocate, or an authorized representative, if an individual with a disability requests, desires, or needs such support; and

"(5) support for individual and systems advocacy and community involvement."

#### SEC. 4. DEFINITIONS.

Section 3 (29 U.S.C. 2202) is amended—

(1) by redesignating paragraphs (1) through (8) as paragraphs (2), (3), (7), (8), (10), (11), (13), and (14), respectively;

(2) by inserting before paragraph (2) (as redesignated by paragraph (1)) the following:

"(1) ADVOCACY SERVICES.—The term 'advocacy services', except as used as part of the term 'protection and advocacy services', means services—

"(A) provided to assist individuals with disabilities and their family members, guardians, advocates, and authorized representatives in accessing assistive technology devices and assistive technology services; and

"(B) provided through—

"(i) individual case management for individuals with disabilities;

"(ii) representation of individuals with disabilities (other than representation within the definition of protection and advocacy services);

"(iii) training of individuals with disabilities and their family members, guardians, advocates, and authorized representatives to successfully conduct advocacy for themselves; or

"(iv) dissemination of information."

(3) in paragraph (3)(E) (as redesignated by paragraph (1)), by striking "family" and all that follows and inserting "the family members, guardians, advocates, or authorized representatives of such an individual; and";

(4) by inserting after paragraph (3) (as redesignated by paragraph (1)) the following:

"(4) COMPREHENSIVE STATEWIDE PROGRAM OF TECHNOLOGY-RELATED ASSISTANCE.—The term 'comprehensive statewide program of technology-related assistance' means a statewide program of technology-related assistance developed and implemented by a State under title I that—

"(A) addresses the needs of all individuals with disabilities, including members of underrepresented populations and members of rural populations;

"(B) addresses such needs without regard to the age, type of disability, race, ethnicity, or gender of such individuals, or the particular major life activity for which such individuals need the assistance; and

"(C) addresses such needs without requiring that the assistance be provided through any particular agency or service delivery system.

"(5) CONSUMER-RESPONSIVE.—The term 'consumer-responsive' means, with respect to an entity, program, or activity, that the entity, program, or activity—

"(A) is easily accessible to, and usable by, individuals with disabilities and, when appropriate, their family members, guardians, advocates, or authorized representatives;

"(B) responds to the needs of individuals with disabilities in a timely and appropriate manner; and

"(C) facilitates the full and meaningful participation of individuals with disabilities (including individuals from underrepresented populations and rural populations) and their family members, guardians, advocates, and authorized representatives, in—

"(i) decisions relating to the provision of assistive technology devices and assistive technology services; and

"(ii) the planning, development, implementation, and evaluation of the comprehensive statewide program of technology-related assistance.

"(6) DISABILITY.—The term 'disability' means a condition of an individual that is considered to be a disability or handicap for the purposes of any Federal law other than this Act or for the purposes of the law of the State in which the individual resides.";

(5) by striking paragraph (7) (as redesignated by paragraph (1)) and inserting the following:

"(7) INDIVIDUAL WITH A DISABILITY; INDIVIDUALS WITH DISABILITIES.—

"(A) INDIVIDUAL WITH A DISABILITY.—The term 'individual with a disability' means any individual—

"(i) who has a disability; and

"(ii) who is or would be enabled by an assistive technology device or an assistive technology service to minimize deterioration in functioning, to maintain a level of functioning, or to achieve a greater level of functioning in any major life activity.

"(B) INDIVIDUALS WITH DISABILITIES.—The term 'individuals with disabilities' means more than one individual with a disability.";

(6) in paragraph (8) (as redesignated by paragraph (1))—

(A) by striking "section 435(b)" and inserting "section 1201(a)"; and

(B) by striking "1965" and inserting "1965 (20 U.S.C. 1141(a))";

(7) by inserting after paragraph (8) (as redesignated by paragraph (1)) the following:

"(9) PROTECTION AND ADVOCACY SERVICES.—The term 'protection and advocacy services' means services that—

"(A) are described in part C of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6041 et seq.), the Protection and Advocacy for Mentally Ill Individuals Act (42 U.S.C. 10801 et seq.), or sec-

tion 509 of the Rehabilitation Act of 1973 (29 U.S.C. 794e); and

"(B) assist individuals with disabilities with respect to assistive technology devices and assistive technology services.";

(8) in paragraph (11) (as redesignated by paragraph (1))—

(A) by striking "several States" and inserting "several States of the United States";

(B) by striking "Virgin Islands" and inserting "United States Virgin Islands"; and

(C) by striking "the Trust Territory of the Pacific Islands" and inserting "the Republic of Palau (until the Compact of Free Association with Palau takes effect)";

(9) by inserting after such paragraph (11) the following:

"(12) SYSTEMS CHANGE AND ADVOCACY ACTIVITIES.—The term 'systems change and advocacy activities' means efforts that result in laws, regulations, policies, practices, or organizational structures that promote consumer-responsive programs or entities and that facilitate and increase access to, provision of, and funding for, assistive technology devices and assistive technology services on a permanent basis, in order to empower individuals with disabilities to achieve greater independence, productivity, and integration and inclusion within the community and the work force.";

(10) in paragraph (13) (as redesignated by paragraph (1))—

(A) by striking "functions performed and activities carried out under section 101" and inserting "assistance provided through systems change and advocacy activities"; and

(B) by inserting "any of subparagraphs (A) through (K) of" before "section 2(b)(1)"; and

(11) by amending paragraph (14) (as redesignated by paragraph (1)) to read as follows:

"(14) UNDERREPRESENTED POPULATION.—The term 'underrepresented population' includes a population such as minorities, the poor, and persons with limited-English proficiency.";

#### TITLE I—GRANTS TO STATES

##### SEC. 101. PROGRAM AUTHORIZED.

(a) GRANTS TO STATES.—Section 101(a) (29 U.S.C. 2211(a)) is amended—

(1) by inserting after "provisions of this title" the following: "to support systems change and advocacy activities designed"; and

(2) by striking "to develop and implement" and inserting "in developing and implementing".

(b) ACTIVITIES.—Section 101 (29 U.S.C. 2211) is amended by striking subsections (b) and (c) and inserting the following:

"(b) ACTIVITIES.—Any State that receives a grant under section 102 or 103 shall use the funds made available through the grant to accomplish the purposes described in section 2(b)(1) and, in accomplishing such purposes, may carry out any of the following systems change and advocacy activities:

"(1) MODEL SYSTEMS AND ALTERNATIVE STATE-FINANCED SYSTEMS.—The State may support activities to increase access to, and funding for, assistive technology, including—

"(A) the development, and evaluation of the efficacy, of model delivery systems that provide assistive technology devices and assistive technology services to individuals with disabilities, that pay for such devices and services, and that, if successful, could be replicated or generally applied, such as—

"(i) the development of systems for the purchase, lease, other acquisition, or payment for the provision, of assistive technology devices and assistive technology services; or

"(ii) the establishment of alternative State or privately financed systems of subsidies for the provision of assistive technology devices and assistive technology services, such as—

"(I) a loan system for assistive technology devices;

"(II) an income-contingent loan fund;

"(III) a low-interest loan fund;

"(IV) a revolving loan fund;

"(V) a loan insurance program; or

"(VI) a partnership with private entities for the purchase, lease, or other acquisition of assistive technology devices and the provision of assistive technology services;

"(B) the demonstration of assistive technology devices, including—

"(i) the provision of a location or locations within the State where—

"(I) individuals with disabilities and their family members, guardians, advocates, and authorized representatives;

"(II) education, rehabilitation, health care, and other service providers;

"(III) individuals who work for Federal, State, or local government entities; and

"(IV) employers,

can see and touch assistive technology devices, and learn about the devices from personnel who are familiar with such devices and their applications;

"(ii) the provision of counseling and assistance to individuals with disabilities and their family members, guardians, advocates, and authorized representatives to determine individual needs for assistive technology devices and assistive technology services; and

"(iii) the demonstration or short-term loan of assistive technology devices to individuals, employers, public agencies, or public accommodations seeking strategies to comply with the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) and section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794); and

"(C) the establishment of information systems about, and recycling centers for, the redistribution of assistive technology devices and equipment that may include device and equipment loans, rentals, or gifts.

"(2) INTERAGENCY COORDINATION.—The State may support activities—

"(A) to identify and coordinate Federal and State policies, resources, and services, relating to the provision of assistive technology devices and assistive technology services, including entering into interagency agreements;

"(B) to convene interagency work groups to enhance public funding options and coordinate access to funding for assistive technology devices and assistive technology services for individuals with disabilities of all ages, with special attention to the issues of transition (such as transition from school to work, and transition from participation in programs under part H of the Individuals with Disabilities Education Act (20 U.S.C. 1471 et seq.), to participation in programs under part B of such Act (20 U.S.C. 1411 et seq.)) home use, and individual involvement in the identification, planning, use, delivery, and evaluation of such devices and services; or

"(C) to document and disseminate information about interagency activities that promote coordination with respect to assistive technology devices and assistive technology services, including evidence of increased participation of State and local special education, vocational rehabilitation, and State medical assistance agencies and departments.

"(3) OUTREACH.—The State may carry out activities to encourage the creation or main-

tenance of, support, or provide assistance to, statewide and community-based organizations, or systems, that provide assistive technology devices and assistive technology services to individuals with disabilities or that assist individuals with disabilities in using assistive technology devices and assistive technology services. Such activities may include outreach to consumer organizations and groups in the State to coordinate the activities of the organizations and groups with efforts (including self-help, support groups, and peer mentoring) to assist individuals with disabilities and their family members, guardians, advocates, or authorized representatives, to obtain funding for, and access to, assistive technology devices and assistive technology services.

"(4) EXPENSES.—The State may pay for expenses, including travel expenses, and services, including services of qualified interpreters, readers, and personal care assistants, that may be necessary to ensure access to the comprehensive statewide program of technology-related assistance by individuals with disabilities who are determined by the State to be in financial need.

"(5) STATEWIDE NEEDS ASSESSMENT.—The State may conduct a statewide needs assessment that may be based on data in existence on the date on which the assessment is initiated and may include—

"(A) estimates of the numbers of individuals with disabilities within the State, categorized by residence, type and extent of disabilities, age, race, gender, and ethnicity;

"(B) in the case of an assessment carried out under a development grant, a description of efforts, during the fiscal year preceding the first fiscal year for which the State received such a grant, to provide assistive technology devices and assistive technology services to individuals with disabilities within the State, including—

"(i) the number of individuals with disabilities who received appropriate assistive technology devices and assistive technology services; and

"(ii) a description of the devices and services provided;

"(C) information on the number of individuals with disabilities who are in need of assistive technology devices and assistive technology services, and a description of the devices and services needed;

"(D) information on the cost of providing assistive technology devices and assistive technology services to all individuals with disabilities within the State who need such devices and services;

"(E) a description of State and local public resources and private resources (including insurance) that are available to establish a consumer-responsive comprehensive statewide program of technology-related assistance;

"(F) information identifying Federal and State laws, regulations, policies, practices, procedures, and organizational structures, that facilitate or interfere with the operation of a consumer-responsive comprehensive statewide program of technology-related assistance;

"(G) a description of the procurement policies of the State and the extent to which such policies will ensure, to the extent practicable, that assistive technology devices purchased, leased, or otherwise acquired with assistance made available through a grant made under section 102 or 103 are compatible with other technology devices, including technology devices designed primarily for use by—

"(i) individuals who are not individuals with disabilities;

"(ii) individuals who are elderly; or

"(iii) individuals with particular disabilities; and

"(H) information resulting from an inquiry about whether a State agency or task force (composed of individuals representing the State and individuals representing the private sector) should study the practices of private insurance companies holding licenses within the State that offer health or disability insurance policies under which an individual may obtain reimbursement for—

"(i) the purchase, lease, or other acquisition of assistive technology devices; or

"(ii) the use of assistive technology services.

"(6) PUBLIC AWARENESS PROGRAM.—

"(A) IN GENERAL.—The State may—

"(i) support a public awareness program designed to provide information relating to the availability and efficacy of assistive technology devices and assistive technology services for—

"(I) individuals with disabilities and their family members, guardians, advocates, or authorized representatives;

"(II) individuals who work for public agencies, or for private entities (including insurers), that have contact with individuals with disabilities;

"(III) educators and related services personnel;

"(IV) technology experts (including engineers);

"(V) employers; and

"(VI) other appropriate individuals and entities; or

"(ii) establish and support such a program if no such program exists.

"(B) CONTENTS.—Such a public awareness program may include—

"(i) the development and dissemination of information relating to—

"(I) the nature of assistive technology devices and assistive technology services;

"(II) the appropriateness, cost, and availability of, and access to, assistive technology devices and assistive technology services; and

"(III) the efficacy of assistive technology devices and assistive technology services with respect to enhancing the capacity of individuals with disabilities;

"(ii) the development of procedures for providing direct communication among public providers of assistive technology devices and assistive technology services and between public providers and private providers of such devices and services (including employers); and

"(iii) the development and dissemination of information relating to the use of the program by individuals with disabilities and their family members, guardians, advocates, or authorized representatives, professionals who work in a field related to an activity described in this section, and other appropriate individuals.

"(7) TRAINING AND TECHNICAL ASSISTANCE.—The State may carry out directly, or may provide support to a public or private entity to carry out, training and technical assistance activities—

"(A) that—

"(i) are provided for individuals with disabilities and their family members, guardians, advocates, and authorized representatives, and other appropriate individuals; and

"(ii) may include—

"(I) training in the use of assistive technology devices and assistive technology services;

"(II) the development of written materials, training, and technical assistance describing

the means by which agencies consider the needs of an individual with a disability for assistive technology devices and assistive technology services in developing, for the individual, any individualized education program described in section 614(a)(5) of the Individuals with Disabilities Education Act (20 U.S.C. 1414(a)(5)), any individualized written rehabilitation program described in section 102 of the Rehabilitation Act of 1973 (29 U.S.C. 722), any individualized family service plan described in section 677 of the Individuals with Disabilities Education Act (20 U.S.C. 1477), and any other individualized plans or programs;

"(III) training regarding the rights of the persons described in clause (i) to assistive technology devices and assistive technology services under any law other than this Act, to promote fuller independence, productivity, and inclusion in and integration into society of such persons; and

"(IV) training to increase consumer participation in the identification, planning, use, delivery, and evaluation of assistive technology devices and assistive technology services; and

"(B) that—

"(i) enhance the assistive technology skills and competencies of—

"(I) individuals who work for public agencies, or for private entities (including insurers), that have contact with individuals with disabilities;

"(II) educators and related services personnel;

"(III) technology experts (including engineers);

"(IV) employers; and

"(V) other appropriate personnel; and

"(ii) include taking actions to facilitate the development of standards, or, when appropriate, the application of such standards, to ensure the availability of qualified personnel.

"(8) PROGRAM DATA.—The State may support the compilation and evaluation of appropriate data related to a program described in subsection (a).

"(9) ACCESS TO TECHNOLOGY-RELATED INFORMATION.—

"(A) IN GENERAL.—The State may develop, operate, or expand a system for public access to information concerning an activity carried out under another paragraph of this subsection, including information about assistive technology devices and assistive technology services, funding sources and costs of such assistance, and individuals, organizations, and agencies capable of carrying out such an activity for individuals with disabilities.

"(B) ACCESS.—Access to the system may be provided through community-based entities, including public libraries, centers for independent living (as defined in section 702(1) of the Rehabilitation Act of 1973 (29 U.S.C. 796a(1))), and community rehabilitation programs (as defined in section 7(25) of such Act (29 U.S.C. 706(25))).

"(C) SYSTEM.—In developing, operating, or expanding a system described in subparagraph (A), the State may—

"(i) develop, compile, and categorize print, large print, braille, audio, and video materials, computer disks, compact discs (including compact discs formatted with read-only memory), information that can be used in telephone-based information systems, and such other media as technological innovation may make appropriate;

"(ii) identify and classify existing funding sources, and the conditions of and criteria for access to such sources, including any

funding mechanisms or strategies developed by the State;

"(iii) identify existing support groups and systems designed to help individuals with disabilities make effective use of an activity carried out under another paragraph of this subsection; and

"(iv) maintain a record of the extent to which citizens of the State use or make inquiries of the system established in subparagraph (A), and of the nature of such inquiries.

"(D) LINKAGES.—The information system may be organized on an interstate basis or as part of a regional consortium of States in order to facilitate the establishment of compatible, linked information systems.

"(10) INTERSTATE ACTIVITIES.—

"(A) IN GENERAL.—The State may enter into cooperative agreements with other States to expand the capacity of the States involved to assist individuals with disabilities of all ages to learn about, acquire, use, maintain, adapt, and upgrade assistive technology devices and assistive technology services that such individuals need at home, at school, at work, or in other environments that are part of daily living.

"(B) ELECTRONIC COMMUNICATION.—The State may operate or participate in a computer system through which the State may electronically communicate with other States to gain technical assistance in a timely fashion and to avoid the duplication of efforts already undertaken in other States.

"(11) PARTNERSHIPS AND COOPERATIVE INITIATIVES.—The State may support the establishment or continuation of partnerships and cooperative initiatives between the public sector and the private sector to promote greater participation by business and industry in—

"(A) the development, demonstration, and dissemination of assistive technology devices; and

"(B) the ongoing provision of information about new products to assist individuals with disabilities.

"(12) ADVOCACY SERVICES.—The State may provide advocacy services.

"(13) OTHER ACTIVITIES.—The State may utilize amounts made available through grants made under section 102 or 103 for any systems change and advocacy activities, other than the activities described in another paragraph of this subsection, that are necessary for developing, implementing, or evaluating the consumer-responsive comprehensive statewide program of technology-related assistance.

"(c) NONSUPPLANTATION.—In carrying out systems change and advocacy activities under this title, the State shall ensure that the activities supplement, and not supplant, similar activities that have been carried out pursuant to other Federal or State law."

#### SEC. 102. DEVELOPMENT GRANTS.

Section 102 (29 U.S.C. 2212) is amended—

(1) in subsection (a)—

(A) by striking "3-year grants" and inserting "3-year grants to support systems change and advocacy activities described in section 101(b) (including activities described in subsection (e)(7))"; and

(B) by striking "to develop and implement statewide programs" and inserting "in developing and implementing consumer-responsive comprehensive statewide programs";

(2) by striking subsection (b);

(3) by redesignating subsections (c) and (d) as subsections (b) and (c), respectively;

(4) in subsection (b) (as redesignated in paragraph (3))—

(A) in paragraph (3)(C), by striking "statewide program" and inserting "consumer-re-

sponsive comprehensive statewide program"; and

(B) in paragraph (5)—

(i) in subparagraph (A)—

(I) by striking "(A)" and inserting "(A) STATE.—";

(II) by inserting "United States" before "Virgin Islands"; and

(III) by striking "Trust Territory of the Pacific Islands" and inserting "Republic of Palau"; and

(i) in subparagraph (B)—

(I) by striking "(B)" and inserting "(B) TERRITORY.—";

(II) by inserting "United States" before "Virgin Islands"; and

(III) by striking "Trust Territory of the Pacific Islands" and inserting "Republic of Palau (until the Compact of Free Association takes effect)";

(5) in paragraph (2) of subsection (c) (as redesignated in paragraph (3)) by striking "statewide programs" and inserting "consumer-responsive comprehensive statewide programs";

(6) by inserting after such subsection (c) the following:

"(d) DESIGNATION OF THE LEAD AGENCY.—

"(1) DESIGNATION.—The Governor of any State that desires to receive a grant under this section shall designate the office, agency, entity, or individual (referred to in this Act as the "lead agency") responsible for—

"(A) submitting the application described in subsection (e) on behalf of the State;

"(B) administering and supervising the use of amounts made available under the grant;

"(C)(i) coordinating efforts related to, and supervising the preparation of, the application;

(ii) coordinating the planning, development, implementation, and evaluation of the consumer-responsive comprehensive statewide program of technology-related assistance among public agencies and between public agencies and private agencies, including coordinating efforts related to entering into interagency agreements; and

(iii) coordinating efforts related to, and supervising, the active, timely, and meaningful participation by individuals with disabilities and their family members, guardians, advocates, or authorized representatives, and other appropriate individuals, with respect to activities carried out under the grant; and

(D) the delegation, in whole or in part, of any responsibilities described in subparagraph (A), (B), or (C) to one or more appropriate offices, agencies, entities, or individuals.

"(2) QUALIFICATIONS.—In designating the lead agency, the Governor may designate—

"(A) a commission appointed by the Governor;

"(B) a public-private partnership or consortium;

"(C) a university-affiliated program;

"(D) a public agency;

"(E) a council established under Federal or State law; or

"(F) another appropriate office, agency, entity, or individual.

"(3) ABILITIES OF LEAD AGENCY.—The State shall provide, in accordance with subsection (e)(1), evidence that the lead agency has the ability—

"(A) to respond to assistive technology needs across disabilities and ages;

"(B) to promote the availability throughout the State of assistive technology devices and assistive technology services;

"(C) to promote and implement systems change and advocacy activities;

"(D) to promote and develop public-private partnerships;

"(E) to exercise leadership in identifying and responding to the technology needs of individuals with disabilities and their family members, guardians, advocates, and authorized representatives;

"(F) to promote consumer confidence, responsiveness, and advocacy; and

"(G) to exercise leadership in implementing effective strategies for capacity building, staff and consumer training, and enhancement of access to funding for assistive technology devices and assistive technology services across agencies.";

(7) in subsection (e)—

(A) by striking paragraphs (1), (2), and (3) and inserting the following:

"(1) DESIGNATION OF THE LEAD AGENCY.—Information identifying the lead agency designated by the Governor under subsection (d)(1), and the evidence described in subsection (d)(3).

"(2) AGENCY INVOLVEMENT.—A description of the nature and extent of involvement of various State agencies, including the State insurance department, in the preparation of the application and the continuing role of each agency in the development and implementation of the consumer-responsive comprehensive statewide program of technology-related assistance, including the identification of the available resources and financial responsibility of each agency for paying for assistive technology devices and assistive technology services.

"(3) INVOLVEMENT.—

"(A) CONSUMER INVOLVEMENT.—A description of procedures that provide for—

(i) the active involvement of individuals with disabilities and their family members, guardians, advocates, and authorized representatives, and other appropriate individuals, in the development, implementation, and evaluation of the program; and

(ii) the active involvement, to the maximum extent appropriate, of individuals with disabilities who use assistive technology devices or assistive technology services, in decisions relating to such devices and services; and

(iii) mechanisms for determining consumer satisfaction and participation of individuals with disabilities who represent a variety of ages and types of disabilities, in the consumer-responsive comprehensive statewide program of technology-related assistance.

"(B) PUBLIC INVOLVEMENT.—A description of the nature and extent of—

(i) the involvement, in the designation of the lead agency under subsection (d), and in the development of the application, of—

(I) individuals with disabilities and their family members, guardians, advocates, or authorized representatives;

(II) other appropriate individuals who are not employed by a State agency; and

(III) organizations, providers, and interested parties, in the private sector; and

(ii) the continuing role of the individuals and entities described in clause (i) in the program.";

(B) in paragraph (4), by striking "underserved groups" and inserting "underserved populations or rural populations";

(C) in paragraphs (4) and (5), by striking "statewide program" each place the term appears and inserting "consumer-responsive comprehensive statewide program";

(D) by striking paragraphs (6), (7), and (17);

(E) by redesignating paragraphs (8) and (9) as paragraphs (17) and (18), respectively, and transferring such paragraphs to the end of the subsection;

(F) by inserting after paragraph (5) the following:

"(6) GOALS, OBJECTIVES, ACTIVITIES, AND OUTCOMES.—Information on the program with respect to—

"(A) the goals and objectives of the State for the program;

"(B) the systems change and advocacy activities that the State plans to carry out under the program; and

"(C) the expected outcomes of the State for the program, consistent with the purposes described in section 2(b)(1).

"(7) PRIORITY ACTIVITIES.—

"(A) IN GENERAL.—An assurance that the State will use funds made available under this section or section 103 to accomplish the purposes described in section 2(b)(1) and the goals, objectives, and outcomes described in paragraph (6), and to carry out the systems change and advocacy activities described in paragraph (6)(B), in a manner that is consumer-responsive.

"(B) PARTICULAR ACTIVITIES.—An assurance that the State, in carrying out such systems change and advocacy activities, shall carry out activities regarding—

"(i) the development, implementation, and monitoring of State, regional, and local laws, regulations, policies, practices, procedures, and organizational structures, that will improve access to, provision of, funding for, and timely acquisition and delivery of, assistive technology devices and assistive technology services;

"(ii) the development and implementation of strategies to overcome barriers regarding access to, provision of, and funding for, such devices and services, with priority for identification of barriers to funding through State education (including special education) services, vocational rehabilitation services, and medical assistance services or, as appropriate, other health and human services, and with particular emphasis on overcoming barriers for underrepresented populations and rural populations;

"(iii) coordination of activities among State agencies, in order to facilitate access to, provision of, and funding for, assistive technology devices and assistive technology services;

"(iv) the development and implementation of strategies to empower individuals with disabilities and their family members, guardians, advocates, and authorized representatives, to successfully advocate for increased access to, funding for, and provision of, assistive technology devices and assistive technology services, and to increase the participation, choice, and control of such individuals with disabilities and their family members, guardians, advocates, and authorized representatives in the selection and procurement of assistive technology devices and assistive technology services;

"(v) the provision of outreach to underrepresented populations and rural populations, including identifying and assessing the needs of such populations, providing activities to increase the accessibility of services to such populations, training representatives of such populations to become service providers, and training staff of the consumer-responsive comprehensive statewide program of technology-related assistance to work with such populations; and

"(vi) the development and implementation of strategies to ensure timely acquisition and delivery of assistive technology devices and assistive technology services, particularly for children,

unless the State demonstrates through the progress reports required under section 104

that significant progress has been made in the development and implementation of a consumer-responsive comprehensive statewide program of technology-related assistance, and that other systems change and advocacy activities will increase the likelihood that the program will accomplish the purposes described in section 2(b)(1).

"(8) ASSESSMENT.—An assurance that the State will conduct an annual assessment of the consumer-responsive comprehensive statewide program of technology-related assistance, in order to determine—

"(A) the extent to which the State's goals and objectives for systems change and advocacy activities, as identified in the State plan under paragraph (6), have been achieved; and

"(B) the areas of need that require attention in the next year.

"(9) DATA COLLECTION.—A description of—

"(A) the data collection system used for compiling information on the program, consistent with such requirements as the Secretary may establish for such systems, and, when a national classification system is developed pursuant to section 201, consistent with such classification system; and

"(B) procedures that will be used to conduct evaluations of the program."

(G) in paragraphs (11)(B)(i) and (12)(B) by striking "individual with disabilities" and inserting "individual with a disability";

(H) in paragraph (16)(A), by striking "the families or representatives of individuals with disabilities" and inserting "their family members, guardians, advocates, or authorized representatives"; and

(I) by adding at the end the following:

"(19) AUTHORITY TO USE FUNDS.—An assurance that the lead agency will have the authority to use funds made available through a grant made under this section or section 103 to comply with the requirements of this section or section 103, respectively, including the ability to hire qualified staff necessary to carry out activities under the program.

"(20) PROTECTION AND ADVOCACY SERVICES.—Either—

"(A) an assurance that the State will annually provide, from the funds made available to the State through a grant made under this section or section 103, an amount calculated in accordance with subsection (f)(4), in order to make a grant to, or enter into a contract with, an entity to support protection and advocacy services through the systems established to provide protection and advocacy under the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6000 et seq.), the Protection and Advocacy for Mentally Ill Individuals Act (42 U.S.C. 10801 et seq.), and section 509 of the Rehabilitation Act of 1973 (29 U.S.C. 794e); or

"(B) at the discretion of the State, a request that the Secretary annually reserve, from the funds made available to the State through a grant made under this section or section 103, an amount calculated in accordance with subsection (f)(4), in order for the Secretary to make a grant to or enter into a contract with such a system to support protection and advocacy services.

"(21) TRAINING ACTIVITIES.—An assurance that the State—

"(A) will develop and implement strategies for including personnel training regarding assistive technology within existing Federal- and State-funded training initiatives, in order to enhance assistive technology skills and competencies; and

"(B) will document such training.

"(22) LIMIT ON INDIRECT COSTS.—An assurance that the percentage of the funds re-

ceived under the grant that is used for indirect costs shall not exceed 10 percent.

"(23) COORDINATION WITH STATE COUNCILS.—An assurance that the lead agency will coordinate the activities funded through a grant made under this section or section 103 with the activities carried out by other councils within the State, including—

"(A) any council or commission specified in the assurance provided by the State in accordance with section 101(a)(36) of the Rehabilitation Act of 1973 (29 U.S.C. 721(a)(36));

"(B) the Statewide Independent Living Council established under section 705 of the Rehabilitation Act of 1973 (29 U.S.C. 796d);

"(C) the advisory panel established under section 613(a)(12) of the Individuals with Disabilities Education Act (20 U.S.C. 1413(a)(12));

"(D) the State Interagency Coordinating Council established under section 682 of the Individuals with Disabilities Education Act (20 U.S.C. 1482);

"(E) the State Planning Council described in section 124 of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6024);

"(F) the State mental health planning council established under section 1914 of the Public Health Service Act (42 U.S.C. 300x-3); and

"(G) any council established under section 204, 206(g)(2)(A), or 712(a)(3)(H) of the Older Americans Act of 1965 (42 U.S.C. 3015, 3017(g)(2)(A), or 3058g(a)(3)(H)).

"(24) COORDINATION WITH OTHER SYSTEMS CHANGE AND ADVOCACY ACTIVITIES.—An assurance that there will be coordination between the activities funded through the grant and other related systems change and advocacy activities funded by either Federal or State sources.

"(25) OTHER INFORMATION AND ASSURANCES.—Such other information and assurances as the Secretary may reasonably require."; and

(8) by adding at the end the following:

"(f) PROTECTION AND ADVOCACY REQUIREMENTS.—

"(1) REQUIREMENTS.—A State that, as of June 30, 1993, has provided for protection and advocacy services through an entity that—

"(A) is capable of performing the functions that would otherwise be performed under subsection (e)(20) by the system described in subsection (e)(20); and

"(B) is not a system described in such subsection,

shall be considered to meet the requirements of such subsection. Such entity shall receive funding to provide such protection and advocacy services in accordance with paragraph (4), and shall comply with the same requirements of this title (other than the requirements of such subsection) as a system that receives funding under such subsection.

"(2) PROTECTION AND ADVOCACY SERVICE PROVIDER REPORT.—

"(A) PREPARATION.—A system that receives funds under subsection (e)(20) to carry out the protection and advocacy services described in subsection (e)(20)(A) in a State, or an entity described in paragraph (1) that carries out such services in the State, shall prepare reports that contain such information as the Secretary may require, including the following:

"(i) A description of the activities carried out by the system or entity with such funds.

"(ii) Documentation of significant progress, in providing protection and advocacy services, in each of the following areas:

"(I) Conducting activities that are consumer-responsive, including activities that will lead to increased access to funding

for assistive technology devices and assistive technology services.

"(II) Executing legal, administrative, and other appropriate means of representation to implement systems change and advocacy activities.

"(III) Developing and implementing strategies designed to enhance the long-term abilities of individuals with disabilities and their family members, guardians, advocates, and authorized representatives to successfully advocate for assistive technology devices and assistive technology services to which the individuals with disabilities are entitled under law other than this Act.

"(IV) Coordinating activities with protection and advocacy services funded through sources other than this Act, and coordinating activities with the systems change and advocacy activities carried out by the State lead agency.

"(B) SUBMISSION.—The system or entity shall submit the reports to the program described in subsection (a) in the State not less often than every 6 months.

"(C) UPDATES.—The system or entity shall provide monthly updates to the program described in subsection (a) concerning the activities and information described in subparagraph (A).

"(3) CONSULTATION WITH STATE PROGRAMS.—Before making a grant or entering into a contract under subsection (e)(20)(B) to support the protection and advocacy services described in subsection (e)(20)(A) in a State, the Secretary shall solicit and consider the opinions of the lead agency in the State with respect to the terms of the grant or contract.

"(4) CALCULATION OF EXPENDITURES.—

"(A) IN GENERAL.—For each fiscal year, for each State receiving a grant under this section or section 103, the Secretary shall specify a minimum amount that the State shall use to provide protection and advocacy services.

"(B) INITIAL YEARS OF GRANT.—Except as provided in subparagraph (C) or (D)—

"(i) the Secretary shall calculate such minimum amount for a State based on the size of the grant, the needs of individuals with disabilities within the State, the population of the State, and the geographic size of the State; and

"(ii) such minimum amount shall be not less than \$40,000 and not more than \$100,000.

"(C) FOURTH YEAR OF SECOND EXTENSION GRANT.—If a State receives a second extension grant under section 103(a)(2), the Secretary shall specify a minimum amount under subparagraph (A) for the fourth year (if any) of the grant period that shall equal 75 percent of the minimum amount specified for the State under such subparagraph for the third year of the second extension grant of the State.

"(D) FIFTH YEAR OF SECOND EXTENSION GRANT.—If a State receives a second extension grant under section 103(a)(2), the Secretary shall specify a minimum amount under subparagraph (A) for the fifth year (if any) of the grant period that shall equal 50 percent of the minimum amount specified for the State under such subparagraph for the third year of the second extension grant of the State.

"(E) PROHIBITION.—After the fifth year (if any) of the grant period, no Federal funds may be made available under this title by the State to a system described in subsection (e)(20) or an entity described in paragraph (1)."

### SEC. 103. EXTENSION GRANTS.

Section 103 (29 U.S.C. 2213) is amended to read as follows:

### "SEC. 103. EXTENSION GRANTS.

"(a) EXTENSION GRANTS.—

"(1) INITIAL EXTENSION GRANT.—The Secretary may award an initial extension grant, for a period of 2 years, to any State that meets the standards specified in subsection (b)(1).

"(2) SECOND EXTENSION GRANT.—The Secretary may award a second extension grant, for a period of not more than 5 years, to any State that meets the standards specified in subsection (b)(2).

"(b) STANDARDS.—

"(1) INITIAL EXTENSION GRANT.—In order for a State to receive an initial extension grant under this section, the designated lead agency of the State shall—

"(A) provide the evidence described in section 102(d)(3); and

"(B) demonstrate that the State has made significant progress, and has carried out systems change and advocacy activities that have resulted in significant progress, toward the development and implementation of a consumer-responsive comprehensive statewide program of technology-related assistance, consistent with sections 2(b)(1), 101, and 102.

"(2) SECOND EXTENSION GRANT.—

"(A) RESPONSIBILITIES OF DESIGNATED LEAD AGENCY.—In order for a State to receive a second extension grant under this section, the designated lead agency shall—

"(i) provide the evidence and make the demonstration described in paragraph (1);

"(ii) describe the steps the State has taken or will take to continue on a permanent basis the consumer-responsive comprehensive statewide program of technology-related assistance with the ability to maintain, at a minimum, the outcomes achieved by the systems change and advocacy activities; and

"(iii) identify future funding options and commitments for the program from the public and private sector and the key individuals, agencies, and organizations to be involved in, and to direct future efforts of, the program.

"(B) DETERMINATION OF COMPLIANCE.—In making any award to a State for a second extension grant, the Secretary shall (except as provided in section 105(a)(2)(A)(iii)) make such award contingent on a determination, based on the onsite visit required under section 105(a)(2)(A)(i), that the State is making significant progress toward development and implementation of a consumer-responsive comprehensive statewide program of technology-related assistance. If the Secretary determines that the State is not making such progress, the Secretary may take an action described in section 105(b)(2), in accordance with the applicable procedures described in section 105.

"(c) AMOUNTS OF GRANTS.—

"(1) INITIAL EXTENSION GRANTS.—

"(A) IN GENERAL.—

"(i) STATES.—From amounts appropriated under section 106 for any fiscal year, the Secretary shall pay an amount that is not less than \$500,000 and not greater than \$1,500,000 to each State (other than a State described in clause (ii)) that receives an initial extension grant under subsection (a)(1).

"(ii) TERRITORIES.—From amounts appropriated under section 106 for any fiscal year, the Secretary shall pay an amount that is not greater than \$150,000 to any of the following States that receives an initial extension grant under subsection (a)(1):

"(I) The United States Virgin Islands.

"(II) Guam.

"(III) American Samoa.

"(IV) The Commonwealth of the Northern Mariana Islands.

"(V) The Republic of Palau (until the Compact of Free Association takes effect).

"(B) CALCULATION OF AMOUNT.—The Secretary shall calculate the amount described in clause (i) or (ii) of subparagraph (A) with respect to a State on the basis of—

"(i) amounts available for making grants pursuant to subsection (a)(1);

"(ii) the population of the State;

"(iii) the types of assistance to be provided in the State; and

"(iv) the amount of resources committed by the State and available to the State from other sources.

"(C) PRIORITY FOR PREVIOUSLY PARTICIPATING STATES.—Amounts appropriated in any fiscal year for purposes of carrying out subsection (a)(1) shall first be made available to States that received assistance under this section during the fiscal year preceding the fiscal year concerned.

"(D) INCREASES.—In providing any increases in initial extension grants under subsection (a)(1) above the amounts provided to States under this section for fiscal year 1993, the Secretary may give priority to—

"(i) the States (other than the States described in subparagraph (A)(ii)) that have the largest populations, based on the most recent census data; and

"(ii) the States (other than the States described in subparagraph (A)(ii)) that are sparsely populated, with a wide geographic spread,

where such characteristics have impeded the development of a consumer-responsive, comprehensive statewide program of technology-related assistance.

"(2) SECOND EXTENSION GRANTS.—

"(A) AMOUNTS AND PRIORITY.—The amounts of, and the priority of applicants for, the second extension grants awarded under subsection (a)(2) shall be determined by the Secretary, except that—

"(i) the amount paid to a State for the fourth year (if any) of the grant period shall be 75 percent of the amount paid to the State for the third year of the grant period;

"(ii) the amount paid to a State for the fifth year (if any) of the grant period shall be 50 percent of the amount paid to the State for the third year of the grant period; and

"(iii) after the fifth year of the grant period, no Federal funds may be made available to the State under this title.

"(B) INCREASES.—In providing any increases in second extension grants under subsection (a)(2) above the amounts provided to States under this section for fiscal year 1993, the Secretary may give priority to States described in paragraph (1)(D).

"(d) APPLICATION.—A State that desires to receive an extension grant under this section shall submit an application to the Secretary that contains the following information and assurances with respect to the consumer-responsive comprehensive statewide program of technology-related assistance in the State:

"(1) INFORMATION AND ASSURANCES.—The information and assurances described in section 102(e), except the preliminary needs assessment described in section 102(e)(4).

"(2) NEEDS; PROBLEMS; STRATEGIES; OUTREACH.—

"(A) NEEDS.—A description of needs relating to technology-related assistance of individuals with disabilities (including individuals from underrepresented populations or rural populations) and their family members, guardians, advocates, or authorized representatives, and other appropriate individuals within the State.

"(B) PROBLEMS.—A description of any problems or gaps that remain with the development and implementation of a consumer-responsive comprehensive statewide program of technology-related assistance in the State.

"(C) STRATEGIES.—A description of the strategies that the State will pursue during the grant period to remedy the problems or gaps with the development and implementation of such a program.

"(D) OUTREACH ACTIVITIES.—A description of outreach activities to be conducted by the State, including dissemination of information to eligible populations, with special attention to underrepresented populations and rural populations.

"(3) ACTIVITIES AND PROGRESS UNDER PREVIOUS GRANT.—A description of—

"(A) the specific systems change and advocacy activities described in section 101(b) (including the activities described in section 1012(e)(7)) carried out under the development grant received by the State under section 102, or, in the case of an application for a grant under subsection (a)(2), under an initial extension grant received by the State under this section, including—

"(i) a description of systems change and advocacy activities that were undertaken to produce change on a permanent basis for individuals with disabilities of all ages;

"(ii) a description of activities undertaken to improve the involvement of individuals with disabilities in the program, including training and technical assistance efforts to improve individual access to assistive technology devices and assistive technology services as mandated under other laws and regulations as in effect on the date of the application, and including actions undertaken to improve the participation of underrepresented populations and rural populations, such as outreach efforts; and

"(iii) an evaluation of the impact and results of the activities described in clauses (i) and (ii);

"(B) the relationship of such systems change and advocacy activities to the development and implementation of a consumer-responsive comprehensive statewide program of technology-related assistance; and

"(C) the progress made toward the development and implementation of such a program.

"(4) PUBLIC INVOLVEMENT.—

"(A) REPORT.—In the case of an application for a grant under subsection (a)(1), a report on the hearing described in subsection (e)(1) or, in the case of an application for a grant under subsection (a)(2), a report on the hearing described in subsection (e)(2).

"(B) OTHER STATE ACTIONS.—A description of State actions, other than such a hearing, designed to determine the degree of satisfaction of individuals with disabilities, and their family members, guardians, advocates, or authorized representatives, public service providers and private service providers, educators and related services providers, technology experts (including engineers), employers, and other appropriate individuals and entities with—

"(i) the degree of their ongoing involvement in the development and implementation of the consumer-responsive comprehensive statewide program of technology-related assistance;

"(ii) the specific systems change and advocacy activities described in section 101(b) (including the activities described in section 1012(e)(7)) carried out by the State under the development grant or the initial extension grant;

"(iii) progress made toward the development and implementation of a consumer-

sponsive comprehensive statewide program of technology-related assistance; and

"(iv) the ability of the lead agency to carry out the activities described in section 102(d)(3).

"(5) COMMENTS.—A summary of any comments received concerning the issues described in paragraph (4) and response of the State to such comments, solicited through a public hearing referred to in paragraph (4) or through other means, from individuals affected by the consumer-responsive comprehensive statewide program of technology-related assistance, including—

"(A) individuals with disabilities and their family members, guardians, advocates, or authorized representatives;

"(B) public service providers and private service providers;

"(C) educators and related services personnel;

"(D) technology experts (including engineers);

"(E) employers; and

"(F) other appropriate individuals and entities.

"(6) COMPATIBILITY AND ACCESSIBILITY OF ELECTRONIC EQUIPMENT.—An assurance that the State, or any recipient of funds made available to the State under section 102 or this section, will comply with guidelines established under section 508 of the Rehabilitation Act of 1973 (29 U.S.C. 794d).

"(e) PUBLIC HEARING.—

"(1) INITIAL EXTENSION GRANT.—To be eligible to receive a grant under subsection (a)(1), a State shall hold a public hearing in the third year of a program carried out under a grant made under section 102, after providing appropriate and sufficient notice to allow interested groups and organizations and all segments of the public an opportunity to comment on the program.

"(2) SECOND EXTENSION GRANT.—To be eligible to receive a grant under subsection (a)(2), a State shall hold a public hearing in the second year of a program carried out under a grant made under subsection (a)(1), after providing the notice described in paragraph (1)."

#### SEC. 104. PROGRESS CRITERIA AND REPORTS.

Section 104 (29 U.S.C. 2214) is amended to read as follows:

##### "SEC. 104. PROGRESS CRITERIA AND REPORTS.

"(a) GUIDELINES.—The Secretary shall develop guidelines to be used in assessing the extent to which a State that received a grant under section 102 or 103 is making significant progress in developing and implementing a consumer-responsive comprehensive statewide program of technology-related assistance consistent with section 2(b)(1).

"(b) REPORTS.—Each State that receives a grant under section 102 or 103 to carry out such a program shall submit annually to the Secretary a report that documents significant progress in developing and implementing a consumer-responsive comprehensive statewide program of technology-related assistance, consistent with sections 2(b)(1), 101, and 102(e), and that documents the following:

"(1) The progress the State has made, as determined in the State's annual assessment described in section 102(e)(8) (consistent with the guidelines established by the Secretary under subsection (a)), in achieving the State's goals, objectives, and outcomes as identified in the State's application as described in section 102(e)(6), and areas of need that require attention in the next year, including unanticipated problems with the achievement of the goals, objectives, and outcomes described in the application, and the activities the State has undertaken to rectify these problems.

"(2) The systems change and advocacy activities carried out by the State including—

"(A) an analysis of the laws, regulations, policies, practices, procedures, and organizational structures that the State has changed, has attempted to change, or will attempt to change during the next year, to facilitate and increase timely access to, provision of, or funding for, assistive technology devices and assistive technology services; and

"(B) a description of any written policies and procedures that the State has developed and implemented regarding access to, provision of, and funding for, assistive technology devices and assistive technology services, particularly policies and procedures regarding access to, provision of, and funding for, such devices and services under education (including special education), vocational rehabilitation, and medical assistance programs.

"(3) The degree of involvement of various State agencies, including the State insurance department, in the development, implementation, and evaluation of the program, including any interagency agreements that the State has developed and implemented regarding access to, provision of, and funding for, assistive technology devices and assistive technology services such as agreements that identify available resources for assistive technology devices and assistive technology services and the responsibility of each agency for paying for such devices and services.

"(4) The activities undertaken to collect and disseminate information about the documents or activities analyzed or described in paragraphs (1) through (3), including outreach activities to underrepresented populations and rural populations and efforts to disseminate information by means of electronic communication.

"(5) The involvement of individuals with disabilities who represent a variety of ages and types of disabilities in the planning, development, implementation, and assessment of the consumer-responsive comprehensive statewide program of technology-related assistance, including activities undertaken to improve such involvement, such as consumer training and outreach activities to underrepresented populations and rural populations.

"(6) The degree of consumer satisfaction with the program, including satisfaction by underrepresented populations and rural populations.

"(7) Efforts to train personnel as well as consumers.

"(8) Efforts to reduce the service delivery time for receiving assistive technology devices and assistive technology services.

"(9) Significant progress in the provision of protection and advocacy services, in each of the areas described in section 102(f)(2)(A)(ii)."

#### SEC. 105. ADMINISTRATIVE PROVISIONS.

(a) REVIEW OF PARTICIPATING STATES.—Section 105(a) (29 U.S.C. 2215(a)) is amended—

(1) in paragraph (1), by inserting before the period the following: "consistent with the guidelines established under section 104(a)";

(2) by striking paragraph (2) and inserting the following:

"(2) ONSITE VISITS.—

"(A) VISITS.—

"(i) DEVELOPMENT GRANT PROGRAM.—The Secretary shall conduct an onsite visit during the final year of each State's participation in the development grant program.

"(ii) EXTENSION GRANT PROGRAM.—Except as provided in clause (iii), the Secretary shall conduct an additional onsite visit to any State that applies for a second extension

grant under section 103(a)(2) and whose initial onsite visit occurred prior to the date of the enactment of the Technology-Related Assistance for Individuals With Disabilities Act Amendments of 1994. The Secretary shall conduct any such visit to the State not later than 12 months after the date on which the Secretary awards the second extension grant.

"(iii) DETERMINATION.—The Secretary shall not be required to conduct a visit described in clause (ii) if the Secretary determines that the visit is not necessary to assess whether the State is making significant progress toward development and implementation of a consumer-responsive comprehensive statewide program of technology-related assistance.

"(B) TEAM.—Two-thirds of the onsite monitoring team in each case shall be qualified peer reviewers, who—

"(i) shall not be lead agency personnel;

"(ii) shall be from States other than the State being monitored; and

"(iii) shall include an individual with a disability, or a family member, a guardian, an advocate, or an authorized representative of such an individual.

"(C) COMPENSATION.—

"(i) OFFICERS OR EMPLOYEES.—Members of any onsite monitoring team who are officers or full-time employees of the United States shall serve without compensation in addition to that received for their services as officers or employees of the United States, but may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5702 of title 5, United States Code, for individuals in the Government service traveling on official business.

"(ii) OTHER MEMBERS.—Members of any onsite monitoring team who are not officers or full-time employees of the United States shall receive compensation at a rate not to exceed the daily equivalent of the rate of pay for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including traveltime) during which such members are engaged in the actual performance of their duties as members of an onsite monitoring team. In addition, such members may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for individuals in the Government service employed intermittently.

"(D) REPORT.—The Secretary shall prepare a report of findings from the onsite visit. The Secretary shall consider the findings in determining whether to continue funding the program either with or without changes. The report shall be available to the public."

(3) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively;

(4) by inserting after paragraph (2) the following:

"(3) ADVANCE PUBLIC NOTICE.—The Secretary shall provide advance public notice of the onsite visit and solicit public comment through such notice from individuals with disabilities and their family members, guardians, advocates, and authorized representatives, public service providers and private service providers, educators and related services personnel, technology experts (including engineers), employers, and other appropriate individuals and entities, regarding the State program funded through a grant made under section 102 or 103. The public comment solicitation notice shall be included in the onsite visit report described in paragraph (2)"; and

(5) in paragraph (4) (as redesignated in paragraph (3)) by striking "statewide pro-

gram" and inserting "consumer-responsive comprehensive statewide program".

(b) CORRECTIVE ACTION PLAN.—Section 105(b) (29 U.S.C. 2215(b)) is amended—

(1) in paragraph (2)—

(A) in the heading, by striking "PENALTIES" and inserting "CORRECTIVE ACTIONS";

(B) in the matter preceding subparagraph (A), by striking "penalties" and inserting "corrective actions";

(C) by striking "or" at the end of subparagraph (B);

(D) by striking the period at the end of subparagraph (C) and inserting "; or"; and

(E) by adding at the end the following:

"(D) required redesignation of the lead agency, in accordance with subsection (c)"; and

(2) in paragraph (3), by striking "subsection (a)(4)" and inserting "subsection (a)(5)".

(c) REDESIGNATION.—Section 105 (29 U.S.C. 2215) is amended—

(1) by striking subsection (c); and

(2) by adding at the end the following:

"(c) REDESIGNATION OF LEAD AGENCY.—

"(1) MONITORING PANEL.—

"(A) APPOINTMENT.—Once a State becomes subject to a corrective action plan pursuant to subsection (b), the Governor of the State, subject to approval by the Secretary, shall appoint, within 30 days after the submission of the plan to the Secretary, a monitoring panel consisting of the following representatives:

"(i) The head of the lead agency designated by the Governor.

"(ii) 2 representatives from different public or private nonprofit organizations that represent the interests of individuals with disabilities.

"(iii) 2 consumers who are users of assistive technology devices and assistive technology services and who are not—

"(I) members of the advisory council, if any, of the consumer-responsive comprehensive statewide program of technology-related assistance; or

"(II) employees of the State lead agency.

"(iv) 2 service providers with knowledge and expertise in assistive technology devices and assistive technology services.

"(B) MEMBERSHIP AND CHAIRPERSON.—The monitoring panel shall be ethnically diverse. The panel shall select a chairperson from among the members of the panel.

"(C) INFORMATION.—The panel shall receive periodic reports from the State regarding progress in implementing the corrective action plan and shall have the authority to request additional information necessary to determine compliance.

"(D) MEETINGS.—The meetings of the panel to determine compliance shall be open to the public (subject to confidentiality concerns) and held at locations that are accessible to individuals with disabilities.

"(E) PERIOD.—The panel shall carry out the duties of the panel for the entire period of the corrective action plan, as determined by the Secretary.

"(F) FUNDING.—The panel shall be funded by a portion of the funds received by the State under this title, as directed by the Secretary.

"(2) FAILURE TO APPOINT MONITORING PANEL.—A failure by a Governor of a State to comply with the requirements of paragraph (1) shall result in the termination of funding for the State under this title.

"(3) DETERMINATION.—

"(A) PANEL.—Based on its findings, a monitoring panel may determine that a lead

agency designated by a Governor has not accomplished the purposes described in section 2(b)(1) and that there is good cause for redesignation of the agency and the temporary loss of funds by the State under this title.

"(B) GOOD CAUSE.—In this paragraph, the term 'good cause' includes—

"(i) lack of progress with employment of qualified staff;

"(ii) lack of consumer-responsive activities;

"(iii) lack of resource allocation to systems change and advocacy activities;

"(iv) lack of progress with meeting the assurances in section 102(e); or

"(v) inadequate fiscal management.

"(C) RECOMMENDATION AND ACTION.—If a monitoring panel makes such a determination, the panel shall recommend to the Secretary that further remedial action be taken or that the Secretary order the Governor to redesignate the lead agency within 90 days or lose funds under this title. The Secretary, based on the findings and recommendations of the monitoring panel, and after providing to the public notice and an opportunity for comment, shall make a final determination regarding whether to order the Governor to redesignate the lead agency. The Governor shall make any such redesignation in accordance with the requirements that apply to designations under section 102(d).

"(d) CHANGE OF PROTECTION AND ADVOCACY SERVICES PROVIDER.—

"(1) DETERMINATION.—The Governor of a State, based on input from individuals with disabilities and their family members, guardians, advocates, or authorized representatives, may determine that the entity providing protection and advocacy services required by section 102(e)(20) (referred to in this subsection as the 'first entity') has not met the protection and advocacy service needs of the individuals with disabilities and their family members, guardians, advocates, or authorized representatives, for securing funding for and access to assistive technology devices and assistive technology services, and that there is good cause to provide the protection and advocacy services for the State through a contract with a second entity.

"(2) NOTICE AND OPPORTUNITY TO BE HEARD.—On making such a determination, the Governor may not enter into a contract with a second entity to provide the protection and advocacy services unless good cause exists and unless—

"(A) the Governor has given the first entity 30 days notice of the intention to enter into such contract, including specification of the good cause, and an opportunity to respond to the assertion that good cause has been shown;

"(B) individuals with disabilities and their family members, guardians, advocates, or authorized representatives, have timely notice of the determination and opportunity for public comment; and

"(C) the first entity has the opportunity to appeal the determination to the Secretary within 30 days of the determination on the basis that there is not good cause to enter into the contract.

"(3) REDESIGNATION.—

"(A) IN GENERAL.—When the Governor of a State determines that there is good cause to enter into a contract with a second entity to provide the protection and advocacy services, the Governor shall hold an open competition within the State and issue a request for proposals by entities desiring to provide the services.

"(B) TIMING.—The Governor shall not issue such request until the first entity has been

given notice and an opportunity to respond. If the first entity appeals the determination to the Secretary in accordance with paragraph (2)(C), the Governor shall issue such request only if the Secretary decides not to overturn the determination of the Governor. The Governor shall issue such request within 30 days after the end of the period during which the first entity has the opportunity to respond, or after the decision of the Secretary, as appropriate.

“(C) PROCEDURE.—Such competition shall be open to entities with the same expertise and ability to provide legal services as a system referred to in section 102(e)(20). The competition shall ensure public involvement, including a public hearing and adequate opportunity for public comment.

“(e) ANNUAL REPORT.—

“(1) IN GENERAL.—Not later than December 31 of each year, the Secretary shall prepare, and submit to the President and to the Congress, a report on Federal initiatives, including the initiatives funded under this Act, to improve the access of individuals with disabilities to assistive technology devices and assistive technology services.

“(2) CONTENTS.—Such report shall include information on—

“(A) the demonstrated successes of such Federal initiatives at the Federal and State levels in improving interagency coordination, streamlining access to funding for assistive technology, and producing beneficial outcomes for users of assistive technology;

“(B) the demonstration activities carried out through the Federal initiatives to—

“(i) promote access to such funding in public programs that were in existence on the date of the initiation of the demonstration activities; and

“(ii) establish additional options for obtaining such funding;

“(C) the education and training activities carried out through the Federal initiatives to promote such access in public programs and the health care system and the efforts carried out through such activities to train professionals in a variety of relevant disciplines, and increase the competencies of the professionals with respect to technology-related assistance;

“(D) the education and training activities carried out through the Federal initiatives to train individuals with disabilities and their family members, guardians, advocates, or authorized representatives, individuals who work for public agencies, or for private entities (including insurers), that have contact with individuals with disabilities, educators and related services personnel, technology experts (including engineers), employers, and other appropriate individuals, about technology-related assistance;

“(E) the education and training activities carried out through Federal initiatives to promote awareness of available funding in public programs;

“(F) the research activities carried out through the Federal initiatives to improve understanding of the costs and benefits of access to assistive technology for individuals with disabilities who represent a variety of ages and types of disabilities;

“(G) the program outreach activities to rural and inner-city areas that are carried out through the Federal initiatives;

“(H) the activities carried out through the Federal initiatives that are targeted to reach underrepresented populations and rural populations; and

“(I) the consumer involvement activities in the programs carried out under this Act.

“(3) AVAILABILITY OF ASSISTIVE TECHNOLOGY DEVICES AND ASSISTIVE TECHNOLOGY SERVICES.—As soon as practicable, the Secretary shall include in the annual report required by this subsection information on the availability of assistive technology devices and assistive technology services. When a national classification system for assistive technology devices and assistive technology services is developed pursuant to section 201, the Secretary shall report such information in a manner consistent with such national classification system.

“(f) INTERAGENCY DISABILITY COORDINATING COUNCIL.—

“(1) CONTENTS.—On or before October 1, 1995, the Interagency Disability Coordinating Council established under section 507 of the Rehabilitation Act of 1973 (29 U.S.C. 794c) shall prepare and submit to the President and to the Congress a report containing—

“(A) the response of the Interagency Disability Coordinating Council to—

“(i) the findings of the National Council on Disability resulting from the study entitled ‘Study on the Financing of Assistive Technology Devices and Services for Individuals with Disabilities’, carried out in accordance with section 201 of this Act, as in effect on the day before the date of the enactment of this subsection; and

“(ii) the recommendations of the National Council on Disability for legislative and administrative change, resulting from such study; and

“(B) information on any other activities of the Interagency Disability Coordinating Council that facilitate the accomplishment of section 2(b)(1) with respect to the Federal Government.

“(2) COMMENTS.—The report shall include any comments submitted by the National Council on Disability as to the appropriateness of the response described in paragraph (1)(A) and the effectiveness of the activities described in paragraph (1)(B) in meeting the needs of individuals with disabilities for assistive technology devices and assistive technology services.

“(g) EFFECT ON OTHER ASSISTANCE.—This title may not be construed as authorizing a Federal or a State agency to reduce medical or other assistance available or to alter eligibility under any other Federal law.”

**SEC. 106. AUTHORIZATION OF APPROPRIATIONS.**

Section 106 (29 U.S.C. 2216) is amended to read as follows:

**“SEC. 106. AUTHORIZATION OF APPROPRIATIONS.**

“(a) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this title \$50,000,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 through 1998.

“(b) RESERVATIONS.—

“(1) PROVISION OF INFORMATION AND TECHNICAL ASSISTANCE.—

“(A) IN GENERAL.—Of the funds appropriated for any fiscal year under subsection (a), the Secretary shall reserve at least 2 percent or \$1,500,000, whichever is greater, of such funds, for the purpose of providing information and technical assistance as described in subparagraphs (B) and (C) to States, individuals with disabilities and their family members, guardians, advocates, or authorized representatives, community-based organizations, and protection and advocacy agencies.

“(B) TECHNICAL ASSISTANCE TO STATES.—In providing such information and technical assistance to States, the Secretary shall consider the input of the directors of consumer-responsive comprehensive statewide programs of technology-related assistance, shall

provide a clearinghouse for activities that have been developed and implemented through programs funded under this title, and shall provide information and technical assistance that—

“(i) facilitate service delivery capacity building, training of personnel from a variety of disciplines, and improvement of evaluation strategies, research, and data collection;

“(ii) foster the development and replication of effective approaches to information referral, interagency coordination of training and service delivery, outreach to underrepresented populations and rural populations, and public awareness activities;

“(iii) improve the awareness and adoption of successful approaches to increasing the availability of public and private funding for and access to the provision of assistive technology devices and assistive technology services by appropriate State agencies;

“(iv) assist in planning, developing, implementing, and evaluating appropriate activities to further extend consumer-responsive comprehensive statewide programs of technology-related assistance;

“(v) promote effective approaches to the development of consumer-controlled systems that increase access to, funding for, and awareness of, assistive technology devices and assistive technology services;

“(vi) provide technical assistance and training to the entities carrying out activities funded pursuant to this title, to establish or participate in electronic communication activities with other States; and

“(vii) provide any other appropriate information and technical assistance to assist the States in accomplishing the purposes of this Act.

“(C) INFORMATION AND TECHNICAL ASSISTANCE TO INDIVIDUALS WITH DISABILITIES AND OTHER PERSONS.—The Secretary shall provide information and technical assistance to individuals with disabilities and their family members, guardians, advocates, or authorized representatives, community-based organizations, and protection and advocacy agencies, on a nationwide basis, to—

“(i) disseminate information about, and foster awareness and understanding of, Federal, State, and local laws, regulations, policies, practices, procedures, and organizational structures, that facilitate, and overcome barriers to, funding for, and access to, assistive technology devices and assistive technology services, to promote fuller independence, productivity, and inclusion for individuals with disabilities of all ages;

“(ii) identify, collect, and disseminate information, and provide technical assistance, on effective systems change and advocacy activities;

“(iii) improve the understanding and use of assistive technology funding decisions made as a result of policies, practices, and procedures, or through regulations, administrative hearings, or legal actions, that enhance access to funding for assistive technology devices and assistive technology services for individuals with disabilities;

“(iv) promote effective approaches to Federal-State coordination of programs for individuals with disabilities, through information dissemination and technical assistance activities in response to funding policy issues identified on a nationwide basis by organizations, and individuals, that improve funding for or access to assistive technology devices and assistive technology services for individuals with disabilities of all ages; and

“(v) promote effective approaches to the development of consumer-controlled systems

that increase access to, funding for, and awareness of, assistive technology devices and assistive technology services, including the identification and description of mechanisms and means that successfully support self-help and peer mentoring groups for individuals with disabilities.

“(D) COORDINATION.—The Secretary shall coordinate the information and technical assistance activities carried out under subparagraph (B) or (C) with other activities funded under this Act.

“(E) GRANTS, CONTRACTS, OR COOPERATIVE AGREEMENTS.—

“(i) IN GENERAL.—The Secretary shall provide the technical assistance and information described in subparagraphs (B) and (C) through grants, contracts, or cooperative agreements with public or private agencies and organizations, including institutions of higher education, with documented experience, expertise, and capacity to carry out identified activities related to the provision of such technical assistance and information.

“(ii) ENTITIES WITH EXPERTISE IN ASSISTIVE TECHNOLOGY SERVICE DELIVERY, INTERAGENCY COORDINATION, AND SYSTEMS CHANGE AND ADVOCACY ACTIVITIES.—For the purpose of achieving the objectives described in paragraph (1)(B), the Secretary shall reserve not less than 45 percent and not more than 55 percent of the funds reserved under subparagraph (A) for each fiscal year for grants to, or contracts or cooperative agreements with, public or private agencies or organizations with documented experience with and expertise in assistive technology service delivery, interagency coordination, and systems change and advocacy activities.

“(iii) ENTITIES WITH EXPERTISE IN ASSISTIVE TECHNOLOGY SYSTEMS CHANGE AND ADVOCACY ACTIVITIES, PUBLIC FUNDING OPTIONS, AND OTHER SERVICES.—For the purpose of achieving the objectives described in paragraph (1)(C), the Secretary shall reserve not less than 45 percent and not more than 55 percent of the funds reserved under subparagraph (A) for each fiscal year for grants to, or contracts or cooperative agreements with, public or private agencies or organizations with documented experience with and expertise in—

“(I) assistive technology systems change and advocacy activities;

“(II) public funding options; and

“(III) services to increase nationwide the availability of funding for assistive technology devices and assistive technology services.

“(iv) APPLICATION.—The Secretary shall make any grants, and enter into any contracts or cooperative agreements, under this subsection on a competitive basis. To be eligible to receive funds under this subsection an agency, organization, or institution shall submit an application to the Secretary at such time, in such manner, and containing such information, as the Secretary may require.

“(2) ONSITE VISITS.—The Secretary may reserve, from amounts appropriated for any fiscal year under subsection (a), such sums as the Secretary considers to be necessary for the purposes of conducting onsite visits as required by section 105(a)(2).”

#### SEC. 107. REPEALS.

Section 107 (20 U.S.C. 2217) is repealed.

### TITLE II—PROGRAMS OF NATIONAL SIGNIFICANCE

#### SEC. 201. NATIONAL CLASSIFICATION SYSTEM.

Title II (29 U.S.C. 2231 et seq.) is amended by repealing part A and inserting the following:

#### “Subtitle A—National Classification System “SEC. 201. CLASSIFICATION SYSTEM.

“(a) SYSTEM DEVELOPMENT PROJECT.—

“(1) IN GENERAL.—In fiscal year 1995, the Secretary shall initiate a system development project, based on a plan developed in consultation and coordination with other appropriate Federal and State agencies, to develop a national classification system for assistive technology devices and assistive technology services, with the goal of obtaining uniform data through such a system on such devices and services across public programs and information and referral networks.

“(2) PROJECT PLAN.—

“(A) REPRESENTATIVES.—In developing a plan for the system development project, the Secretary shall consult with, and coordinate activities with—

“(i) representatives of Federal agencies, including agencies that are headed by members of the Interagency Disability Coordinating Council established under section 507 of the Rehabilitation Act of 1973 (29 U.S.C. 794c); and

“(ii) as determined by the Secretary, representatives of State agencies and other appropriate organizations that have responsibility for or are involved in the development and modification of assistive technology devices, the provision of assistive technology services, or the dissemination of information about assistive technology devices and assistive technology services, including recipients of grants or contracts for the provision of technical assistance to State assistive technology projects under section 106(b), assistive technology reimbursement specialists, representatives of the State assistive technology projects, and representatives of organizations involved in information and referral activities.

“(B) ISSUES.—The Secretary shall conduct such consultation, and such coordination of activities, with respect to the following:

“(i) The costs and benefits, on an agency-by-agency basis, of obtaining uniform data through a national classification system for assistive technology devices and assistive technology services across public programs and information and referral networks.

“(ii) The types of data that should be collected, including data regarding funding, across a range of programs, including the programs listed in subsection (c)(2), as appropriate.

“(iii) A methodology for developing a single taxonomy and nomenclature for both assistive technology devices and assistive technology services across a range of programs, including the programs listed in subsection (c)(2), as appropriate.

“(iv) The process for developing an appropriate data collection instrument or instruments.

“(v) A methodology for collecting data across a range of programs, including the programs listed in subsection (c)(2), as appropriate.

“(vi) The use of a national classification system by the Internal Revenue Service and State finance agencies to determine whether devices and services are assistive technology devices or assistive technology services for the purpose of determining whether a deduction or credit is allowable under the Internal Revenue Code of 1986 or State tax law.

“(3) CONTRACTS AND COOPERATIVE AGREEMENTS.—The Secretary may carry out this section directly, or, if necessary, by entering into contracts or cooperative agreements with appropriate entities.

“(b) SINGLE TAXONOMY.—In conducting the system development project, the Secretary shall develop a national classification system that includes a single taxonomy and nomenclature for assistive technology devices and assistive technology services.

“(c) DATA COLLECTION INSTRUMENT.—In conducting the system development project, the Secretary shall develop a data collection instrument to—

“(1) collect data regarding funding for assistive technology devices and assistive technology services; and

“(2) collect such data from public programs, including, at a minimum—

“(A) programs carried out under title I, VI, or VII of the Rehabilitation Act of 1973 (29 U.S.C. 720 et seq., 795 et seq., or 796 et seq.);

“(B) programs carried out under part B or H of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq. or 1471 et seq.);

“(C) programs carried out under title V or XIX of the Social Security Act (42 U.S.C. 701 et seq. or 1396 et seq.);

“(D) programs carried out under the Older Americans Act of 1965 (42 U.S.C. 3001 et seq.); and

“(E) programs carried out under the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6000 et seq.).

“(d) CONSULTATION.—The Secretary shall conduct the system development project in consultation with the Federal agencies that were consulted in developing the project plan.

“(e) REPORT TO THE PRESIDENT AND THE CONGRESS ON IMPLEMENTATION OF UNIFORM DATA COLLECTION SYSTEM.—Not later than July 1, 1997, the Secretary shall prepare and submit to the President and the appropriate committees of Congress a report containing—

“(1) the results of the system development project; and

“(2) the recommendations of the Secretary concerning implementation of a national classification system, including uniform data collection.

“(f) RESERVATION.—From the amounts appropriated under subtitle C for fiscal year 1995, the Secretary shall reserve up to \$200,000 to carry out this subtitle.”

#### SEC. 202. TRAINING AND DEMONSTRATION PROJECTS.

Title II (29 U.S.C. 2231 et seq.) is amended by repealing parts B, C, and D and inserting the following:

#### “Subtitle B—Training and Demonstration Projects

#### “SEC. 211. TRAINING.

“(a) TECHNOLOGY TRAINING.—

“(1) GENERAL AUTHORITY.—The Secretary shall make grants to, or enter into contracts or cooperative agreements with, appropriate public or private agencies and organizations, including institutions of higher education and community-based organizations, for the purposes of—

“(A) conducting training sessions;

“(B) developing, demonstrating, disseminating, and evaluating curricula, materials, and methods used to train individuals regarding the provision of technology-related assistance, to enhance opportunities for independence, productivity, and inclusion of individuals with disabilities; and

“(C) providing training to develop awareness, skills, and competencies of service providers, consumers, and volunteers, who are located in rural areas, to increase the availability of technology-related assistance in community-based settings for rural residents who are individuals with disabilities.

"(2) **ELIGIBLE ACTIVITIES.**—Activities conducted under grants, contracts, or cooperative agreements described in paragraph (1) may address the training needs of individuals with disabilities and their family members, guardians, advocates, and authorized representatives, individuals who work for public agencies, or for private entities (including insurers), that have contact with individuals with disabilities, educators and related services personnel, technology experts (including engineers), employers, and other appropriate individuals.

"(3) **USES OF FUNDS.**—An agency or organization that receives a grant or enters into a contract or cooperative agreement under paragraph (1) may use amounts made available through the grant, contract, or agreement to—

"(A) pay for a portion of the cost of courses of training or study related to technology-related assistance; and

"(B) establish and maintain scholarships related to such courses of training or study, with such stipends and allowances as the Secretary may determine to be appropriate.

"(4) **APPLICATION.**—

"(A) **IN GENERAL.**—To be eligible to receive a grant or enter into a contract or cooperative agreement under paragraph (1), an agency or organization shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

"(B) **STRATEGIES.**—At a minimum, any such application shall include a detailed description of the strategies that the agency or organization will use to recruit and train persons to provide technology-related assistance, in order to—

"(i) increase the extent to which such persons reflect the diverse populations of the United States; and

"(ii) increase the number of individuals with disabilities, and individuals who are members of minority groups, who are available to provide such assistance.

"(5) **PRIORITIES.**—

"(A) **IN GENERAL.**—Beginning in fiscal year 1994, the Secretary shall—

"(i) establish priorities for activities carried out with assistance under this subsection;

"(ii) publish such priorities in the Federal Register for the purpose of receiving public comment; and

"(iii) publish such priorities in the Federal Register in final form not later than the date on which the Secretary publishes announcements for assistance provided under this subsection.

"(B) **EXPLANATION OF DETERMINATION OF PRIORITIES.**—Concurrent with the publications required by subparagraph (A), the Secretary shall publish in the Federal Register an explanation of the manner in which the priorities were determined.

"(b) **TECHNOLOGY CAREERS.**—

"(1) **IN GENERAL.**—

"(A) **GRANTS.**—The Secretary shall make grants to assist public or private agencies and organizations, including institutions of higher education, to prepare students and faculty working in specific fields for careers relating to the provision of assistive technology devices and assistive technology services.

"(B) **FIELDS.**—The specific fields described in subparagraph (A) may include—

"(i) engineering;

"(ii) industrial technology;

"(iii) computer science;

"(iv) communication disorders;

"(v) special education and related services;

"(vi) rehabilitation; and

"(vii) social work.

"(2) **PRIORITY.**—In awarding grants under paragraph (1), the Secretary shall give priority to the interdisciplinary preparation of personnel who provide or who will provide technical assistance, who administer programs, or who prepare other personnel, in order to—

"(A) support the development and implementation of consumer-responsive comprehensive statewide programs of technology-related assistance to individuals with disabilities; and

"(B) enhance the skills and competencies of individuals involved in the provision of technology-related assistance, including assistive technology devices and assistive technology services, to individuals with disabilities.

"(3) **USES OF FUNDS.**—An agency or organization that receives a grant under paragraph (1) may use amounts made available through the grant to—

"(A) pay for a portion of the cost of courses of training or study related to technology-related assistance; and

"(B) establish and maintain scholarships related to such courses of training or study, with such stipends and allowances as the Secretary may determine to be appropriate.

"(4) **APPLICATION.**—

"(A) **IN GENERAL.**—To be eligible to receive a grant under this section, an agency or organization shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

"(B) **STRATEGIES.**—At a minimum, any such application shall include a detailed description of the strategies that the agency or organization will use to recruit and train persons to provide technology-related assistance, in order to—

"(i) increase the extent to which such persons reflect the diverse populations of the United States; and

"(ii) increase the number of individuals with disabilities, and individuals who are members of minority groups, who are available to provide such assistance.

"(c) **GRANTS TO HISTORICALLY BLACK COLLEGES.**—In exercising the authority granted in subsections (a) and (b), the Secretary shall reserve an adequate amount for grants to historically black colleges and universities and other institutions of higher education whose minority student enrollment is at least 50 percent.

"**SEC. 212. TECHNOLOGY TRANSFER.**

"The Secretary shall enter into an agreement with an organization whose primary function is to promote technology transfer from, and cooperation among, Federal laboratories (as defined in section 4(6) of the Stevenson-Wylder Technology Innovation Act of 1980 (15 U.S.C. 3703(6))), under which funds shall be provided to promote technology transfer that will spur the development of assistive technology devices.

"**SEC. 213. DEVICE AND EQUIPMENT REDISTRIBUTION INFORMATION SYSTEMS AND RECYCLING CENTERS.**

"(a) **IN GENERAL.**—The Secretary shall make grants to, or enter into contracts or cooperative agreements with, public agencies, private entities, or institutions of higher education for the purpose of developing and establishing recycling projects.

"(b) **PROJECT ACTIVITIES.**—Such recycling projects may include—

"(1) a system for accepting, on an unconditional gift basis, assistive technology devices, including a process for valuing the devices and evaluating their use and potential;

"(2) a system for storing and caring for such devices;

"(3) an information system (including computer databases) by which local educational agencies, rehabilitation entities, local community-based organizations, independent living centers, and other entities, would be informed, on a periodic and timely basis, about the availability and nature of the devices currently held; and

"(4) a system that makes such devices available to consumers and the entities listed in paragraph (3), and provides for tracking each device throughout the useful life of the device.

"(c) **MULTIPLE PROVIDERS.**—

"(1) **IN GENERAL.**—With respect to activities funded under this section, an agency, entity, or institution may utilize a single service provider or may establish a system of service providers.

"(2) **ASSURANCES.**—If an agency, entity, or institution uses multiple providers, the agency, entity, or institution shall assure that—

"(A) all consumers within a State will receive equal access to services, regardless of the geographic location or socioeconomic status of the consumers; and

"(B) all activities of the providers will be coordinated and monitored by the agency, entity, or institution.

"(d) **OTHER LAWS.**—Nothing in this section shall affect the provision of services or devices pursuant to title I of the Rehabilitation Act of 1973 (29 U.S.C. 720 et seq.) or part B of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.).

"(e) **EXISTING PROGRAMS.**—Public agencies, private entities, or institutions of higher education that have established recycling programs prior to receiving assistance under this section may use funds made available under this section to extend and strengthen such programs through grants, contracts, or agreements under this section.

"**SEC. 214. BUSINESS OPPORTUNITIES FOR INDIVIDUALS WITH DISABILITIES.**

"The Secretary may make grants to individuals with disabilities to enable the individuals to establish or operate commercial or other enterprises that develop or market assistive technology devices or assistive technology services.

"**SEC. 215. PRODUCTS OF UNIVERSAL DESIGN.**

"The Secretary may make grants to commercial or other enterprises and institutions of higher education for the research and development of products of universal design. In awarding such grants, the Secretary shall give preference to enterprises that are owned or operated by individuals with disabilities.

"**SEC. 216. GOVERNING STANDARDS FOR ACTIVITIES.**

"Persons and entities that carry out activities pursuant to this subtitle shall—

"(1) be held to the same consumer-responsive standards as the persons and entities carrying out programs under title I;

"(2) make available to individuals with disabilities and their family members, guardians, advocates, and authorized representatives information concerning technology-related assistance in a form that will allow such individuals with disabilities to effectively use such information;

"(3) in preparing such information for dissemination, consider the media-related needs of individuals with disabilities who have sensory and cognitive limitations and consider the use of auditory materials, including audio cassettes, visual materials, including video cassettes and video discs, and braille materials; and

"(4) coordinate their efforts with the consumer-responsive comprehensive statewide program of technology-related assistance for individuals with disabilities in any State in which the activities are carried out.

**"Subtitle C—Authorization of Appropriations**

**"SEC. 221. AUTHORIZATION OF APPROPRIATIONS.**

"There are authorized to be appropriated to carry out this title \$10,000,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 through 1998."

**TITLE III—ALTERNATIVE FINANCING MECHANISMS**

**SEC. 301. ALTERNATIVE FINANCING MECHANISMS AUTHORIZED.**

The Act (29 U.S.C. 2201 et seq.) is amended by adding at the end the following:

**"TITLE III—ALTERNATIVE FINANCING MECHANISMS**

**"SEC. 301. GENERAL AUTHORITY TO PROVIDE ALTERNATIVE FINANCING MECHANISMS.**

"(a) IN GENERAL.—The Secretary shall award grants to States to pay for the Federal share of the cost of the establishment and administration of, or the expansion and administration of, alternative financing mechanisms (referred to individually in this title as an "alternative financing mechanism") to allow individuals with disabilities and their family members, guardians, and authorized representatives to purchase assistive technology devices and assistive technology services.

"(b) MECHANISMS.—The alternative financing mechanisms may include—

"(1) a low-interest loan fund;

"(2) a revolving fund;

"(3) a loan insurance program;

"(4) a partnership with private entities for the purchase, lease, or other acquisition of assistive technology devices or the provision of assistive technology services; and

"(5) other alternative financing mechanisms that meet the requirements of this Act and are approved by the Secretary.

"(c) CONSTRUCTION.—Nothing in this section shall be construed as affecting the authority of a State to establish alternative financing mechanisms under title I.

**"SEC. 302. APPLICATIONS AND PROCEDURES.**

"(a) ELIGIBILITY.—States that receive or have received grants under section 102 or 103 shall be eligible to compete for grants under section 301.

"(b) REQUIREMENTS.—The Secretary shall make grants under section 301 under such conditions as the Secretary shall, by regulation, determine, except that—

"(1) a State may receive only 1 grant under section 301 and may only receive such a grant for 1 year under this title;

"(2) a State that desires to receive a grant under section 301 shall submit an application to the Secretary, at such time and in such manner as the Secretary may require, containing—

"(A) an assurance that the State will provide at least 50 percent of the cost described in section 301(a), as set forth in section 304, for the purpose of supporting the alternative financing mechanisms that are covered by the grant;

"(B) an assurance that an alternative financing mechanism will continue on a permanent basis; and

"(C) a description of the degree to which the alternative financing mechanisms to be funded under section 301 will expand and emphasize consumer choice and control;

"(3) a State that receives a grant under section 301—

"(A) shall enter into a contract, with a community-based organization (or a consortium of such organizations) that has individuals with disabilities involved at all organizational levels, for the administration of the alternative financing mechanisms that are supported under section 301; and

"(B) shall require that such community-based organization enter into a contract, for the purpose of expanding opportunities under section 301 and facilitating the administration of the alternative financing mechanisms, with—

"(1) commercial lending institutions or organizations; or

"(ii) State financing agencies; and

"(4) a contract between a State that receives a grant under section 301 and a community-based organization described in paragraph (3)—

"(A) shall include a provision regarding the administration of the Federal and the non-Federal shares in a manner consistent with the provisions of this title; and

"(B) shall include any provision required by the Secretary dealing with oversight and evaluation as may be necessary to protect the financial interests of the United States.

**"SEC. 303. GRANT ADMINISTRATION REQUIREMENTS.**

"A State that receives a grant under section 301, together with any community-based organization that enters into a contract with the State to administer an alternative financing mechanism that is supported under section 301, shall develop and submit to the Secretary, pursuant to a timeline that the Secretary may establish or, if the Secretary does not establish a timeline, within the 12-month period beginning on the date that the State receives the grant, the following policies or procedures for administration of the mechanism:

"(1) A procedure to review and process in a timely fashion requests for financial assistance for both immediate and potential technology needs, including consideration of methods to reduce paperwork and duplication of effort, particularly relating to need, eligibility, and determination of the specific device or service to be provided.

"(2) A policy and procedure to assure that access to the alternative financing mechanism shall be given to consumers regardless of type of disability, age, location of residence in the State, or type of assistive technology device or assistive technology service requested and shall be made available to applicants of all income levels.

"(3) A procedure to assure consumer-controlled oversight.

**"SEC. 304. FINANCIAL REQUIREMENTS.**

"(a) FEDERAL SHARE.—The Federal share of the costs described in section 301(a) shall be not more than 50 percent.

"(b) REQUIREMENTS.—A State that desires to receive a grant under section 301 shall include in the application submitted under section 302 assurances that the State will meet the following requirements regarding funds supporting an alternative funding mechanism assisted under section 301:

"(1) The State shall make available the funds necessary to provide the non-Federal share of the costs described in section 301(a), in cash, from State, local, or private sources.

"(2) Funds that support an alternative financing mechanism assisted under section 301—

"(A) shall be used to supplement and not supplant other Federal, State, and local public funds expended to provide public funding options; and

"(B) may only be distributed through the entity carrying out the alternative financing

mechanism as a payer of last resort for assistance that is not available in a reasonable or timely fashion from any other Federal, State, or local source.

"(3) All funds that support an alternative financing mechanism assisted under section 301, including funds repaid during the life of the mechanism, shall be placed in a permanent separate account and identified and accounted for separately from any other fund. Funds within this account may be invested in low-risk securities in which a regulated insurance company may invest under the law of the State for which the grant is provided and shall be administered with the same judgment and care that a person of prudence, discretion, and intelligence would exercise in the management of the financial affairs of such person.

"(4) Funds comprised of the principal and interest from an account described in paragraph (3) shall be available to support an alternative financing mechanism assisted under section 301. Any interest or investment income that accrues on such funds after such funds have been placed under the control of the entity administering the mechanism, but before such funds are distributed for purposes of supporting the mechanism, shall be the property of the entity administering the mechanism and shall not be taken into account by any officer or employee of the Federal Government for any purpose.

**"SEC. 305. AMOUNT OF GRANTS.**

"(a) AMOUNT.—

"(1) IN GENERAL.—Except as provided in paragraph (2), a grant under section 301 shall be for an amount that is not more than \$500,000.

"(2) INCREASES.—Such a grant may be increased by any additional funds made available under subsection (b).

"(b) EXCESS FUNDS.—If funds appropriated under section 308 for a fiscal year exceed the amount necessary to fund the activities described in acceptable applications submitted under section 302 for such year, the Secretary shall make such excess amount available, on a competitive basis, to States receiving grants under section 301 for such year. A State that desires to receive additional funds under this subsection shall amend and resubmit to the Secretary the application submitted under section 302. Such amended application shall contain an assurance that the State will provide an additional amount for the purpose of supporting the alternative financing mechanisms covered by the grant that is not less than the amount of any additional funds paid to the State by the Secretary under this subsection.

"(c) INSUFFICIENT FUNDS.—If funds appropriated under section 308 for a fiscal year are not sufficient to fund each of the activities described in the acceptable applications for such year, a State whose application was approved as acceptable for such year but that did not receive a grant under section 301, may update such application for the succeeding fiscal year. Priority shall be given in such succeeding fiscal year to such updated applications, if acceptable.

**"SEC. 306. TECHNICAL ASSISTANCE.**

"(a) IN GENERAL.—The Secretary shall provide information and technical assistance to States under this title, and the information and technical assistance shall include—

"(1) assisting States in the preparation of applications for grants under section 301;

"(2) assisting States that receive such grants in developing and implementing alternative financing mechanisms; and

"(3) providing any other information and technical assistance to assist States in accomplishing the objectives of this title.

"(b) GRANTS, CONTRACTS, AND AGREEMENTS.—The Secretary shall provide the information and technical assistance described in subsection (a) through grants, contracts, or cooperative agreements with public or private agencies and organizations, including institutions of higher education, with documented experience, expertise, and capacity to assist States in the development and implementation of the alternative financing mechanisms described in section 301.

**"SEC. 307. ANNUAL REPORT.**

"(a) IN GENERAL.—Not later than December 31 of each year, the Secretary shall submit a report to the Congress stating whether each State program to provide alternative financing mechanisms that was supported under section 301 during the year is making significant progress in achieving the objectives of this title.

"(b) CONTENTS.—The report shall include information on—

"(1) the number of applications for grants under section 301 that were received by the Secretary;

"(2) the number of grants made and the amounts of such grants;

"(3) the ratio of the amount of funds provided by each State for a State program to provide alternative financing mechanisms to the amount of Federal funds provided for such program;

"(4) the type of program to provide alternative financing mechanisms that was adopted in each State and the community-based organization (or consortia of such organizations) with which each State has entered into a contract; and

"(5) the amount of assistance given to consumers (who shall be classified by age, type of disability, type of assistive technology device or assistive technology service received, geographic distribution within the State, gender, and whether the consumers are part of an underrepresented population or a rural population).

**"SEC. 308. AUTHORIZATION OF APPROPRIATIONS.**

"(a) IN GENERAL.—There are authorized to be appropriated to carry out this title \$8,000,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 through 1998.

"(b) AVAILABILITY IN SUCCEEDING FISCAL YEAR.—Amounts appropriated under subsection (a) shall remain available for obligation for the fiscal year immediately following the fiscal year for which such amounts were appropriated.

"(c) RESERVATION.—Of the amounts appropriated under subsection (a), the Secretary shall reserve \$250,000 for the purpose of providing information and technical assistance to States under section 306."

**TITLE IV—AMENDMENTS TO OTHER ACTS**

**SEC. 401. INDIVIDUALS WITH DISABILITIES EDUCATION ACT.**

Section 631(a)(1) of the Individuals with Disabilities Education Act (20 U.S.C. 1431(a)(1)) is amended—

(1) by striking ", and" at the end of subparagraph (D) and inserting a comma;

(2) by striking the period at the end of subparagraph (E) and inserting ", and"; and

(3) by adding at the end the following:

"(F) training in the use, applications, and benefits of assistive technology devices and assistive technology services (as defined in paragraphs (2) and (3) of section 3 of the Technology-Related Assistance for Individuals With Disabilities Act of 1988 (29 U.S.C. 2202 (2) and (3)))."

**SEC. 402. REHABILITATION ACT OF 1973.**

(a) NATIONAL INSTITUTE ON DISABILITY AND REHABILITATION RESEARCH.—Section 202(b)(8) of the Rehabilitation Act of 1973 (29 U.S.C. 761a(b)(8)) is amended by striking "characteristics of individuals with disabilities" and inserting "characteristics of individuals with disabilities, including information on individuals with disabilities who live in rural or inner-city settings, with particular attention given to underserved populations,".

(b) TRAINING.—Section 302(b)(1)(B) of the Rehabilitation Act of 1973 (29 U.S.C. 771a(b)(1)(B)), as added by section 302(b) of Public Law 102-569 (106 Stat. 4412), is amended—

(1) by striking "; and" at the end of clause (ii) and inserting a semicolon;

(2) by striking the period at the end of clause (iii) and inserting "; and"; and

(3) by adding at the end the following:

"(iv) projects to train personnel in the use, applications, and benefits of assistive technology devices and assistive technology services (as defined in paragraphs (2) and (3) of section 3 of the Technology-Related Assistance for Individuals With Disabilities Act of 1988 (29 U.S.C. 2202 (2) and (3)))."

**SEC. 403. ADMINISTRATIVE REQUIREMENTS UNDER THE HEAD START ACT.**

Section 644(f) of the Head Start Act (42 U.S.C. 9839(f)) is amended—

(1) in paragraph (1)—

(A) by inserting ", or to request approval of the purchase (after December 31, 1986) of facilities," after "to purchase facilities"; and

(B) by adding at the end the following: "The Secretary shall suspend any proceedings pending against any Head Start agency to claim costs incurred in purchasing such facilities until the agency has been afforded an opportunity to apply for approval of the purchase and the Secretary has determined whether the purchase will be approved. The Secretary shall not be required to repay claims previously satisfied by Head Start agencies for costs incurred in the purchase of such facilities."; and

(2) in paragraph (2)—

(A) in subparagraph (A), by inserting "or that was previously purchased" before the semicolon;

(B) in subparagraph (C)—

(i) by inserting ", or the previous purchase has resulted," after "purchase will result" in clause (i); and

(ii) in clause (ii)—

(I) by inserting ", or would have prevented," after "will prevent"; and

(II) by striking "and" at the end;

(C) by redesignating subparagraph (D) as subparagraph (E); and

(D) by inserting after subparagraph (C) the following:

"(D) in the case of a request regarding a previously purchased facility, information demonstrating that the facility will be used principally as a Head Start center, or a direct support facility for a Head Start program; and"

**SEC. 404. TECHNICAL AND CONFORMING AMENDMENTS.**

(a) ASSISTIVE TECHNOLOGY DEVICE.—Section 7(23) of the Rehabilitation Act of 1973 (29 U.S.C. 706(23)), as added by section 102(n) of Public Law 102-569 (106 Stat. 4350), is amended—

(1) by striking "3(1)" and inserting "3(2)"; and

(2) by striking "2202(1)" and inserting "2202(2)".

(b) ASSISTIVE TECHNOLOGY SERVICE.—Section 7(24) of the Rehabilitation Act of 1973 (29

U.S.C. 706(24)), as added by section 102(n) of Public Law 102-569 (106 Stat. 4350), is amended—

(1) by striking "3(2)" and inserting "3(3)"; and

(2) by striking "2202(2)" and inserting "2202(3)".

**TITLE V—EFFECTIVE DATE**

**SEC. 501. EFFECTIVE DATE.**

(a) IN GENERAL.—Except as otherwise specifically provided in this Act, this Act and the amendments made by this Act shall take effect on the date of the enactment of this Act.

(b) COMPLIANCE.—Each State receiving a grant under the Technology-Related Assistance for Individuals With Disabilities Act of 1988 shall comply with the amendments made by this Act—

(1) as soon as practicable after the date of the enactment of this Act, consistent with the effective and efficient administration of the Technology-Related Assistance for Individuals With Disabilities Act of 1988; but

(2) not later than—

(A) the next date on which the State receives an award through a grant under section 102 or 103 of such Act; or

(B) October 1, 1994,

whichever is sooner.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York [Mr. OWENS] will be recognized for 20 minutes, and the gentleman from North Carolina [Mr. BALLENGER] will be recognized for 20 minutes.

The Chair recognizes the gentleman from New York [Mr. OWENS].

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

Mr. Speaker, I rise in strong support of the technology-related assistance for the Individuals With Disabilities Act Amendments of 1994. The Subcommittee on Select Education and Civil Rights understands the urgency and importance of this legislation to the disability community and has moved to incorporate many of their recommendations in this reauthorization.

This bill is the culmination of a bipartisan effort. Moreover, the House and Senate have reconciled the differences in their respective bills, resulting in the strong piece of legislation which I present to the House today.

The State programs of technology-related assistance have come a long way since their inception in 1988. At that time, many individuals with disabilities were not aware of the existence of specific assistive technology devices tailored to their specific needs. Today, however, they can dial a 1-800 number in their State and actually get a voice at the other end of the line—a voice of someone who is a specialist in locating funding sources to pay for assistive technology. Additionally, individuals with disabilities can visit their State program at various sites, where they can try out devices and receive training in their use. The development and implementation of these programs have undoubtedly improved the ability

of individuals with disabilities to live independently and pursue meaningful careers.

This bill provides a 5-year reauthorization for title I, which will sunset in 10 years after one more reauthorization. Congress never intended for this program to become a permanent Federal grant program. Instead, we envisioned a program which would eventually take on a life of its own after an adequate amount of Federal seed money. When Federal funding is terminated, all 50 States will have had the benefit of 10 years of Federal support. Based on the progress of those States which are 5 years into their 10-year Federal cycle, 10 years should be ample time for the States to line up alternative sources of public and private funding for the future.

Title I includes clearer standards of accountability for the States to ensure that the bill's goals are accomplished within the period of Federal funding. Some of the changes to be made in title I include the following:

First, the requirement that States perform six specific systems change and advocacy activities, including outreach to underrepresented populations and rural populations.

Second, the requirement that States provide a specific amount of title I funds to a protection and advocacy agency, so that individuals with disabilities have access to legal representation when they are denied access to assistive technology to which they are entitled under law. It is imperative that these grants or contracts be in place no later than 60 days after the enactment of this legislation.

Third, the requirement that State lead agencies and protection and advocacy agencies be redesignated for good cause.

Title II also is reauthorized for 5 years. The new title II requires the Secretary of Education to develop a national classification system for assistive technology devices and services. It also includes grants for personnel training, technology transfer, recycling demonstration projects, business opportunities for individuals with disabilities, and the development of products of universal design.

Title III is a new but vital addition to current law. Across the Nation, there is a lack of capacity to deliver assistive technology devices and services to consumers. The experience of several States in establishing low-interest loan programs has demonstrated the effectiveness of alternative financing mechanisms in enabling individuals with disabilities to secure assistive technology in an expeditious manner. Therefore, title III introduces a program of one-time, Federal grants to States for establishing alternative financing mechanisms.

I urge my colleagues to pass this legislation to enable individuals with dis-

abilities to continue their drive toward full inclusion and integration in the economic, political, social, cultural, and educational mainstream of our society.

□ 1450

Mr. Speaker, I wish to thank the gentleman from Michigan [Mr. FORD], the gentleman from Pennsylvania [Mr. GOODLING], the gentleman from North Carolina [Mr. BALLENGER], and other members of my subcommittee in the House, as well as the Senator from Massachusetts [Mr. KENNEDY], the Senator from Kansas [Mrs. KASSEBAUM], the Senator from Iowa [Mr. HARKIN], and the Senator from Minnesota [Mr. DURENBERGER] for their support in this bipartisan effort.

Mr. Speaker, I submit the following documents for insertion into the RECORD.

U.S. SENATE, COMMITTEE ON LABOR  
AND HUMAN RESOURCES.

Washington, DC, February 7, 1994.

Hon. MAJOR OWENS and

Hon. CASS BALLENGER,

*Subcommittee on Select Education and Civil Rights, Committee on Education and Labor, Rayburn House Office Building, Washington, DC.*

DEAR MR. OWENS AND MR. BALLENGER: We are in receipt of your February 4, 1994 letters seeking a clarification of congressional intent in H.R. 2339 with regard to the sunset provision as it relates to a five-year reauthorization for the Technology-Related Assistance for Individuals with Disabilities Act.

We fully concur with your understanding of the policy in the bill regarding the above referenced provisions.

Sincerely,

DAVID DURENBERGER,

*Ranking, Subcommittee on Disability Policy.*

TOM HARKIN,

*Chair, Subcommittee on Disability Policy.*

U.S. HOUSE OF REPRESENTATIVES,  
COMMITTEE ON EDUCATION AND  
LABOR,

Washington, DC, February 4, 1994.

Hon. TOM HARKIN,

*Chairman, Subcommittee on Disability Policy, Senate Labor and Human Resources Committee, Hart Senate Office Building, Washington, DC.*

DEAR MR. CHAIRMAN: We are writing to clarify Congressional intent in H.R. 2339 with regard to the sunset provision as it relates to a five-year reauthorization for the Technology Related Assistance Act for Individuals with Disabilities.

It is our intent that States receiving grants under Title I of the Technology-Related Assistance Act for Individuals with Disabilities will receive grants under this title for not more than a total of 10 years. Included in that 10 years are: one three-year development grant, one 2-year extension of that development grant if the State demonstrates to the Secretary of Education that they have made significant progress in developing and implementing a consumer-responsive, comprehensive, statewide program of technology-related assistance, and one 5 year second extension grant based on the above requirement. In year four and five, a phase-out of the second extension grant will occur with a State receiving 75% of their grant award in year four and 50% of their grant

award in year five. After the fifth and final year of the second extension grant, no State will receive any Federal funds under Title I of this Act.

While we understand your concerns that the length of the authorization for this Act should be five years for purposes of oversight, it is our intent that no State should receive Federal assistance under Title I of this Act, the State grant program, for more than ten years. As you may recall, in 1988 when this program was created, and original Congressional intent was to provide Federal seed money to States to help them develop and implement consumer-responsive, comprehensive statewide programs of technology-related assistance. We do not believe that the Congress intended for this program to become a permanent Federal grant program and it is for that reason that we strongly support this sunset provision.

We hope that this is your understanding of the sunset and five-year reauthorization provisions of H.R. 2339 so that we can ensure this policy is clearly explained during the House and Senate floor debate when this bill is considered. We appreciate your consideration of this issue and look forward to hearing your views.

Sincerely,

MAJOR OWENS,

*Member of Congress.*

CASS BALLENGER,

*Member of Congress.*

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

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

I rise to support H.R. 2339, the Technology Related Assistance for Individuals with Disabilities Act Amendments of 1994. This bill represents a bipartisan agreement worked out between the House and the Senate. I want to commend the gentleman from New York, [Mr. OWENS] the gentleman from Iowa Senator HARKIN, the gentleman from Minnesota, Senator DURENBERGER, and all the staff for all the hard work and consistent efforts they did in order to work out the differences between the two bodies so that we can all support this bill today. The House passed this bill last August and the bill today reflects many of the policies made in the original House bill.

H.R. 2339 makes several changes in the current law to strengthen activities States are doing in order to make assistive technology devices and services available to individuals with disabilities. Assistive technology does make a difference in the lives of individuals with disabilities by providing them the opportunity to live independent and productive lives, and this legislation will continue to help make such assistive technology more accessible and available to them. With the issue of health care reform on the horizon for Congress to consider, States must have a delivery system in place for individuals with disabilities to access assistive technology and devices. H.R. 2339 makes such a delivery system possible.

I am particularly pleased that this bill has a sunset provision repealing

this program in fiscal year 2002. This will allow all States to participate in this program for no more than a total of 10 years with a phase out of Federal dollars in years 9 and 10. When Congress enacted this act in 1988, it was intended to provide Federal seed money to States to develop and implement a statewide system to eliminate barriers and make assistive technology accessible and available. The goal being that once that was accomplished, this Federal program would no longer be needed. While H.R. 2339 does have a 5 year authorization at the request of the other body for purposes of oversight, it is our intent that no State receive Federal assistance under title I of this act for more than 10 years. This policy is defined in a letter to Senator HARKIN and Senator DURENBURGER from Chairman OWENS and myself. I would like to include in the RECORD at the end of this debate both letters. I am glad the policy to end a Federal program once it accomplishes its intended goals was retained in this legislation.

I also support the new provision creating a one-time Federal matching grant to States to develop alternative financing systems so that individuals with disabilities can access financial assistance in order to purchase assistive technology devices. This Federal investment will be no more than \$500,000 per State and will be matched dollar-for-dollar by the State. The State will have the authority to decide what type of alternative financing system to develop, such as a low interest loan or a revolving loan program, and will be required to have commercial lending institutions or State financing agencies jointly administer the program with a community-based organization. The Federal dollars will only provide seed money to help assist States develop their own alternative financing system, and such a system must be the payor of last resort. I believe this provision is essential if we expect individuals with disabilities to purchase assistive technology in order to become more independent.

I support this legislation and believe it will truly change the lives of individuals with disabilities. I urge my colleagues to support the passage of H.R. 2339.

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

Mr. GOODLING. Mr. Speaker, I rise in support of H.R. 2339, the Technology Related Assistance for Individuals with Disabilities Act Amendments of 1994. This legislation was enacted in 1988, as a Republican initiative, to improve occupational and educational opportunities for individuals with disabilities through assistive technology devices and services. The intent of the original act was to provide Federal seed money to States to assist them in developing and implementing statewide programs that increase access to, and availability of, assistive technology devices and services.

H.R. 2339 is a compromise between the House and the Senate but reflects many of

the policies addressed by the original House bill. During the reauthorization process, it came to our attention that States still need time to change their current systems in order to make assistive technology accessible and available to individuals with disabilities. H.R. 2339 authorizes a second 5 year extension grant to States who have demonstrated significant progress in developing and implementing these statewide programs. However, once a State has participated in this program for a total of 10 years, Federal assistance under this program will terminate. I support this sunset provision, and believe it sends a message to States to remove barriers to assistive technology throughout the State.

I also support the new provision which will encourage States to develop alternative financing mechanisms, such as a low interest loan program, to enable individuals with disabilities to purchase assistive technology devices. This one-time Federal matching grant will be for no more than \$500,000 per State. One of the biggest criticisms we have heard has been the lack of financial assistance available to individuals with disabilities to purchase assistive technology. If States decide to create alternative financing mechanisms, such financial assistance will be available as the payor of last resort once all other public assistance has been denied. I believe these financing systems will be the legacy of the Technology-Related Assistance Act for individuals with disabilities by providing access to much-needed financial assistance necessary to purchase assistive technology.

I support H.R. 2339 because I have seen the benefits that assistive technology has made in the lives of individuals with disabilities. Assistive technology can be the difference in whether an individual has the opportunity to be independent or is confined to a life of dependency on others. This legislation can make that difference and I urge my colleagues to support it.

Mr. OWENS. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Utah [Ms. SHEPHERD].

Ms. SHEPHERD. Mr. Speaker, I thank the gentleman for yielding this time to me.

Mr. Speaker, I rise in support of H.R. 2339, and I am pleased that this bill will pass the House today without controversy, as it should. With the Chairman's permission, I would like to highlight an important section of this bill which has a direct impact on my district in Salt Lake City.

In a wise move, Congress recently changed the Federal regulations for the Head Start Program to enable local Head Start centers to use Federal funds to purchase their facilities. In light of the low interest rates and rapidly rising rents in many communities, including Salt Lake City, this was a cost-effective and farsighted change in regulations.

A Head Start center in my district had already saved taxpayers \$100,000 by purchasing a building before the law was changed. Instead of being praised for good work, they were being sued by

HHS for making the change too soon. Unfortunately, the Head Start Program in Utah has had to suffer through a prolonged and expensive court battle as a result of their inadvertent mistake.

No more. Last year Senator ORRIN HATCH and I joined forces to solve this problem. The bill before us today will suspend the legal proceedings against the Salt Lake Head Start center and allow them to purchase their facility. It is an example of how Congress can help strengthen our communities and improve the lives of our children, while saving taxpayer dollars at the same time. It is a living example of reinventing Government.

My deepest thanks to Chairman OWENS for his cooperation and vision in this matter, and to Chairman MARTINEZ, whose subcommittee has jurisdiction on this issue. Together, we made Government work.

□ 1500

Mr. BALLENGER. Mr. Speaker, I know of no Republican Members who want to speak on House Resolution 351, and, therefore, I yield back the balance of my time.

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

The SPEAKER pro tempore (Mr. MONTGOMERY). The question is on the motion offered by the gentleman from New York [Mr. OWENS] that the House suspend the rules and agree to the resolution, House Resolution 351.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. OWENS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks, and include extraneous material, on House Resolution 351, the resolution just agreed to.

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

There was no objection.

#### IRISH-AMERICAN HERITAGE MONTH

Ms. BYRNE. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the Senate joint resolution (S.J. Res. 119) to designate the month of March 1994 as "Irish-American Heritage Month," and ask for its immediate consideration.

The Clerk read the title of the Senate joint resolution.

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

Mr. GILMAN. Mr. Speaker, reserving the right to object, I would like to acknowledge the good work of my friend and colleague, the gentleman from New York [Mr. MANTON], who is the chief cosponsor of the resolution designating the month of March 1994 as Irish-American Heritage Month, and, further reserving the right to object, I yield to the gentleman from New York.

Mr. MANTON. Mr. Speaker, I rise today in support of House Joint Resolution 246, a resolution I introduced to proclaim the month of March 1994 as "Irish-American Heritage Month."

I am pleased that 218 of my colleagues have joined me in sponsoring this important resolution. I would also like to thank Chairman CLAY for bringing this resolution to the floor.

House Joint Resolution 246 celebrates the heritage of over 40 million Americans of Irish descent. Irish-American Heritage Month is designed to honor all Irish-Americans and complement the hundreds of parades and activities sponsored around the United States every March in honor of St. Patrick's Day.

Mr. Speaker, Irish-Americans have played an important role in U.S. history. Four signers of the Declaration of Independence were Irish born. Commodore John Barry of County Wexford, Ireland, served in the Continental Navy and is widely regarded as the Father of the American Navy. President William Jefferson Clinton is the 19th American President of Irish ancestry. More than 200 Irish-Americans have been awarded the Congressional Medal of Honor. Mary Kennedy O'Sullivan, the first woman organizer of the American Federation of Labor, was of Irish origin. Nine of the generals who served in the Continental Army during the American Revolution were Irish born. Irish-Americans have contributed greatly to the enrichment of all aspects of life in the United States.

The idea for an Irish-American Heritage Month was first conceived by the late John W. O'Beirne, chairman of the American Foundation for Irish Heritage. The passage of this resolution will serve as a tribute to his hard work and dedication to increase the awareness of Irish-American heritage.

Again, I would like to thank my friend, Mr. CLAY, for bringing House Joint Resolution 246 to the floor today. I urge my colleagues to join me in supporting this important resolution.

Mr. GILMAN. Mr. Speaker, further reserving the right to object, I thank the gentleman from New York [Mr. MANTON] for his background on Irish-American Heritage Month and for his eloquent remarks, and, Mr. Speaker, further reserving the right to object, I yield to my good friend and colleague, the gentleman from New York [Mr.

FISH], who is also an original cosponsor of House Joint Resolution 246.

Mr. FISH. Mr. Speaker, I thank my colleague, and, Mr. Speaker, I think this is a most appropriate action for the Congress of the United States to take. This resolution gives a compelling case of the contributions of Irish-Americans to the United States throughout our history, from the very beginning up to date, and, Mr. Speaker, for me it has meaning because of the fact that in my congressional district Tara Circle will soon be a substantial embodiment of a location where we can celebrate the heritage, the culture and the identity of Irish-Americans and their great contributions to this country.

Mr. Speaker, I congratulate my colleagues for bringing this measure before us today.

Mr. GILMAN. Mr. Speaker, further reserving the right to object, I thank the gentleman from New York [Mr. FISH] for his supportive remarks and for being an original cosponsor of this measure.

Mr. Speaker, further reserving the right to object, I am once again pleased and honored to join in as an original cosponsor of this resolution Senate Joint Resolution 119 to honor Irish American Heritage Month for this year 1994. I commend my colleagues, the gentlemen from New York, Mr. MANTON and Mr. FISH for their leadership and support for this resolution.

Millions of Americans trace their ancestral roots to the Emerald Isle, and are immensely proud of this rich heritage. It is indeed fitting that today we in the Congress once again seek a month to honor that very proud Irish-American heritage.

The contributions of Irish-Americans and that proud heritage, was widely observed by many Americans recently when the Nation paid public tribute to the life and career of former House Speaker Thomas P. "Tip" O'Neill on his death. Speaker O'Neill had made many contributions to American life. He was particularly proud of his Irish heritage, as are so many others in America today. Speaker Thomas O'Neill was part of a long line of those of Irish heritage who contributed much to America, particularly our political history. He shall always for example, be remembered in our political folklore for his description of all politics as being local.

It is little noted, but at one time our President of the United States, the Speaker of the House, and the Senate majority leader were all of Irish heritage. During the John F. Kennedy era, the Irish in America held the three highest elected offices in the land. In the modern era, former President Ronald Reagan also proudly pointed to his Irish heritage and ancestral family links to Ballyporeen Ireland.

Not only have the Irish made significant contributions to American poli-

tics, but in sports, commerce, our armed services, the arts, and literature, among others, the Irish have contributed to our great Nation's history and culture. A month honoring that heritage is a fitting tribute to the many contributions of those of Irish heritage. Those such as Thomas P. "Tip" O'Neill and Ronald Reagan, and so many others of Irish background have already, and surely will contribute much to America's well being in the future, as well.

Accordingly, I am pleased to rise in support of this important measure, and I urge all my colleagues to join in support of this important resolution.

Mr. GILMAN. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.  
The Clerk read the Senate joint resolution, as follows:

S.J. RES. 119

Whereas the first Irish emigrants arrived in America as early as 1621;

Whereas 9 of the generals who served in the Continental Army during the American Revolution were Irish born;

Whereas Commodore John Barry of County Wexford, Ireland, served brilliantly in the Continental Navy and is widely regarded as the father of the American Navy;

Whereas James Smith, George Taylor, Matthew Thornton, and Charles Thomson, 4 of the individuals who signed the Declaration of Independence, were Irish born and 9 other signers were of Irish ancestry;

Whereas the contributions of the Irish to America's victory in the American Revolution led Lord Mountjoy to exclaim in the British Parliament that "America was lost by the Irish emigrants";

Whereas beginning at the time of the potato blight and famine in Ireland in 1845, over 700,000 Irish immigrants came to the United States during the 1840's, 900,000 during the 1850's, and over 300,000 in each decade through 1910;

Whereas Irish Americans participated heavily in the industrial and economic development of America during the nineteenth century, building our cities and canals and the railroads that expanded the Nation to the West;

Whereas even today, it is said that under every railroad tie an Irishman is buried;

Whereas the Irish contributed greatly to the development of the labor movement in the United States, including the establishment of the American Miners Association in 1861;

Whereas nearly 150,000 natives of Ireland served in the Union forces during the Civil War;

Whereas more than 500 members of the Irish Brigade were killed while fighting for the Union in the Battle of Antietam on September 17, 1862, a date that has been called the bloodiest day in American history;

Whereas the Irish Brigade fought courageously in several other Civil War battles including Fredericksburg, Chancellorsville, Yorktown, Fair Oaks, Gaines Mill, Allen's Farm, Savage Station, White Oak Bridge, Glendale, Malvern Hill, Gettysburg, and Bristow Station;

Whereas in 1892, Annie Moore from County Cork, Ireland, at age 15 became the first immigrant to pass through Ellis Island;

Whereas Irish Americans have made numerous contributions to the arts and to sports, as exemplified by the achievements of F. Scott Fitzgerald, Eugene O'Neill, Helen Hayes, Georgia O'Keefe, John L. Sullivan, and Connie Mack;

Whereas the first woman to serve as the organizer of the American Federation of Labor was Mary Kennedy O'Sullivan;

Whereas at the beginning of the twentieth century, many of the school teachers in America's largest cities were Irish American women;

Whereas President John F. Kennedy was the first American President to visit Ireland during his term in office;

Whereas Irish Americans, including Kathryn Sullivan, the first American woman to walk in space, and Christa Corrigan McAuliffe, America's first school teacher in space who perished on the Challenger mission, have bravely served as America's pioneers in space;

Whereas more than 200 Irish Americans have been awarded the Congressional Medal of Honor;

Whereas President William Jefferson Clinton is the nineteenth American President of Irish ancestry;

Whereas 37 United States governors and mayors designated March 1993 as "Irish-American Heritage Month"; and

Whereas 44 million Americans are of Irish ancestry: Now, therefore, be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the month of March 1994 is designated as "Irish-American Heritage Month". The President is authorized and requested to issue a proclamation calling upon the people of the United States to observe this month with appropriate ceremonies and activities.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### GENERAL LEAVE

Ms. BYRNE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the Senate joint resolution just passed.

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

There was no objection.

#### REQUEST FOR REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 51

Ms. SCHENK. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 51.

The SPEAKER pro tempore. Without objection, the gentleman's remarks will appear in the RECORD.

There was no objection.

#### PRESIDENT'S HEALTH CARE PLAN NOT DOWN FOR THE COUNT

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

Mr. RICHARDSON. Mr. Speaker, inside the beltway the special interests and the Republicans are saying the health care bill is in trouble. They are saying this, despite the fact that the first inning has not even started, and we have not even had one vote on the plan.

Mr. Speaker, those that count President Clinton out early should remember what happened with the budget reconciliation bill and with NAFTA. Outside the beltway the American people want health care reform, and they want the President's plan.

The truth of the matter is that the President's plan makes sense, and it is the only one on the table that provides guaranteed private insurance that can never be taken away.

Mr. Speaker, inside the beltway everybody is crowing about how the health care plan is in trouble. But when the American people see who is doing what, they will side with the President's plan. And once again, like NAFTA, like the budget reconciliation bill, the President's plan will win.

Mr. Speaker, the president is leading this Nation and leading the fight for health care reform. He has driven this process and the American people know that the health care system is broken and needs to be fixed.

Some will claim that there is no health care crisis. Others will try to paint the President's plan as overly bureaucratic and as a new budget expenditure.

The truth of the matter is that the President's plan makes sense and is the only plan that provides guaranteed private insurance that can never be taken away. The current debate surrounding the CBO's accounting decisions amounts to arguments between inside-the-beltway policy wonks that should not affect the outcome of health reform.

The President's plan rejects a Government-run, Government-financed system in favor of a system that is rooted in the private sector and builds on the employer system to guarantee every American private comprehensive health insurance.

Mr. Speaker, the campaign of misinformation will, unfortunately, continue but, in the end, the American people will see the President's plan for what it is, an attempt to guarantee good health care for all Americans.

#### LET'S STOP DISABILITY INSURANCE FRAUD

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

Mr. SMITH of Michigan. Mr. Speaker, Supplemental Security Income was designed to help the disabled who can no longer work and sustain their incomes. Unfortunately, some people

have found that a court interpretation of a 1972 law allows them to take billions of dollars from U.S. taxpayers by having their children classified as disabled because they are slow learners or have behavioral problems. Several constituents brought this unfair situation to my attention. Over the last several months, I drafted a bill to stop this fraud by eliminating extra disability benefits for those under 16 years old, saving taxpayers \$3.6 billion per year. Parents of these children would still be eligible for medical care through Medicaid, AFDC and other low income assistance programs, but they couldn't claim disability benefits of an additional \$400 per child per month. I plan to introduce legislation this week and invite cosponsors.

The problem of disability abuse has come increasingly into the public spotlight, including this article in last Friday's Washington Post by Bob Woodward and Benjamin Weiser, that I will include as an extension of my remarks.

My bill will protect the integrity of S.S.I. and save billions of dollars for hard working taxpayers.

The article referred to follows:

[From the Washington Post, Feb. 4, 1994]

**COSTS SOAR FOR CHILDREN'S DISABILITY PROGRAM: HOW 26 WORDS COST THE TAXPAYERS BILLIONS IN NEW ENTITLEMENT PAYMENTS**

(By Bob Woodward and Benjamin Weiser)

Nora Cooke Porter, a pediatrician and lawyer, works on the front lines of the nation's entitlement system. She can barely contain her frustration as she flips through some of the thousands of applications for a federal aid program for disabled poor children that have passed through her Harrisburg, Pa., office over the last two years.

The files show, she says, that children who curse teachers, fight with classmates, perform poorly in school or display characteristics of routine rebellion are often diagnosed with behavioral disorders and therefore qualify for the program's cash benefits, which average \$400 a month. Under a broad new federal standard prompted by a 1990 Supreme Court ruling, behavior that isn't "age appropriate" is considered a disability.

Porter feels her hands are tied by the new rules. She has tried to block benefits to children who, in her medical opinion, are not suffering from any disability. Her superiors have overruled her, and she has written detailed rebuttals. Last month, she was suspended without pay for her repeated protests, and she believes her job as a disability-review physician is in jeopardy.

Months before her suspension, she agreed to be interviewed because she believes that the children's disability program is an example of an entitlement system gone haywire. She hopes that her decision to speak out will draw attention from congressional or federal investigators.

The age-appropriate standard is only the most recent flaw in the program, according to Porter and others. They trace the programs' problems to its origin: a vague, little-debated 26-word clause that was hastily inserted in a mammoth welfare bill passed in 1972.

Porter's criticisms are echoed by many others who work in the program. They say they sympathize with the children, many of whom are living in desperate poverty. But,

they argue, the program does little to help them with their real troubles, especially since the majority of children who now qualify have mental disorders rather than physical ones.

How to provide for the country's neediest—the old, the young, the poor, the sick, the disabled, the disadvantaged—without bankrupting the Treasury has become one of the central governing questions of our time.

Earlier this week, *The Washington Post* published a series of articles on the rising cost of Medicaid, the health insurance program that is the government's largest entitlement for the poor. This article examines the little-known children's disability program, another entitlement for the poor, which is experiencing the same skyrocketing costs as Medicaid.

Last year, the children's disability program cost \$3.6 billion. It was serving 770,000 at the end of December, a number that none of its sponsors imagined possible when it was enacted 20 years ago, they say. Because disability recipients automatically qualify for Medicaid, the program's rapid expansion also has led to hundreds of millions of dollars in additional costs for that entitlement program.

Children's disability is a component of a larger entitlement program called Supplemental Security Income, or SSI, which provides benefits to poor people who are elderly, disabled or blind. By law, entitlement programs guarantee government benefits to anyone who meets the qualifications set out in legislation or in regulations. Federal spending levels are mandatory, meaning they cannot be altered unless the law is changed.

#### WHAT CAN HAPPEN

The history of the children's disability program illustrates what can happen when a law is enacted without much debate or study and then becomes subject to interpretation by regulators, advocates and the Supreme Court.

The new age-appropriate standard that Porter criticizes was written by federal regulators after the Supreme Court ruled that the law required the government to use a broader definition of disability in determining eligibility.

Since the court ruling, the number of children receiving benefits has more than doubled. The decision also led to lump-sum back payments for some 150,000 children who had been denied benefits under the old rules. These back payments—which averaged \$15,000, with some as high as \$75,000—have cost the government \$2 billion since 1991, plus at least \$287 million more in administration.

In a survey of state disability determination directors conducted last summer, more than half cited "inappropriate use of SSI funding" as the most common concern in their states. Parents or guardians are not required to use the money for therapeutic or medical aid. They can spend the cash payment as they please, as long as it benefits the child in some way. That rule has been interpreted to allow the purchase of a television set, a video game or a car.

"I really have to grapple with the idea that I'm allowing that parent to use the money any way they want to, fairly certain, given the history, that the child is not going to benefit," said a psychologist in the Washington disability determination office. "And that happens to us . . . eight times a day."

The lump-sum payments revealed what both supporters and critics of the program see as the absurdity of federal spending

rules. Families receiving the back payments were required to spend the money within six months so that their sudden wealth would not make them ineligible for the income-based program.

Last summer, a group of disability experts and officials met in Washington to discuss the mission of the children's disability program. According to a confidential memo about the July 19 meeting, a congressional staff director "questioned exactly what we were trying to accomplish by giving disabled children benefits."

The response: "From a social policy perspective," the memo said, "it was interesting that no one really had a good answer"—not the policy experts, nor the people who run the program, nor even the people who oversee the legislation.

#### A CONSOLATION PRIZE

The children's disability program began in 1972 as a kind of consolation prize.

The Senate had just killed the Nixon administration's proposal for a guaranteed minimum income for poor Americans. As a compromise, Congress established SSI to provide aid for the "deserving poor": the elderly, blind and disabled. Initially, no money was set aside for children.

Thomas C. Joe, a senior federal welfare official, inserted the 26-word clause that expanded SSI to cover children. It appeared in parenthesis, as follows: "(or, in the case of a child under the age of 18, if he suffers from any medically determinable physical or mental impairment of comparable severity)."

Joe, 58, now head of a Washington social policy think tank, said that expanding the program to cover disabled children was part of his "incremental strategy" to assist as many poor people as possible. It was a welfare program disguised as disability assistance.

There was no consideration of the financial or policy consequences or of other ways to aid disabled children, according to participants in drafting the original legislation. Nor was there any public hearing that even mentioned Joe's 26-word clause.

Joe acknowledged with some humor that he tucked the provision into the 697-page bill in order to sneak it through. "I was afraid that too many people were going to discover this and it would be a big controversy," he said. "This is a good example of democracy not at work," he added.

The Senate Finance Committee chairman at the time, Russell B. Long (D-La.), made a run at killing the provision. "Disabled children's needs for food, clothing and shelter are usually no greater than the needs of non-disabled children," his staff wrote in a Sept. 26, 1972, committee report. It said disabled children needed health care and rehabilitative services, not money, and noted that Medicaid already covered poor children's health costs in 48 states.

During the closed-door, marathon weekend House-Senate conference in October 1972 to reconcile different versions of the bill, hundreds of other welfare, Medicaid and Medicare issues were being resolved, and SSI received little attention.

"It wasn't thought of as a big deal," said Frank Crowley, a now retired senior staffer who worked on the bill. "It was one of these annoying little details."

The 67-page report from the conference made no mention of how the issue was settled. J. William Kelley, a House Ways and Means Committee staffer at the time, has a copy of the only existing conference paper about Senate amendment No. 564, which called for dropping Joe's provision. The sin-

gle sheet reads: "CONFIDENTIAL. Summary: The House bill authorizes payment to children under age 18. The Senate bill does not." The line under "Cost" was left blank.

When the conference report was presented to the House on Oct. 17, 1972, Rep. Phillip Burton (D-Calif.) rose to praise the new program. "Thanks to Tom Joe, this is now a reality," he said.

#### WHAT IS DISABILITY?

Joe's amendment became law without anyone addressing the obvious question: How do you define disability for a child?

Previously, disability assistance had been premised on the disabled person's inability to work. The purpose was to make up for lost income. The bill creating SSI defined a disabled adult as someone "unable to engage in any substantial gainful activity."

But children don't work, at least until they become teenagers. "It is ludicrous on its face to apply the same standard to children," said Joseph Humphreys, a former congressional staffer who worked on the 1972 bill. Humphreys called the 26 words "a punt by Congress" that left regulators to decide what to do.

The meaning of Joe's 26 words—especially the phrase "comparable severity"—has been controversial ever since. Even today, Joe said, he doesn't know exactly what the phrase was supposed to mean.

In writing regulations, the Social Security Administration, which runs SSI, said an adult was eligible if his or her disability appeared on a predetermined list of physical and mental impairments. If it didn't, the adult could still qualify by having a personal evaluation that determined that he or she was unable to work.

The regulations treated children differently. They had to manifest one of the listed impairments, such as acute leukemia, chronic epilepsy or serious mental retardation. Because children generally don't hold jobs, individual evaluations were not considered necessary.

In the early 1980s, the Reagan administration moved to slash the number of people on federal assistance programs, including SSI. One of the thousands of people affected was Brian Zebley, a 5-year-old retarded boy. His family filed a lawsuit, charging that the government was illegally denying benefits to Brian and other children.

As the case wound its way through the federal courts, it attracted a vigorous and passionate advocate—Jonathan Stein, a legal services lawyer in Philadelphia. The legal counterpart to Joe, Stein saw the courts as a way to extend benefits to the poor. He and a colleague, Richard Weishaupf, took Zebley's case all the way to the Supreme Court.

Stein spotted the logical flaw in the administration's way of determining eligibility: The "comparable severity" test could not be applied to children unless the methods of assessing disability in adults and children were themselves comparable. Children deserved the same kind of individual assessments that adults were receiving, Stein argued.

A Supreme Court case often carries the expectation that large constitutional, moral or social issues will be addressed. The Zebley case, however, was framed narrowly: Had the government properly interpreted the law? In 1990, in *Sullivan v. Zebley*, the Supreme Court ruled 7-2 in Zebley's favor and ordered the Social Security Administration to give children the same individual analysis as adults.

To implement the high court's ruling, the agency asked a panel of experts to settle the question: What is the work of a child?

The panel's answer, in the form of new regulations, is the primary cause of Nora Porter's complaints. The new rules defined a child as disabled if his impairments "substantially reduce" his ability to "grow, develop or mature physically, mentally or emotionally and thus to engage in age-appropriate activities of daily living." These activities ranged from learning, communicating and performing in school to interacting appropriately with peers and family members.

Social Security officials said the panel was seeking a common-sense way of comparing children and adults. In Porter's view, they failed. "Age appropriate is a fictitious standard," she said. "It applies to the perfect child, and any deviation from that allows someone to apply for and likely be declared disabled."

James Perrin, a Harvard Medical School pediatrician who helped develop the regulations, said Porter's criticism was unrealistic and out of touch. He said physicians need some standard to assess a child's behavior. "None of us can think about children without raising the question of age-appropriate behavior," he said. "There's no way of approaching children and adolescents without thinking about that."

#### VICTORY PROVIDES LEVERAGE

Stein's legal victory gave him enormous leverage over the children's disability program. According to federal and state officials, he became the program's *de facto* supervisor.

Stein regularly threatened to seek contempt-of-court citations when he felt the Social Security Administration wasn't implementing the rules fast enough. He also provided the news media with information on how the agency's foot-dragging was costing hundreds of thousands of disabled children money that the Supreme Court said they deserved.

One of Stein's most significant accomplishments was getting Social Security to review roughly 450,000 cases, dating to 1980, in which children had been denied benefits. This led to the 150,000 lump-sum back payments.

But not even Stein could do anything about the government's requirement that the recipients spend the money within six months to remain eligible for the program. Stein unsuccessfully tried to create an exception for back payment recipients, calling the rule "Kafkaesque."

The rules legitimized and even encouraged shopping sprees. In a case that both federal officials and program advocates said was fairly typical, Beverly Smith of Greenville, Ky., received a back payment in 1992 of \$13,000 for her 11-year-old son, who is hyperactive and was deemed disabled under the new rules. Smith, who earns about \$8,000 a year sweeping up in a local bank, said she was shocked to receive so much money at once.

She used the money to buy a car, a washer and dryer, a refrigerator, a stove, a television, a \$2,500 computer and three jogging suits for her son, she said in a recent interview. She also repaired her bathroom, leaky roof and collapsed hallway floor.

The computer, she said, has helped her son to sit still for long periods of time for the first time in his life. The stove had to be fitted with protective glass doors because her son once started a fire in the kitchen.

Smith now receives a regular monthly SSI check from the government for \$446, in addition to Medicaid benefits.

In other cases disability money—both the back payments and the monthly checks—has

been spent on everything from medical expenses not covered by Medicaid to family vacations. In some cases, families have tried to avoid the spending sprees by establishing trust funds for children, but such arrangements are legally complex and prohibitively expensive.

The Social Security Administration does require an accounting from the person who is entrusted with the child's check. But the agency does not have the resources to scrutinize spending on a large scale. A guardian is suspended only if an egregious misuse of the money is called to the agency's attention.

"When you get into programs like this," said Louis D. Enoff, a 30-year veteran of the Social Security Administration and its acting director until July 1993, "if you write something that's very, very tight, then you have great difficulty. . . . You're going to have to follow up with a tremendous administrative detail to follow it through. What are we going to do? Follow every penny and ask for check stubs? And go see the evidence?"

Enoff said he wasn't sure a purchase such as a car should be allowed. "Yeah, they may buy a new car, but it's not a Mercedes or something," he said. "That's probably benefiting the kid as much as anything, because he needs treatment and he gets better treatment. . . . If the child has to go to the hospital once a week, there're taking a cab now. So you pay for the car pretty quickly." He added, "I mean, I would not buy a car, maybe, if it was me."

Social Security officials said the evidence of abuse is small. "I believe that most people are honest people. . . . who really care about their kids," said Barry Eigen, a senior Social Security official. They're not trying to beat somebody out of something. They need this."

#### FRACTURED ADMINISTRATION

Administration of the child disability program is divided among state and federal offices in a vast, fractured system where hardly anyone is responsible for seeing the big picture.

First, applicants visit federal Social Security offices, where financial eligibility for the program is determined. Then, the applications are sent to separate state offices, such as the one where Porter works in Harrisburg. The state offices determine medical eligibility. Finally, the cases return to the Social Security offices, which make the monthly payments and oversee the spending of the money.

Doctors and examiners in the state offices make their judgments on the basis of applications and medical assessments. They almost never meet the children they are evaluating or the parents who are spending the money. "Our work begins in the mailroom when we receive a file and ends in the mailroom when we send it back with an allowance or disallowance," said Myrtle Adkins, the Maryland office director.

Meanwhile, the Social Security officials who see the applicants have no input on the disability determination. "We don't question the decision," said Ruby Burrell, head of the Camp Springs, Md., Social Security office. "We don't even question if they are really disabled. It would be improper to do that. . . . You meet the criteria, you get the benefits."

Many recipients come from troubled families, where parents or guardians may have their own addictions or pathologies.

Karen Bolewicki, a senior examiner in Maryland for eight years, said "at least one-third" of her cases involve families in which a parent is a drug or alcohol abuser. And

Maryanne Bongiovani, a psychologist in Maryland for five years with a PhD, said a quarter of the 4,000 children's cases she has reviewed involve sexual abuse by a family member.

Kenneth R. Carroll, a psychologist with a PhD and a former colleague of Porter's in Pennsylvania, said these troubled family situations made him uncomfortable approving certain applications. "Many of the problems these children manifest are largely traceable to parental neglect or abuse," said Carroll. "Behavioral and emotional problems or conduct disorders that are directly attributable to inadequate parenting are being called disabilities, and the parents are receiving a cash award for having achieved the problem."

But Leslie Ellwood, a pediatrician with Virginia's office of disability determination, said just because a disability stems from poor parenting doesn't mean the children do not deserve assistance. "You don't want to visit the sins of the parents on the child," Ellwood said.

To address all these complicated questions, the government has now written some 40,000 words to interpret Tom Joe's original 26-word phrase. "We're doing a lot here based on one little statement," said Louis Enoff. "And is this really what was meant?"

#### CLINTON TOLD SOME REAL WHOPPERS

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

Mr. INHOFE. Mr. Speaker, I was coming up from Tulsa, OK, on the plane last night and saw an article from USA Today called "Clinton Told Some Real Whoppers." There is not time in 1 minute to go over them, but it is really incredible.

He said that 58 million Americans go without health insurance and it is really 38 million Americans, and two-thirds of those are between jobs.

He indicated "Our economic program has helped produce the lowest core inflation rate and the lowest interest rates in 20 years." False again. The interest rates have been tumbling for the last 9 years. His budget did not even go into effect until October 1, and interest rates have been going up since then.

"For 20 years wages of working people have been stagnant or declining." Wrong again, Mr. President. The average disposable after-tax income of Americans has risen 39 percent in the last 20 years.

It is incredible how the President can say false things with such conviction. I include this article for the RECORD so that others can enjoy it too.

The article referred to follows:

[From USA Today, Feb. 7, 1994]

CLINTON TOLD SOME REAL WHOPPERS!—THE PRESIDENT'S STATE OF THE UNION SPEECH BENT THE TRUTH ON A NUMBER OF ECONOMIC AND HEALTH-CARE ISSUES. HERE'S HOW.

Jimmy Carter once promised the American people, "I will never lie to you." Bill Clinton has made no such vow, and it's a good thing. The exuberant chief from Arkansas has

many talents, but sticking to facts is not one of them. His well-received State of the Union address teemed with whoppers, particularly on the crucial issues of the economy and health care.

The first substantive lines of the speech set the tone. "For 20 years," he declared, "the wages of working people have been stagnant or declining. For the 12 years of trickle-down economics, we built a false prosperity on a hollow base as our national debt quadrupled."

Both sentences took liberties with the record. Americans haven't gone broke. The average disposable (after-tax) income of Americans has risen 39% since 1972, and median family income has grown more than 12%—after accounting for inflation.

The "false prosperity" of the 1980s included the largest peacetime economic expansion in U.S. history, which created more than 18 million jobs. Unemployment tumbled to 5.3% in 1989, far lower than anything the president predicts during his helmsmanship. Personal and family income for blacks and Hispanics reached all-time highs in 1987, the heart of the Reagan recovery.

Clinton used his opening salvo to prepare the ground for a before-and-after comparison and proclaim the superiority of Clintonomics over Reaganomics.

"This Congress," he boasted, "produced a budget that cut the deficit by half a trillion dollars, cut spending and raised income taxes on only the wealthiest Americans."

Yet according to the budget submitted last year by the administration, Congress expected to reduce the annual federal deficit over five years from \$322 billion to about \$214 billion—with the figure zooming above \$400 billion shortly thereafter. In other words, the red ink would recede only temporarily—and only if you don't count the hundreds by the Clinton health-care plan, which the president wants to put "off budget."

As for spending "cuts," the original Clinton plan sought to increase federal outlays over five years by a cumulative total of \$1.3 trillion, while piling an additional \$1.1 trillion onto the debt.

The tax hikes targeted for the "super-rich" will affect people earning as little as \$22,000 a year. The administration avoided admitting this by using a little trick. It counted as personal income anything one could sell in an emergency: home, insurance policies, savings, pensions, investments and so on.

Later in the speech, Clinton crowed that "experts predicted that next year's deficit would be \$300 billion. But because we acted, those same people now say the deficit's going to be under \$180 billion, 40% lower than was previously predicted."

This passage includes a crucial fallacy. Clinton didn't have anything to do with last year's budget, George Bush's last, in which the deficit shrank from a projected \$322 billion to \$235 billion.

If Congress had passed Clinton's "stimulus" package, things would have been different. Taxpayers would have had to support at least \$8 billion in fresh spending during 1993 and \$109 billion through 1997.

Next: "Our economic program has helped produce the lowest core inflation rate and the lowest interest rates in 20 years." Sorry: Interest rates have been tumbling for nine years. Alan Greenspan gets credit for that. And all the bragging about last year overlooks one telling fact. The Clinton budget didn't even take effect until Oct. 1. Since then, interest rates have crept upward.

And: "We have proved we can bring the deficit down without choking off recovery,

without punishing the seniors or the middle class, and without putting our national security at risk." Actually, "we" didn't prove anything in 1993, except that "we" could inherit a rebounding economy. Still, the sentence does describe nicely the Reagan recovery of 1982-87.

Finally, the president asserted that 58 million Americans go without health insurance at some time during the year. Figures published by the Employment Benefits Research Institute place the number of uninsured at 38 million and show that nearly three-quarters of these people go without coverage for eight months or less.

Every commander in chief shades the truth, of course, especially in set-piece orations like the State of the Union. But while most presidential prevarications involve simple overstatements, Clinton demands great, huge, Texas-sized fibs.

Now the public will get to judge his performance. Today, Clinton stands on the threshold of his presidency. His first budget kicked in four months ago. His tax policies have begun to bite. Of all his buoyant predictions, only one stands above question: "The buck stops here."

#### TRANSFER OF SPECIAL ORDER TIME

Mr. BALLENGER. Mr. Speaker, I ask unanimous consent that the gentleman from Vermont [Mr. SANDERS] be permitted to take the 60-minute special order previously granted to the gentleman from Georgia [Mr. GINGRICH] for today, February 8, 1994.

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

There was no objection.

#### RESPONSIBILITY IS BEGINNING TO WORK

The SPEAKER pro tempore (Mr. MONTGOMERY). Under a previous order of the House, the gentlewoman from Illinois [Mrs. COLLINS] is recognized for 5 minutes.

Mrs. COLLINS of Illinois. Mr. Speaker, responsibility can be hard to find around this town. In the process of trying to get reelected, we sometimes see Presidents acting in ways that are not in the most responsible and best long-term interests of our country. The growth of the enormous budget deficit is a prime example of blatant irresponsibility in the Capitol.

I am delighted, therefore, to now reap the benefits and results of an act of genuine and committed responsibility—a shrinking deficit. Last year, many of us voted in support of President Clinton's deficit reduction bill. This legislation was a firm and responsible effort to reverse the skyrocketing tract that the Federal deficit had been on for the past decade. If this effort had not been made, the deficit would now be \$126 billion higher with even bigger projections predicted for the years ahead.

Fortunately, the budget deficit fell significantly last year and is expected to fall for the third year in a row in 1995. A 3-year decline is remarkable considering that it hasn't occurred since President Truman was in the White House. Mr. Speaker, if you take a look around, you can seek the sights and sounds

of something new—responsibility is beginning to work and it sure looks good.

#### MAKEUP OF FEDERAL RESERVE NOT REPRESENTATIVE OF AMERICA

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

Mr. GONZALEZ. Mr. Speaker, for the past 2 years all of us have been hoping and working and worrying about how to restore economic growth. Meanwhile over at the Federal Reserve, they've been worrying about inflation. Now that there is the pale sunshine of possible healthy growth and we see a few tender shoots of consumer confidence, the Fed is determined to transform it into winter again—burying our hopes under the mudslide of higher interest rates. To the Fed, the possibility of prosperity is a threat.

The Federal Reserve believes that if the United States actually starts moving forward, the result will be that nasty old devil of inflation. So their policy is to let us all know that zero prosperity with low inflation and plenty of fear and hardship, is much to be preferred to modest and healthy growth. So they follow a monetary policy that in effect, buries optimism under a mudslide. We will live through it, but we will all know who runs the show—and that is the Fed.

But what is the Fed? It is, to be sure, our independent central bank, whose mission has always been to smooth out bumps in the economy that used to be called panics.

The Fed was conceived by bankers and has always been dominated by people with the same narrow vision. Since its founding in 1913 the Fed has had 87 governors and 110 presidents at the 12 Federal Reserve Banks. Among all of these 197 extraordinarily powerful individuals there have been just two governors of color. Of the 110 Federal Reserve Bank presidents, there has been one woman and no—zero, none, nada, zilch—minority appointments. Among the 87 Governors of the Fed there have been 3 women and 2 persons of color—that is all.

You have to wonder: Is only one type of human being suited to carry out the work of a Federal Reserve Bank? Is there only one type capable of being a Fed Governor? Surely there is a truly independent academic or a business man or woman out there who is competent to think about, analyze the economy and steer its direction. Surely there is somewhere in the United States a home builder or labor leader—maybe even an academic—who is perfectly fit to serve on the Federal Reserve Board. There may even be a female, Hispanic, Asian-American or African-American fit to serve—in fact, there surely is.

One of the real problems of the Federal Reserve is that its thinking is narrow, insular, and very often wrong. It cares only about its own power as an institution because it does not have to have the approval of anybody except itself. The Fed is not hurt by an infirm or failing economy; its mistakes are borne by the rest of us.

The Fed's narrow vision, its incestuous, inbred governance, makes it prone to arrogance and error. The place needs airing out. There is a vacancy on the Board of Governors today; what kind of person the President selects to fill it is of more than passing importance.

Today there is an opportunity to throw open at least one window of the Fed, by selecting someone other than the typical banker or banker's academic—by selecting someone who is in fact a competent observer of the economy, and who also looks a little more like the rest of us. As it is today, the Supreme Court, conservative as it is, has more women and minorities on it than the Fed has had in all its history. Presidents, even Republican Presidents, long ago recognized that diversity is good for the Supreme Court. The Fed today is a bastion of segregation; it is time that this changed. The President has the opportunity to make such a change, and I have urged him to do so in a letter I sent him today.

I urge President Clinton to consider appointing someone who represents America as we know it today. It is imperative that any candidate be a free thinker who is willing to stand up for what he or she believes so as not to get swallowed up by the Fed's "old boys network" with its traditional disdain for public accountability and its cult of secrecy.

I include for the RECORD the following items:

U.S. HOUSE OF REPRESENTATIVES,  
COMMITTEE ON BANKING, FINANCE  
AND URBAN AFFAIRS,

Washington, DC, February 3, 1994.

HON. WILLIAM JEFFERSON CLINTON,  
President of the United States of America, The  
White House, Washington, DC.

DEAR MR. PRESIDENT: With the recent announcement of the resignation of Vice Chairman Mullins from the Federal Reserve Board, I want to express my great concern that the current composition of the Federal Reserve does not remotely reflect the diverse nature of the United States. Your commitment to a Federal Government that "looks like America" must include the Federal Reserve, as the decisions and actions of these officials undoubtedly affect every American citizen.

The Banking Committee staff recently released a study on the status of Equal Employment Opportunity (EEO) and women and minority representation at the Federal Reserve Board and Reserve Banks. The report clearly demonstrates the lack of diversity at the highest levels of the Federal Reserve, a condition that unfortunately, also exists at the other Federal banking regulatory agencies.

I am also concerned that efforts to find competent individuals with unique perspec-

tives and backgrounds essential to the development of monetary policy for a diverse country will be jeopardized by limiting potential candidates to only certain professions. I sincerely hope that you will seize this opportunity to depart from the practices of the past and appoint candidates that reflect both this nation's diversity and your commitment to move the entire nation forward.

Thank you for your consideration. With best wishes, I am

Sincerely,

HENRY B. GONZALEZ,  
Chairman.

COMMITTEE ON BANKING, FINANCE  
AND URBAN AFFAIRS,  
Washington, DC.

WASHINGTON, DC., February 8, 1994.—Chairman Henry B. Gonzalez of the Committee on Banking, Finance and Urban Affairs today urged President Clinton to "seize the opportunity" to replace departing Federal Reserve Governors Wayne Angell and David W. Mullins "with candidates that reflect this nation's diversity, something which you clearly feel strongly about as evidenced by your own diverse Administration."

In a letter sent to President Clinton today, Chairman Gonzalez said, "I want to express my great concern that the current composition of the Federal Reserve does not remotely reflect the diverse nature of the United States."

"Since the Federal Reserve's establishment in 1913 there have been 87 members of the Federal Reserve Board. Only three have been women and two persons of color," Chairman Gonzalez said. "By any objective measure, this is totally unacceptable and impossible to justify. I have no doubt that the President agrees."

"If Presidents had only treated the FED as they have the Supreme Court, the FED today would at least be more representative of the country. Conservative as it is, the Supreme Court has more women and minorities on it than the FED has had in all its history. Presidents, even Republican ones, long ago recognized that diversity is good for the Supreme Court," he said.

"The statistics show otherwise, however. There is currently only one woman Federal Reserve Governor and no non-white, non-male president at any of the 12 Federal Reserve Banks. Indeed, there has only been one woman and no minority Bank president among the 110 Federal Reserve Bank presidents since 1913. This pattern of discrimination is disturbing to say the least," said Chairman Gonzalez.

"I urge the Administration to cast a wider net when it considers candidates for Federal Reserve Governor. If yet another white male is appointed, it could be years before he vacates that spot. In the meantime women and minorities are left to wait on the sidelines," he said.

"I am concerned that efforts to find competent individuals with unique perspectives and backgrounds essential to the development of monetary policy for a diverse country will be jeopardized by limiting potential candidates to only certain professions," Chairman Gonzalez wrote to the President.

"The sad truth is the Federal Reserve is an old boy's club whose members are either bankers or friends of bankers. I believe the FED's monetary policy decisions are made more out of concern for its banking constituency than for the average American. While some in the banking industry salivate over the thought of achieving 'zero inflation,' for

the working man or woman this could mean an increase in unemployment. I find the FED's lack of sensitivity and compassion disturbing," said Chairman Gonzalez.

"Numerous sectors of our society never get their voices heard at the FED. This is why I am urging the President to consider appointing future Federal Reserve Governors from the ranks of labor, small business, agriculture, consumer and community groups. A different perspective at the FED is long overdue," Chairman Gonzalez said. "Remember, it was the bankers at the FED who in the early 1930s so tightened the money supply that it helped make the Great Depression a reality. Apparently, no one at the FED cared that the man on the street was asking, 'Brother can you spare a dime?'"

"The country has changed tremendously since the Federal Reserve was established in 1913 when depression and unemployment were not major considerations in setting monetary policy. Today the country's economic recovery is nascent at best and unemployment continues to rise. Whomever the President appoints as a Federal Reserve Governor must be cognizant of the impact his or her decisions can have on the average American. To do any less would be irresponsible and possibly damaging," Mr. Gonzalez said.

"Because price indices, which measure inflation, are so inaccurate, we need individuals who will not panic when the inflation rate is 2 percent or less, as it was for 1993. By immediately shifting to slower money growth, this panic attack can cause the money supply to again, stagnate. We need individuals who have an objective of long-term economic growth," Chairman Gonzalez said.

"I urge President Clinton to consider appointing someone who represents America as we know it today. It is imperative that any candidate be a free thinker who is willing to stand up for what he or she believes so as not to get swallowed up by the FED's 'old boys network' with its traditional disdain for public accountability and cult of secrecy."

[From the U.S. News & World Report,  
February 14, 1994]

GREENSPAN GOOFS AGAIN

(By Mortimer B. Zuckerman)

Federal Reserve Chairman Alan Greenspan is at it again. He played a key role in prolonging the recession on the '90s by obstinately refusing to recognize that the slide had begun and interest rates needed to come down. When the Fed did belatedly reduce rates it was too little, too late. Rates never fell to the level they did in the 1973-76 recession when nominal short-term interest rates were actually lower than inflation.

Now, just as the economy is beginning to recover, Greenspan declares that he will hike short-term rates to restrain growth. Never mind that there is high unemployment and slack in the economy. Yet again the economic realities are subservient to the inflation neuroses of the Fed. Of course, inflation must be fought—when we have it. But when the Fed tilts at phantom inflation, subpar growth or recession continues, wasting billions of dollars in idle material and human resources.

Greenspan grudgingly recognizes that we are indeed not experiencing inflation. He rests his case on what he calls "inflationary expectations." The theory is that the squeeze must begin soon or it will have to be harsher later on. He believes that "real" short-term interest rates are abnormally low. To calculate "real" short-term rates, he proposes to subtract from nominal rates not real inflation but this curiously subjective

notion of "inflationary expectations." Since Fed fund rates are at 3 percent and the stated inflation is 2.7 percent, we can only assume that he judges "inflationary expectations" to be higher than real inflation rates, thereby justifying higher short-term rates, his weapon of choice to slow down the economy.

Greenspan's ghost has little substance. First, most acknowledge that the government's measure of inflation, the consumer price index (CPI), overstates price increases. It does not adjust fully or price hikes that reflect improvements in quality. Nor does it adjust for consumers' changed priorities. Goods and services in the CPI basket are weighted using decade-old household spending patterns. For example, some of today's most widely used items, lime home computers, have fallen dramatically in price, but this is not reflected in the CPI. The CPI's fixed weighting also ignores the fact that consumers often buy private-label and discount goods when big-name brands become too expensive. Even the Fed acknowledges that the CPI may be up considerably less than the published 2.7 percent rate.

Does the 5.9 percent GDP growth for the last quarter of 1993 change the outlook for inflation? Hardly. Capacity utilization has not approached the "flash point" that has signaled inflationary pressures in the past. Unit labor costs, the dominant long-term influence on prices, actually dropped about 2 percent last year because of higher productivity, and this trend will continue because of downsizing and efficient new technologies that enable fewer employees to produce more. Commodity prices have barely moved up. Indeed, the price of oil has been dropping in recent months and will remain low through much of 1994.

There is no sign of a tightening labor market that would presage higher wages. Unemployment has been underestimated by government numbers. The just revised unemployment rate, which stood at 6.7 percent in January, assumes a suspiciously large improvement in part-time work and self-employed personnel—a euphemism for recently fired white-collar workers who are scrambling for consultancies. So total employment remains soft.

Finally, recent growth simultants, like home building and consumer durables, could falter with higher interest rates. The fourth-quarter surge, moreover, was powered by the special inventory buildup in vehicles and the recovery from Midwest floods—one-time happenings. Besides, the deflationary impact of the spending cuts and tax cuts enacted last year has not yet taken its toll.

The Fed would have been better off sitting on its twitching hands. After four years of subpar performance, the economy—and the American people—deserve a break. The president and Congress did their part through dramatic reductions in the budget deficit. Now, it's time for the Fed to do its part by keeping interest rates low.

#### TO PRESERVE VA'S FLEXIBILITY IN MEETING ITS MEDICAL WORK FORCE NEEDS

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

Mr. MONTGOMERY. Mr. Speaker, today I am introducing a bill, H.R. 3808, that would provide VA flexibility in meeting the workforce needs of its health care system. The bill would

also give the Secretary the necessary flexibility to meet his responsibilities in providing medical care under national health care reform.

Mr. Speaker, the Administration's Health Security Act, H.R. 3600, reflects a serious, meaningful effort to address the needs of our Nation's veterans. The act would require that VA health care facilities establish and operate health plans as part of national health care reform, and that VA health plans would be enrollment options for veterans.

H.R. 3600 would have the effect of reforming VA's health care eligibility by entitling its core beneficiaries to the comprehensive benefits provided all Americans under the act. Those core VA beneficiaries—primarily lower-income and service-connected veterans—who enroll with a VA plan would receive needed services without cost-sharing obligations. Under current law, most of these veterans are not now eligible for routine ambulatory care. Entitling enrollees to a benefits package that generously covers preventive and primary care is among the many aspects of the act which will require substantial changes in the VA health care system. VA must change its delivery capacity, organizational structure, accounting and other systems, and even its culture, to operate effectively within a framework of managed competition.

It had been my belief that VA medical facilities could compete under the framework proposed by the act. I am deeply concerned, however, that the veterans' provisions of the Health Security Act, and the hopes veterans have invested in it, are jeopardized by deep employee reductions proposed for the Veterans Health Administration as part of the administration's Federal workforce reduction. As imposed on the VA health care system, these are arbitrary reductions. By their nature, they rob the VA health care system of the very flexibility it will need to make health reform work. It is ironic and troubling that while the President's Health Security Act would specifically vest VA managers with broad flexible authority to hire needed health care personnel, his Office of Management and Budget would render that provision useless by subjecting the Veterans Health Administration to a reduction of more than 20,000 employees over a 5-year period.

Rather than empowering VA facility directors with tools to make VA a cost-effective participant in health care reform, as proposed under the act, the administration—by imposing its workforce reduction policy on this Federal health care system—would require VA medical facilities to make staffing cuts that bear no relation to the operational requirement of providing care to entitled enrollees. Compelling VA's hospitals, clinics, and nursing homes to downsize before they can assess the needs of the patients who will enroll and seek care in those facilities under national health care reform weakens that system's ability to compete, and ultimately disserves our veterans.

Even if the Congress fails to enact health care reform legislation, imposing these employment reductions on the VA health care system is bad public policy. Years of tight budgets have trimmed the VA health care system of whatever administrative fat may have existed in the past. Employment reductions of

the magnitude proposed cannot be sustained without eliminating thousands of nurses, doctors, and other essential hands-on-care personnel. Since such critical functions cannot be eliminated, VA will be forced to meet these workforce needs through contracting—often a far more costly avenue.

Because of these deep concerns, I have developed legislation to give VA flexibility to meet its workforce needs. In place of OMB's workforce reduction directive, the bill would free VA to meet those workforce needs as most appropriate and cost-effective—whether through employment or contracting. To give VA the flexibility I think is needed, my bill would establish two key policies. First, it would provide that during the period October 1994 through 1999, no reduction may be made in the number of employees in the Veterans Health Administration other than as specifically required by law or by the availability of funds. Second, it would ease limitations in current law on contracting out activities currently being performed by employees at VA health care facilities. It should be clear that the bill does not dictate the manner in which VA should meet its workforce needs. To the contrary, in the spirit of reinventing government it aims to free VA to carry out its critical health mission through whatever mix of employee and contractor workforce best meets its needs.

Mr. Speaker, I would hasten to reassure my colleagues, with respect to concerns about the potential impact of a provision that removes limits on contracting-out, that the bill provides protections for employees not now provided for under existing law. It would require that in any such contract-out situation the VA must require the contractor to give priority in hiring to any displaced VA employee, and provide such displaced employees with all possible assistance in obtaining Federal employment or entrance into job training and retraining programs.

I believe it is essential that VA not be forced to make substantial reductions in health-care staff at a time when we are about to consider an administration proposal designed to allow VA to compete with other providers under health reform. I will seek to have this legislation reported to the House as soon as possible.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12, rule I, the House will stand in recess subject to the call of the Chair.

Accordingly (at 3 o'clock and 16 minutes p.m.) the House stood in recess subject to the call of the Chair.

□ 1602

#### AFTER RECESS

The recess having expired at 4 o'clock and 2 minutes p.m., the House was called to order by the Speaker pro tempore (Mr. MONTGOMERY).

#### THE JOURNAL

The SPEAKER pro tempore. Pursuant to clause 5 of rule I, the pending

business is the question of approving the Speaker's approval of the Journal.

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

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

The SPEAKER pro tempore. Evidently, a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 235, nays 147, not voting 51, as follows:

[Roll No. 14]

YEAS—235

Abercrombie	Fingerhut	McCurdy
Ackerman	Fish	McDermott
Andrews (ME)	Flake	McHale
Andrews (NJ)	Foglietta	McInnis
Andrews (TX)	Ford (MI)	McKinney
Applegate	Frank (MA)	McNulty
Bacchus (FL)	Frost	Meek
Baesler	Furse	Menendez
Barca	Gephardt	Mineta
Barcia	Geren	Minge
Barlow	Gillmor	Mink
Barrett (WI)	Gilman	Moakley
Becerra	Glickman	Mollohan
Beilenson	Gonzalez	Montgomery
Berman	Gordon	Moran
Bevill	Green	Murtha
Bilbray	Greenwood	Myers
Bishop	Hall (OH)	Nadler
Blackwell	Hall (TX)	Natcher
Bonior	Hamilton	Neal (MA)
Borski	Harman	Oberstar
Brewster	Hefner	Obey
Brooks	Hilliard	Olver
Browder	Hinchey	Ortiz
Brown (FL)	Hoagland	Orton
Brown (OH)	Hochbrueckner	Owens
Bryant	Holden	Pallone
Byrne	Houghton	Pastor
Cantwell	Hoyer	Payne (VA)
Cardin	Hughes	Peterson (FL)
Carr	Hutto	Peterson (MN)
Chapman	Hyde	Pickett
Clayton	Inglis	Pickle
Clement	Inslee	Pombo
Clinger	Johnson (GA)	Pomeroy
Clyburn	Johnson (SD)	Poshard
Coleman	Johnson, E. B.	Rahall
Collins (GA)	Johnston	Rangel
Collins (IL)	Kanjorski	Reed
Collins (MI)	Kasich	Reynolds
Combust	Kennedy	Richardson
Condit	Kennelly	Roemer
Conyers	Kildee	Rose
Cooper	Kiecicka	Rostenkowski
Coppersmith	Klein	Rowland
Costello	Klink	Roybal-Allard
Coyne	Kopetski	Rush
Cramer	LaFalce	Sabo
Danner	Lambert	Sanders
Darden	Lancaster	Sangmeister
Deal	Lantos	Sarpalius
DeLauro	LaRocco	Sawyer
Dellums	Lehman	Schenk
Derrick	Levin	Schumer
Deutsch	Lewis (GA)	Scott
Dicks	Lipinski	Serrano
Dingell	Livingston	Shepherd
Dixon	Lloyd	Sisisky
Dooley	Long	Skaggs
Durbin	Lowey	Skelton
Edwards (CA)	Maloney	Slaughter
Edwards (TX)	Mann	Smith (IA)
Engel	Manton	Smith (NJ)
English	Margolies-	Smitt
Eshoo	Mezvinsky	Stark
Evans	Markley	Stenholm
Everett	Martinez	Stokes
Farr	Matsui	Strickland
Fazio	Mazzoli	Studds
Filner	McCloskey	Stupak

Swett	Towns	Watt
Swift	Trafficant	Waxman
Synar	Tucker	Wheat
Tanner	Unsoeld	Whitten
Tauzin	Velazquez	Wilson
Tejeda	Vento	Woolsey
Thornton	Visclosky	Wyden
Thurman	Volkmer	Wynn
Torres	Waters	

NAYS—147

Allard	Grams	Nussle
Archer	Grandy	Oxley
Armey	Gunderson	Packard
Bachus (AL)	Hancock	Paxon
Baker (CA)	Hansen	Penny
Baker (LA)	Hastert	Petri
Ballenger	Hefley	Porter
Barrett (NE)	Herger	Quillen
Bartlett	Hoekstra	Quinn
Barton	Hoke	Ramstad
Bentley	Horn	Ravenel
Bereuter	Huffington	Regula
Bliley	Hutchinson	Roberts
Blute	Inhofe	Rogers
Boehrlert	Istook	Rohrabacher
Bonilla	Jacobs	Roth
Buyer	Johnson (CT)	Royce
Callahan	Johnson, Sam	Santorum
Calvert	Kim	Saxton
Camp	King	Schiff
Canady	Klug	Schroeder
Castle	Knollenberg	Sensenbrenner
Clay	Kolbe	Shaw
Coble	Kreidler	Shays
Cox	Kyl	Shuster
Crane	Lazio	Skeen
Crapo	Leach	Smith (MI)
Cunningham	Levy	Smith (TX)
DeLay	Lewis (CA)	Snowe
Diaz-Balart	Lewis (FL)	Solomon
Dickey	Lightfoot	Spence
Doolittle	Linder	Stearns
Dreier	Machtley	Stamp
Duncan	Manzullo	Sundquist
Dunn	McCandless	Taylor (MS)
Ehlers	McCollum	Taylor (NC)
Emerson	McCrery	Thomas (CA)
Ewing	McDade	Thomas (WV)
Fawell	McHugh	Torkildsen
Fowler	McKeon	Upton
Franks (CT)	McMillan	Vucanovich
Franks (NJ)	Meyers	Walker
Gallo	Mica	Walsh
Gekas	Michel	Weldon
Gilchrest	Miller (CA)	Wolf
Gingrich	Miller (FL)	Young (AK)
Goodlatte	Moorhead	Young (FL)
Goodling	Morella	Zeliff
Goss	Murphy	Zimmer

NOT VOTING—51

Bateman	Hamburg	Price (NC)
Bilirakis	Hastings	Pryce (OH)
Boehner	Hayes	Ridge
Boucher	Hobson	Ros-Lehtinen
Brown (CA)	Hunter	Roukema
Bunning	Jefferson	Schaefer
Burton	Kingston	Sharp
de la Garza	Laughlin	Slattery
DeFazio	Meehan	Smith (OR)
Dornan	Mfume	Talent
Fields (LA)	Molinar	Thompson
Fields (TX)	Neal (NC)	Torricelli
Ford (TN)	Parker	Valentine
Gallely	Payne (NJ)	Washington
Gedjenson	Pelosi	Williams
Gibbons	Portman	Wise
Gutierrez		Yates

□ 1630

So the Journal was approved.  
The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. MFUME. Mr. Speaker, due to the weather I was unavoidably detained in my congressional district in Maryland today, Tuesday, February 8, 1994, and missed rollcall vote No. 14, on approving the Journal of the previous day's proceedings.

Had I been here I would have voted "yea."

ORDER OF BUSINESS

Mr. MOAKLEY. Madam Speaker, I ask unanimous consent to transpose my name in the Special Order Calendar with the gentleman from Michigan [Mr. BONIOR]. I do this with the concurrence of my colleague, the gentleman from Michigan.

The SPEAKER pro tempore (Ms. EDDIE BERNICE JOHNSON of Texas). Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

TRIBUTE TO THE LATE HONORABLE THOMAS P. "TIP" O'NEILL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts [Mr. MOAKLEY] is recognized for 60 minutes.

Mr. MOAKLEY. Madam Speaker, I have taken out this special order today in honor of the memory of my dear friend, former Speaker Tip O'Neill.

Madam Speaker, I wanted to take this opportunity to give my colleagues in the House a chance to pay their respect to the memory of this great man who so loved this institution. Tip O'Neill was a special breed of public servant. Nothing made this clearer than the thousands of people who waited in line in freezing temperatures for several hours to say goodbye to this man of the people.

Many say that we will never see the likes of Tip O'Neill; that he was the last of his kind. I hope that this is not true. We need now, more than ever, the compassion, the caring, and the dedication that was part of him throughout his entire political career.

As I have said before, we will all miss him, but we are richer for having known him.

Madam Speaker, I yield to the gentleman from Hawaii [Mr. ABERCROMBIE].

Mr. ABERCROMBIE. Madam Speaker, I welcome this opportunity to say a few words in memoriam of Speaker Tip O'Neill. Some Members here are aware, others may not be, that I was the last person to be sworn in as a Member of this House of Representatives by Speaker O'Neill before he retired.

I was under a rather trying circumstance in 1986, when I won a special election and was not nominated in the primary. As a result, I came to the Congress in late September 1986, not knowing whether I would arrive here in time from Hawaii even to be sworn in before the Congress went into recess and adjourned.

I stood in this well just before this podium on that day in 1986, an historic session, sanctions on South Africa, a tax bill that had been discussed and discussed again and again all throughout the year.

It turned out that the Congress went on for almost a month. In other words, Madam Speaker, I enjoyed, at that time, one of the shortest tenures in the history of the Congress, scarcely 3 weeks.

The Speaker had been here for more than 3 decades.

And as the last person to be sworn in before he retired, we developed a special relationship. He literally took me under his arm. Obviously, I am a lot shorter than he was, although almost as broad. And we sat in these chairs.

He was down on the floor quite a bit. And he said, "Pal, let me explain what is going on here."

And I felt that right away, that I was his pal, that he was looking out for me.

He said:

Neil, whether you have served here as long as I have or for as short a time as you will be serving here, we don't know whether you will be coming back, and I hope that you will.

He said:

You are a Member of the House of Representatives. No matter what your length of service, the free men and women of your district have chosen you to represent them and to uphold and defend the Constitution of the United States.

And he said:

Don't ever forget that every Member, every man and woman who has come here, over all the 200 years of our Republic, have come to represent freedom and that this House, this House is the people's house. You can only come to this floor and be sworn in, if you are elected by your constituents. You can't be named to it. You can't be assigned to it. You must come by election. This is the people's house.

I was never more proud, I was never more aware, never more cognizant, Madam Speaker, of my responsibilities and obligations as a citizen of the United States than when I was sworn in by Speaker O'Neill. So I also had the high honor and privilege, on the last day of the Congress, to be sitting in the chair, Madam Speaker, that you are sitting in. That is to say, the chair that was there at the time, because one of the things that we did in honor of the Speaker, when he retired, was give him that chair.

So not only was I the last person to be sworn in, but I had the honor of being the last person to occupy that chair before it was given to Speaker O'Neill in honor of his long years of service.

So we had a picture taken, just before I left. I asked the Speaker if he would make this sign with me in that picture. And he said, "What is that?"

I said, "Well, out in Hawaii they will know what it means." I said, "This means everything is okay. Everything is easy. Everything has been done. You are in good hands. We are all pals. We are together."

He said, "Are you sure? Am I doing it right?"

I said, "You are doing it just fine."

He put a big grin on, and he gave what is called the shaka sign. You probably have seen it on television various times from people from Hawaii. They are always doing it.

That is the signal back to everybody in Hawaii that everything is okay.

He said, "Are you sure this is right?" I said, "They will understand what it is back in Hawaii, Mr. Speaker."

And he said, "You are learning, kid. All politics is local."

That was the Speaker. Yes, all politics is local, just like his last book. I did not have the opportunity to have him sign it. I brought it with me from Hawaii in the hopes that he would. And of course, he passed on before he had the opportunity. But just as the Speaker taught us all politics is local, I also know that in politics, all love and affection is personal. And if there is any person who ever exemplified love and affection in politics, it is Speaker Tip O'Neill.

"Mr. Speaker, wherever you are, we are remembering your lessons and you have our love and affection."

Mr. MOAKLEY. Madam Speaker, I thank the gentleman from Hawaii for his words for Speaker O'Neill.

I now introduce a dear friend of many years of the Speaker, the chairman, the gentleman from Alabama [Mr. BEVILL].

Mr. BEVILL. Madam Speaker, I rise today to pay tribute to my long-time friend and very outstanding former colleague, Thomas P. "Tip" O'Neill.

Tip and I served together for many years in the House Democratic whip organization and I supported him for majority leader and Speaker. I always enjoyed his friendship and I miss him very much. As you know, Tip had thousands of friends, but he always made you feel like you were a close friend and very important to him.

Tip O'Neill was a true man of the people. He loved people and people loved him. He was particularly close to those he represented in his district in Massachusetts. My wife Lou and I once went to a restaurant in Boston that Tip had recommended. When I told the waiter that Tip O'Neill had sent us, the manager came out to meet us. They showered us with attention because we were Tip's friends. They just couldn't do enough for us. I'll never forget that.

Tip O'Neill was a master at sizing people up and understanding what they were capable of. I think this insight contributed a great deal to his success in politics. He was equally at home with heads of state and with the man on the street. He did a great job when it came to dealing with dignitaries and he rubbed shoulders with the most important people in the world. But, to Tip, the most important people in the world—besides his family members—were average Americans. He really cared about them.

One of my young constituents who uses crutches to walk tells a story

about meeting Tip O'Neill one day at the U.S. Capitol. Tip came up behind my friend and asked him if he needed any help getting up the steps. He didn't just walk on past as many people would have done. He walked down the hall with my constituent and they talked about some of the topics of the day. This chance encounter made a lasting impression on that young man from my district. He realized that Tip O'Neill saw him as a person.

We all have so many stories about Tip O'Neill—telling them all would take many hours and fill many volumes. He was simply larger than life and we loved him for it.

Suffice it to say that Thomas P. "Tip" O'Neill did an outstanding job representing his district and an outstanding job representing our Nation.

He was a great ambassador and above all, a great American. Our lives are better for having known him.

□ 1640

Mr. MOAKLEY. Madam Chairman, I yield to the gentleman from Texas, HENRY GONZALEZ, from the Committee on Banking, Finance, and Urban Affairs.

Mr. GONZALEZ. Madam Speaker, the great State of Massachusetts has produced a vast number of great and distinguished public servants—great leaders who have served this country well from its colonial founding, through revolution, civil war, insurrection, world war—through every crisis, this country has found among its leaders the sons and daughters of Massachusetts. Speaker O'Neill was just such a leader.

Thomas P. O'Neill was a politician in the finest sense—a devoted, dedicated, honest, and humble public servant, courageous, decent, and self-effacing, gregarious, possessed of a fine wit, and above all, one who never forgot from whence he came nor whom he was elected to serve—the ordinary people who elected him, depended on him, and who loved him.

Tip O'Neill lived by a credo that was something like this: The moral test of any government is how it treats the most vulnerable; the children, the elderly, and the poor. He never lost sight of that. In his great struggles in the House, he worked first to create the programs and policies that aimed to alleviate distress and cure social ills and redress injustice. Then he worked to preserve those programs against the reactionary and socially disastrous policies of the Reagan era. But no matter how bitter the contest nor how difficult the fight, Tip O'Neill always conducted himself with decency and honor. He had respect for the institution he served, and for the people he served—a respect that grew from the sure knowledge that his constituents came first, and whatever he did reflected on them and served them well or ill. Tip never

forgot his district, never failed to serve it well and with honor and integrity.

Tip came from a city of great public servants, a city that more than any other in America can lay claim to historic leadership—the city of Harvard, of MIT, and of great medical institutions. It is the city of Fanueil Hall, of Old North Church, the home of Hancock and Adams, of Revere and many, many others. He came from a city whose public servants include another great Speaker, McCormack, and familiar, distinguished names like Fitzgerald and Kennedy and Boland and Moakley—and many, many others. There never was a finer politician, in the most honorable sense of the word, nor a more accomplished one, than Tip O'Neill.

I doubt that anyone, save Tip himself, could tell us how many were his achievements—but I suspect that to him, it was just as important to be sure that Mrs. O'Leary got a decent place to live in, or Mr. Kerry got a job, or that an unfortunate kid got a break and stayed in school—as it was to win the biggest vote on the toughest issue. He was from the people, he knew and respected them, loved them and served them, always, every day, in every way that he could. Public service to him was real, and it was just that, service.

He was also a servant of the House. Every Member knew that the Speaker's door was open, that he cared about them and for them. He listened, and even if he couldn't help, you knew that he'd done his best. Tip had no enemies, only friends.

This House has been blessed with many great Members—none finer, none more loved, and none more missed than Tip O'Neill. There he is, in some celestial game with his pals, with a big cigar and hearty laugh and some fine old story, and looking down on us, reminding us how privileged we are to serve here. Tip, if half of us do half as well as you, the country need never fear.

Mr. MOAKLEY. Madam Speaker, I thank the gentleman from Texas for his remarks.

Madam Speaker, I yield to the gentleman from Kentucky [Mr. MAZZOLI].

Mr. MAZZOLI. Madam Speaker, I thank the gentleman from Massachusetts [Mr. MOAKLEY] for yielding me this time, so we might reflect for a few moments about Tip O'Neill. I would imagine that outside of Tip's immediate family, his passing brought no one more grief than the gentleman from Massachusetts [Mr. MOAKLEY], because of his personal closeness to Tip O'Neill over the years. This has to be a moment of mixed emotions for you, gladness at seeing and hearing us celebrate Tip's life, but also sadness at realizing he is gone.

Madam Speaker, I have had the privilege of serving in the third district of Kentucky for the past 24 years, and

during a large part of that time I served with Tip O'Neill, both as our whip and as our majority leader, and then as our Speaker. I had a chance to observe Tip when he was really among us and then when he was our leader.

At no time, Madam Speaker, did Tip ever show anything other than true interest in our well-being as Members. He never failed to show pleasantries to us, and to be cheerful and to be optimistic, and to be a person with the ability to weave humor into any kind of a relationship, and to weave humor in any sort of situation.

Many times, from where I am standing in the well and from where the gentlewoman from Texas, [Ms. EDDIE BERNICE JOHNSON] is presiding, I have observed Tip many times, with that wonderful ability to disarm people and to charm them, and to, as we say back home in Kentucky, pour oil on troubled waters and calm everybody down. I observed that many times, and particularly, Madam Speaker, I observed that when Tip came to Louisville to help me in one of my reelection efforts.

Down on Main Street, which is the older part of our town, which has been beautifully restored, like Fanueil Hall and the beautiful part of your home town in Boston, Tip came to a place we called Stairways, which is a renewed building, and to say the absolute least, all my friends showed up and Tip was the star of stars. Tip, just by his very persona, and by what he said and how he said it, and by that charm and by that wit and by those Irish stories, Tip just put everyone at ease and made everybody very happy, and obviously helped me in my reelection effort.

I guess that was the closest that I have really seen Tip away from this area, away from the House, his wonderful home. If I ever saw Tip reflecting what he so often said, that "all politics is local," and he is going to be revered for many things, but not the least of which is the way he could create phraseology that illustrated things.

He always would say, "All politics is local." What we mean by that is that everything we do here has a relationship to the people. Everything we do relates to people, not in a global sense, but in a very particular sense. I saw Tip working that beat, and certainly all politics is local. I have always tried to remember that and make sure that people who were of a mind to send me here, and whom I am honored to represent, achieve and have the fullness of my service.

I remember having served on the initial panel of intelligence under Eddie Boland, who, along with Tip, were great friends, of course, and roommates until Tip became Speaker and Millie came down from Boston.

In that setting, or course, we always heard the great stories about what was in that refrigerator in that apartment, and it was not a lot of gourmet food,

let me put it that way. For those two people, whenever I see Jack Lemon, I guess it is, and those actors, I always think of the odd couple. I think of Eddie Boland and Tip O'Neill.

□ 1650

And then once, Mr. Speaker, I was at Notre Dame, my alma mater, for believe it or not, a Boston College game, one of the times when the Irish beat the Eagles. They did not do it, of course, in 1993, which cost the Irish the national championship. But I remember vividly being there, and coming out of Notre Dame Stadium at twilight at the end of an autumn afternoon. The Irish were behind and came back at half time to defeat the Eagles in a very tight game. When I came back I could see this big, long limousine kind of come pulling up with darkened windows like you see in Beverly Hills or in New York City, and zoom, down goes those windows, and out comes one Irish face and one Italian face. And it was Tip O'Neill and Sil Conte. And of course, we all remember our late departed friend from another part of Massachusetts, Sil Conte. And we were talking and having so much fun, and I could just see how Tip enjoyed life. Even though the Eagles had lost, Tip was having a great time. And there he was, and he offered to give me a ride downtown, which I did not need because I had the car there. And it was really wonderful to see those two fellows who were such great friends, different sides of the political spectrum, different sides of the aisle, different parts of Massachusetts, different vintage, different nationality, but they had a commonality about them which is that they both did recognize what we do here, which is to make laws for people and to try to serve the people.

So, Mr. Speaker, I have many, many fond memories of Tip. I have the highest reverence for him as a person, and he will be very widely mourned not just by us, his colleagues, but by this country and by the world, because he was a rare human being and a rare parliamentarian.

I appreciate the gentleman giving me a chance to share my reflections, and I would take this opportunity to extend to Millie and to the family my condolences and my expressions of regret at the passage of this great man from our midst, and to wish them well. And also to say Tip, who as an earlier speaker said, is watching over us right now, Tip, you said it right. All politics is local.

Mr. MOAKLEY. Mr. Speaker, I thank the gentleman from Kentucky.

Mr. Speaker, I yield to the gentleman from Maryland [Mr. HOYER] the chairman of the Democratic caucus.

Mr. HOYER. Mr. Speaker, I thank the distinguished chairman of the Rules Committee, dean of the Massachusetts delegation, and one of Massachusetts' finest sons for yielding.

Massachusetts is a State that I have known well over the years. I went to school there as a 6-year-old and 7-year-old. I lived there during most of my summers while I was young, and I owned a house there until 1989. So I feel that I am very much a part of Massachusetts.

Mr. Speaker, I rise today to join so many of my colleagues, led by members of the Massachusetts delegation and its dean, in paying tribute to one of the finest Members to ever serve in the people's House, our former Speaker, our friend, our counselor, our adviser, our political leader, Thomas P. Tip O'Neill.

I first ran for Congress in 1981 in a special election. It was the first election contest since Ronald Reagan was sworn in as President, and many were looking to that race to see if the Reagan revolution was a reality. The national media were clamoring over every word that was uttered on both sides, and the hierarchy from within the Democratic Party as well as the Republican Party came out to Prince Georges County. Obviously, members of the Democratic Party came to campaign for me.

Tip joined me at one of these events, and to that degree I qualified with probably many hundreds of Members over the years who asked Tip O'Neill to come to their districts, who asked Tip O'Neill to shed a little of that Irish magic on the heather in their fields, who asked Tip to come and say to the constituents who knew that Tip cared for them, each and every one, to say that BILL HUGHES, or STENY HOYER, or JOE MOAKLEY cared as well. And we knew that if he did that it would have an effect, because the people perceived him correctly to be honest, sincere, and committed to their interests.

My soon-to-be constituents were starry-eyed, very frankly, that the Speaker of the House of Representatives would leave his very important duty and come out and talk to them, and he did, just like he was one of them. And in fact, of course, his secret was that he was very much one of them. And because the voters are very smart people, they knew that, they felt it, and they accorded him the credibility that that status merited.

During that brief 90-day campaign of which I speak Tip told me, like so many of us here, the story of his neighbor from his first campaign, Mrs. O'Brien. And all of us remember that when he said that he had delivered papers to Mrs. O'Brien, he had cut Mrs. O'Brien's yard, he had been to her house for milk and cookies, he had known her all of his life, and when it came to the time that it was the close of the election he went to Mrs. O'Brien and he said, "Mrs. O'Brien, I thank you for your vote." And she said, "Tip," as I recall the story, "I didn't vote for you." "How could you not do that, Mrs.

O'Brien? You have known me all your life. You know who I am." And she replied, "Tip, it's nice to be asked."

Of course I think every one of us have heard that story, and it is one of those simple but very cogent vignettes that Tip O'Neill told all of us and the Nation in projecting that all politics is local, his famous phrase. And of course, that is true, because ultimately the genius of this system is that districts of about 600,000 select one of us to come here and to represent their views and to make sure that the local perspective is written large in Washington through their representatives. And Tip knew that I think better than any of us, and he taught us well.

I think every person who ever worked with Speaker O'Neill has a favorite story to tell of how Tip touched them personally, taught them a lesson, or influenced the way they thought about the political process. None of us, however, I think will ever be as funny, be as warm, or capture as well the essence of Tip O'Neill as did our friend and colleague, JOE MOAKLEY, in his moving eulogy of his friend Tip at the funeral in Massachusetts.

Mr. Speaker, Speaker O'Neill had the unique ability to be a leader among men. No matter where he was, who he met, or what he said, he always remained himself, and spoke words of wisdom to be remembered by future generations. In the final chapter of his book, "Man of the House," Tip writes of what he believed. He said:

I believe that every family deserves the opportunity to earn an income, own a home, educate their children, and afford medical care. That is the American dream, and it's still worth fighting for.

If Tip were here today he would be fighting shoulder to shoulder with the President for health care for everybody that is always there.

□ 1700

Today all of us in this Chamber and throughout the country still fight to make this dream a reality.

As Tip looks down upon us, and it is interesting how many of us have used that phrase, Tip looking down upon us, I think we are all very cognizant that Tip is watching and Tip knows all, because we have had that experience through our careers in relationship with him, we begin once again to debate the reality versus the rhetoric of making the American dream real for all our people.

In honor of Tip's legacy, let us get on with making his American dream for all his fellow citizens come true.

Mr. MOAKLEY. I thank the gentleman from Maryland for his wonderful statement about Speaker O'Neill.

Now, Tip used to tell a lot of jokes and a lot of them were on himself.

Tip was the greatest known golfer, but he was by far not the greatest golfer. In fact, when you are Speaker, they

say you do not need a putter, because as soon as you get on the green, it is a gimme.

But he tells the story about the time he was golfing with Lee Trevino, and they came to a water hole that was a par 3 hole. The Speaker reached in his bag and got an old, cut-up ball and put it down and started to hit it, and Lee says, "Mr. Speaker," he says, "already in your mind you have hit that ball in that water. That is why you took out the worst ball in your bag." He says, "Put that ball back and take out the best ball you have got in your bag." He does, and he takes out a brandnew ball. He says, "Now, before you hit it, just take one practice swing." So he takes a practice swing. He says, "Fine, Mr. Speaker," he says, "Take one more practice swing." He takes one more practice swing. Lee says, "Tip, put the ball back and get the other ball."

But this is a story that Tip would tell on himself, and most people would like to tell everybody what great golfers they are, but Tip loved golf. It kept him young. It kept him going. It gave him a chance to get some exercise, meet his friends, and talk with a lot of people. He just would get out to play golf anytime he could, and I am glad that he was able to right up to the end participate in the sport that he loved so well.

I yield to the gentleman from Texas [Mr. PICKLE], a dear friend of the Speaker.

Mr. PICKLE. Madam Speaker, Tip O'Neill was one of the warmest, best liked Speakers that we have ever had. He was a real people person. Warm, friendly, kind, and understanding, Tip showed great compassion and dedication to public service. He liked to admit that he was a politician and "proud of it!" Every Member of Congress who ever served with him respected him, including Republicans. He was their target, but they knew he would fight fair, and they respected and loved him for it. When I was first elected to Congress, Tip O'Neill's office was directly across the hall from mine, and we have been close friends since 1963. Here are some of my recollections.

First, he made time for everyone and anyone—no matter who they were or what their station. I remember the time he came over to autograph the old pump organ that stands in the corner of my office. He did not just rush in, sign the organ and rush out. He stayed to swap stories and tell jokes with my staff. Here was the Speaker of the House using his valuable time. But he did not quit there, he then posed for pictures with the staff, which were later returned hand signed in gold ink for each of them. They were star struck but I told them that was just Tip.

Second, I remember the time I had some folks up from the district. One of the constituents was a minister here to

lead the Congress in the opening prayer. After the opening of Congress, the Speaker invited them into his office to visit and to show them the historical items he had on display there. Later when we all returned to my office, I asked how they had enjoyed meeting the Speaker of the House. The wife responded gleefully that he was just like a big Teddy Bear and that he had given her a big hug when they left. She also told me she had taken something from his office as a keepsake to always remember him by. I could not imagine what she might have taken from his office, and asked if I could have a look at the item. Sheepishly, she opened her purse and unwrapped a kleenex to reveal the chewed up stub of the Speaker's cigar. She admitted having taken it off the fireplace mantel where he put it down while telling them stories about the history of his office. She said "Now people back home will believe me when I tell them I hugged Speaker Tip O'Neill." I do not know if the Speaker ever realized what happened to his cigar, but I am certain it is still safely put away as a keepsake; and it has made some good stories for the wife of a minister back in central Texas.

Third, when Tip O'Neill visited the LBJ School of Public Affairs in the seventies we held a reception for him in the great library hall. At the end of the ceremony, we played "The Eyes of Texas" for him. As we all raised our Hook 'Em Horns sign, Tip did his best to form his big, fat fingers into a Hook 'Em figure, and he finally did, but with great difficulty. I have that picture of Speaker O'Neill and UT President Lorene Rogers on my office wall—it is great.

That evening, the chancellor of the University of Texas, Hans Mark, held a reception for Speaker O'Neill at the Bauer House, the official residence of the University of Texas' chancellor. Members of the faculty, regents, and outstanding UT alumni all over the State were invited. I asked Lawrence Olsen, my former press secretary, to drive Speaker O'Neill to the Bauer House in time for the reception line and the party. When Lawrence reached the hotel, Tip was still in his boxer shorts watching a Boston Red Sox game. Lawrence happened to be a Red Sox supporter, and they began to talk about the Red Sox. That must have gone on for an hour because the Speaker was late to the Bauer House by nearly an hour. I fussed at Lawrence because of the delay. He sheepishly said, "Well, Tip wanted to talk about baseball!" The Speaker knew his Boston Red Sox and he knew his baseball like an expert. At that time, he would rather talk about baseball than stand in a receiving line.

Fourth, when I served as chairman of the Social Security Subcommittee, working on a bill to revamp Social Security, I was constantly refereeing par-

tisan politics concerning the volatile Social Security Program. Democratic leaders were not only looking for ways to make the program solvent, but they also wanted to put President Reagan on the defensive. Speaker O'Neill was prevailed upon by his friend, the great Claude Pepper, and other Social Security leaders to maintain the same age for retirement that the oldline Democrats wanted to keep. Naturally, Speaker O'Neill called a leadership meeting with the Democrat where Tip asked probing questions about the program and how we should proceed. Actually, he was simply learning facts to formulate his own policy. He plowed through the same questions my committee had discussed over and over, and on which we had already adopted a policy. I felt like I was climbing up the same hill again! At the end of the meeting, Tip asked if I thought this meeting was helpful, and I told him the meeting reminded me of LBJ. When a member of LBJ's staff had made a big mistake and had fouled up a program, LBJ would say to them, "I want you to take the rest of the afternoon off and enjoy yourself. You have helped me as much today as I can stand." Tip laughed and broke up the meeting, and later he told me that it was a good meeting. But we all learned how to proceed and did the right thing. That was Tip O'Neill's way to reach a consensus and to produce good legislation. He was a master of working with people.

Fifth, when Boston College played at the university, a few years back, I tempted Speaker O'Neill to visit the Manchaca Fire Department's dedication of a new fire truck. As we climbed atop the fire truck in the presence of Governor Ann Richards—then county commissioner—former Mayor Carole McClellan, Judge Mary Pearl Williams, and Cathy Bonner, Tip kept waving at the crowd, but as he dismounted from the truck, he leaned over to me and asked, "Geez Jake, where did you get all these good looking babes?" Tip reminded me of our beautiful city and beautiful women for many years.

Sixth, to comply with a possible television broadcast request, Tip agreed to participate in the rendition of "Apple Blossom Time" in honor of his wife Millie. He admitted that he used to sing "Apple Blossom Time" to Millie during their courting years—and Tip was not bad. It was a sweet, nostalgic performance.

Last, at the general gatherings in Washington, Tip would tell certain stories over and over again. There was one about "I was a stranger and Ye Took Me In." There was another about Robert Redford who mistook Tip for a famous man and another about "You are looking for Murphy the Spy." We Members would sigh deeply that we were going to hear those same stories again. Tip always reminded us that we may have heard that story, but the crowd

had not. He had learned to tell a good story and was good at it—the best we ever had in office. Politicians learn how to tell the good story—and we all use them over and over. We used to threaten Tip by advocating a banquet where Tip had to come and listen to his own stories.

Tip O'Neill was an excellent legislator, but he also was a genuine, warm, congenial friend.

Mr. MOAKLEY. Madam Speaker, I thank the gentleman from Texas very much.

Continuing along with what the gentleman from Texas [Mr. PICKLE] was saying about the stories that Tip told, and that Henry Ford story was a classic, Tip bumped into Danny Thomas one day, and he says, "Danny," he says, "I've got some great jokes, but I've been telling them so long," he says, "everybody that I meet has heard them." So Danny says, "Let me hear them."

□ 1710

So he heard them. He says, "They are pretty good, Tip; just change your audiences more often."

Sinatra, you know, does not change the songs he sings; he sings the same songs. But evidently you cannot do the same with jokes.

Madam Speaker, at this time I would like to yield to the gentlewoman from Connecticut, Ms. DELAURO, for a few words on Tip O'Neill.

Ms. DELAURO. I thank the gentleman for yielding to me.

Madam Speaker, one of the few regrets that I have in my life is that I never served in the Congress with Speaker Tip O'Neill. When I was first elected in 1990, he was 4 years into retirement. But, while he may have retired, he was never retiring. And, those of us who had the pleasure of knowing him will always remember his zest for life, his love of friends, and his unflinching humor.

When I first ran for Congress, Tip O'Neill came and campaigned for me. It was then that I discovered that though he was gone from politics, politics was not gone from him. And, he had valuable lessons to teach an eager pupil, like myself. But, each lesson started and ended with his now-famous one-line motto: All politics is local. He lived by those words and that is what made him the quintessential politician.

He came up to campaign for me for my second campaign. At that time he said to me, "Darlin', I am not going to do very many of these, but I am going to come up to New Haven for you. But I want you not to be taking me to too many places because, you know, I am getting old." Well, it was a wonderful, wonderful visit that we had in that campaign. Those campaigns and his visits, I will never forget.

His accomplishments may be well known by most of us but they are still

astounding in their breadth: He held elective office for 50 years; 16 years in the Massachusetts Legislature and 34 years in the House; 10 of those years as the Speaker of the House. A young man from modest means who reached the pinnacle of political power in the greatest Nation on Earth—Tip O'Neill embodied the American Dream.

But, he embodied much more than that. He was a true lunch-pail Democrat. Never did the working man or woman have a better friend than when he served in Washington. His style was one that many have tried to replicate. But, few have succeeded. You see it came naturally to him. His Irish charm and yen for storytelling never failed to draw a crowd. Whether he was regaling us with stories of oldtime Boston ward politics or of his beloved Red Sox, how Tip O'Neill could spin a yarn.

There was another side to Tip O'Neill. He was a man of real principle. He wasn't afraid to vote his conscience even when it meant taking some heat from the people back home. He made the tough votes and through his decades of service earned the respect of the people of his district, his State, and his country. That respect was evident on the weekend in January when Tip O'Neill was laid to rest. Roughly 11,000 people braved subzero temperatures and 2 feet of snow to pay their last respects.

I was unable to be in Boston that weekend, as I was out of the country. But, if I had been the 11,001st admirer to say my final goodbye to Tip O'Neill I would have said this: "Thanks, my friend. You served your country with distinction. You were a wonderful husband, father, grandfather and friend. And, you have brightened our world with the glowing example of your life."

I thank the gentleman for yielding.

Mr. MOAKLEY. I thank the gentleman from Connecticut very much for her remarks.

Madam Speaker, at this time I yield to the gentleman from New Jersey [Mr. HUGHES].

Mr. HUGHES. Madam Speaker, first of all let me just thank the distinguished gentleman from Massachusetts [Mr. MOAKLEY], chairman of the Committee on Rules, for taking out this special order to honor our great friend, Tip O'Neill. We are indebted to him for that.

Madam Speaker, I rise today to pay tribute to one of the true giants in American history, the late Speaker of the House, Tip O'Neill.

There is no one who I admired more throughout my political career than I did Tip O'Neill. He embodied everything that was good about politics and public service. Tip had a sense of right and wrong, and an understanding of politics, like no one I have ever known in my life.

I was very fortunate to have gotten to know Tip O'Neill during my first

term in office, when he was serving as majority leader.

It was my privilege to vote for him as Speaker, and I think he was probably one of the greatest, greatest Speakers of this country.

His years in Government gave him the perspective and the political instincts which enabled him to see way beyond what most others saw occurring in the political arena. That is what made him so effective as a leader.

As a person, he was one of a kind, as some of my colleagues have said. On the outside he was big, and by stature he was gruff, and he was at times intimidating by stature, but on the inside he was a sweetheart of a guy. He took a personal interest in everyone's problems, from his constituents back home to his colleagues in the House and to those who came up to him in the corridors as he tried to move from office to office, from the office to the floor.

Tip made you feel very special as he talked to you. It was this enormous ability to focus on what somebody was saying that made him, I think, so great as a human being. He had a generosity that was second to none, and that, too, endeared him to all.

I will never forget the years that he came into southern New Jersey to campaign for me. I suspect that you could probably get 600 or 700 Members of Congress to come to the well and talk about their special visit with Tip in their district, and you wonder how he had time to help govern this Nation, but he found the time.

Tip knew that I represented a largely Republican district and that most of my supporters were business people and others who were generally more conservative than he was. As a result, he was always unsure what to say. I always told him the same: "Tip, just be yourself."

Invariably, it would take Tip all of 5 minutes before he had the audience eating out of his hand. He would start by pleading guilty to being a liberal and a big spender. Then once the audience got over that shock, he would explain to them what he meant: that he believed in spending more money on education, health care, senior citizens, cancer research, wastewater treatment facilities, and so many other programs that left us with something after we spent the money. And on and on he would go.

He would refer to some of the programs that we did not receive during the 1980's, and he would say, "You know, you could probably walk around your district and see many of the projects that I supported as a big spender that helped put people back to work and made everybody's life a little better."

After his speech, you could see them line up to shake his hand and tell him how much they admired him.

That is the Tip O'Neill I knew, a man who was generous, witty, true to his beliefs, and blessed with the natural instincts and attributes of a great leader.

There will never be another Tip O'Neill. His loss was a great one for our country, but his legacy will live on. And if I ever write a book on my retirement—and I intend to leave at the end of this Congress—there will be a special place in that book for Tip O'Neill.

I might say to my colleague from Massachusetts that just right before his death I saw Tip downstairs, coming out of the House physician's office. He was not well, and it was obvious. But the first thing he said to me was, "How are the Sullivans?" Of course, the Sullivans are from Boston, and Barry Sullivan is my son-in-law, as you know. And we have three beautiful grandchildren. Tip said, "How are the grandchildren, in particular?" That is the Tip he was, because he cared about everyone he knew.

His legacy will live on, and as he looks down on us, I know he has to be very pleased with the things they were taking up in this Chamber in this session of Congress—health care, all kinds of welfare reform and pension initiatives—because that is the Tip O'Neill who moved so many great things through this institution because he cared.

I want to express my gratitude to his wife, Millie, for sharing him with all of us for so many years and to wish her and her lovely family my heartfelt sympathy and the best of everything in the years ahead.

I once again thank the gentleman from Massachusetts.

Mr. MOAKLEY. I thank the gentleman very much.

□ 1720

Madam Speaker, at this time I yield to the gentleman from New York [Mr. GILMAN] who was a companion of Speaker O'Neill, I know, on many trips when they were officially invited to participate in government events overseas.

Mr. GILMAN. Madam Speaker, I thank the gentleman from Massachusetts [Mr. MOAKLEY] for yielding to me and for arranging this special order so that we could pay tribute to a wonderful man. Madam Speaker, it is with a certain amount of remorse that I join my colleagues in paying tribute to one of the legislative giants of our century, indeed tribute to one of the greatest legislative leaders in the history of our Republic.

The passing of Thomas "Tip" O'Neill last month left a void which will not soon be filled. Tip was always so full of life, so determined, and so energetic, that most of us assumed he would always be with us.

I had the privilege of serving in the House with Tip O'Neill during the last 14 years of his career. For the last 10 of

those years, he was our Speaker. Despite the fact that he and I sat on opposite sides of the aisle, he never hesitated to offer sage advice, or a friendly handshake.

Some congressional observers have labeled Tip O'Neill the last of the old time politicians and, at the same time, the first of the new brand of political leaders. While his colorful style and strong convictions made him an effective congressional leader and a household word, his charisma and obvious charm and sincerity made him a hero for the television generation.

Tip was a man of the people who never forgot his roots. His father always admonished him to remember from "whence he came" and he always did. He always remembered his blue-collar background and his working class antecedents. Tip never forgot that these were the Americans to whom he owed his first allegiance.

Tip had politics in his blood when he first sought elective office at an early age. Losing his first race for the State legislature, he was surprised to learn that a long-time family friend and neighbor neglected to vote for him. When Tip asked why, he was told that he never had asked his friends for their votes—and that everyone likes to be asked. He never forgot that lesson, and he never tired of sharing that wise lesson with all of us.

Tip O'Neill had a framed adage on the wall of his office stating that "the main responsibilities of government were to three groups of people: "those at the dawn of life: our children; "those at the twilight of life: our senior citizens; and "those in the shadows of life: the ill, the needy, and the handicapped."

Even those of us who may have disagreed with Tip O'Neill philosophically on some issues could not dispute the soundness of his basic philosophy, just as no one could dispute that Tip was a man of rare integrity and intelligence.

In May 1983, I had the sad duty of informing the House of the passing of our former colleague, one of my predecessors, Mrs. Katherine St. George, who had represented my congressional district from 1946 until 1964. Much to my surprise, at the end of my remarks, Speaker O'Neill left the Speaker's chair and moved to the well of the House, where he delivered an impromptu moving tribute to the late Congresswoman Katherine St. George which was valued by her family all the more due to the obvious sincerity and spontaneity of this generous gesture.

The people of North Cambridge, MA—the people Tip O'Neill loved so deeply and so sincerely—first elected Tip to the State legislature in 1934, starting his 50-year career of public service. He remained in that body until 1952 becoming, in the process, the first Democratic Speaker of the House in Massachusetts' history. When his home con-

gressional district became vacant in 1952, due to the U.S. Senatorial candidacy of the incumbent, John F. Kennedy, Tip O'Neill was easily elected to the House seat, and was easily re-elected every election until his voluntary retirement in 1986.

The love and esteem with which Tip was held by his constituency and by his family was shared by his colleagues on both sides of the aisle. Those of us who had the honor of serving with him will never forget him, will never forget his bear hugs, his warmth, his humor, and his sage advice.

To his widow, Millie, to his children, his grandchildren, and his many many friends and admirers, we offer our deepest condolences. To the Nation as a whole, Tip O'Neill has left his mark—and a tremendous legacy.

Mr. MOAKLEY. Madam Speaker, I yield to the gentleman from Ohio [Mr. REGULA], a friend of the Speaker and one of his favorite Republicans.

Mr. REGULA. Madam Speaker, I thank the gentleman from Massachusetts [Mr. MOAKLEY] for yielding to me and for taking this special order.

Madam Speaker, the second great commandment is to love your neighbor as yourself. Tip O'Neill lived this commandment each day as he built a distinguished career of serving people and caring deeply for individuals from every walk of life. We have all heard his famous remark, that all politics is local. I think he really meant that all politics is personal and involves caring for and loving his fellow man.

Madam Speaker, each of us can recount story after story of Tip's humor, his warmth in reaching out to people and his goodness as a human being.

Tip's remarks on leaving the Congress deserve to be repeated tonight. They are a legacy of respect for this institution that we might all reflect on as we serve. I would like to share a few of these comments by quoting from his speech, and Tip said, and this was in the CONGRESSIONAL RECORD on October 17 of 1986:

If you go to any country, any country in Europe, the majority sits on one side and the minority sits on the other side and they do not speak to each other, and they are amazed that my Millie and Corinnee will be sitting there, chatting so friendly, or Bob and I will be sitting there, friendly; or that the Democrats are talking to the Republicans. They just do not understand it.

That is the way a democracy should be. There should be no rancor or hatred for anybody. It is the love of ideas: my ideas are different from yours and your ideas are different from mine, but we respect each other for it, and that is what makes a democracy great.

Madam Speaker, those were wonderful words from our former Speaker, and he closed by saying:

Let me say this to you after 50 years in public life—this is the greatest country in the history of the world, we are the leaders of the world, this is the greatest legislative body in the world. We will always be great as

long as we recognize the rights of one another across the aisle, as long as we respect each other for our thoughts, ideas, philosophies and as long as we respect those who disagree. This Nation is great. Why is it great? Because we are the voice of the American people and we respond to their will.

I leave with no rancor in my heart for anybody. I leave with tremendous love and affection for this great body. I will always be a man of the House of Representatives but always, first, I am an American and so proud of this body.

Thank you. I love you all.

Madam Speaker, those are the words of Tip. They are beautiful, and they are words that we should all live by and respect as we serve in this body.

We all know that Tip could be partisan with the best, and, as his son, Kip, said at his funeral, "Tip might hate the Republican sin, but it did not stop him from loving the sinner," and certainly that was the essence of our great friend, Tip O'Neill.

Mary and I will forever cherish the friendship we shared with Tip and Millie.

Mr. MOAKLEY. Madam Speaker, I thank the gentleman from Ohio [Mr. REGULA] very much.

I yield now to the gentleman from Illinois [Mr. DURBIN], chairman of one of the appropriations committees.

□ 1730

Mr. DURBIN. Madam Speaker, I thank the chairman of the Committee on Rules, the gentleman from Massachusetts [Mr. MOAKLEY], for yielding. I appreciate his calling this special order to pay tribute to a mutual friend.

Madam Speaker, I can recall very well when I returned to Washington to attend Tip's funeral, we flew up from Washington to Boston, that I found on my desk from Christmas a book of Tip's latest stories that had been inscribed, "Merry Christmas, old pal, Tip O'Neill." I thought what irony. I am leaving to go to his funeral and seeing this book for the first time.

It is interesting to me that if you wanted to get a caricature of Tip O'Neill, you find one every day in the comic pages. There is one comic, I cannot recall which one, that has a caricature that looks just like him, a big, overweight fellow, with a white mane. I guess for a lot of people in America, they look at that caricature and say that that is what is wrong with politicians. They are big, out of touch, and just are what we thought they would be.

But that caricature does not tell the story of Tip O'Neill for those of us who knew him. The real question was not how a politician fills a suit, but what fills his heart. And when it came to Tip O'Neill, it was very clear that what filled his heart was his family, his love for the common person, and his love for this House of Representatives.

As one looks back on that event we attended, the funeral in Boston, in North Cambridge, I have to salute you,

Mr. MOAKLEY, for the fine remarks you made that day. But it was a great Irish funeral. Half the time we were laughing, and half the time we were crying, remembering with touching sincerity all of the comments being made by his family and friends, and laughing, too, about what a great man he was.

I suppose fate has dealt me some cards that I can never really account for. But to have been sworn into this institution in January 1983 by Tip O'Neill is an accident of history that I am just so happy that I was able to be a part of. It really set a tone, because you go through life as a politician and you meet thousands and thousands of other politicians. Few of them stand out. And Tip O'Neill was one of them. Hubert Humphrey was another. They had something in common. They really loved what they were doing. They really loved serving the people in public life. They took the grief that came along with it for a chance to do something good and leave a legacy.

When I heard the Speaker's son get up and give that beautiful, beautiful eulogy at that funeral, I understood that Tip O'Neill had balanced his life just right. He had a loving family who had participated with him throughout public service, and people clamoring to get inside that church to be with him in the final moment to pay tribute. I guess it tells it all.

Madam Speaker, I will tell one quick story to close. Again, as the gentleman from New Jersey [Mr. HUGHES] said earlier, we can all tell this story.

The day Tip O'Neill came to my congressional district, it was 4 or 5 years ago, he had just gone through a serious cancer surgery. He was weak, and told me as such. But he said, "I am coming out to help you." This was long after he left as Speaker.

We brought him into town at about 2 in the afternoon for a 4:30 fundraiser. I said, "Mr. Speaker, what would you like to do for these 2½ hours? Would you like to take a nap or something?"

"No, no, no," he says. "I would just like to sit here in the hotel room and talk to you."

I said, "What can I get you?"

He said, "Some ice water and some cigars."

So we got him his cigars, and we got him a pitcher of ice water, and he sat there for 2½ hours, regaling us with all his stories. And my staff came and went, just loving every moment of it.

So at 4:30 we went down for the fundraiser. And he said, "Now, Dick, I have got to tell you, I am getting tired and weak, and I don't know how much longer I can go on. So," he says, "I may not be able to last. But, believe me, we are going to take care of you."

So we sat him down at the table there, and people came by, and he signed his book and he shook hands. And I looked up, and every major Republican in my hometown had showed up, because they all loved Tip O'Neill.

At about 6 o'clock I said to him, "Mr. Speaker, now we are going to take you upstairs. But all I am going to do is introduce you, the briefest introduction you have ever had. You give the briefest statement you have ever made to this group of 400 or 500 people, and that is all they want."

He said fine. So I thought to myself, he looks OK, I think we are going to make it.

I got up, and I gave a 45-second introduction to a man you could have spoken 45 minutes about.

He got up, and I bet you know the end of the story, JOE. He went on for about 30 minutes, because here is Tip O'Neill, recovering from surgery, getting up in front of a crowd of perfect strangers, telling his story, a story that came from the heart. And he had everybody in that room, he just had them all. They watched him, and loved him, and applauded. And he left. And my family and I just thank fate, thank God, and thank Tip O'Neill for his sacrifice for coming forward.

I would just close by saying this. I hope that we just do not sit here and honor the man. I hope we remember what he was all about, not being afraid to say I am going to stand up for the little guy; not being afraid to say I am going to fight for a program that can make his or her life better; not apologizing for Government, not apologizing for Congress, saying that we are people, men and women, working hard for the right reasons.

Tip O'Neill is looking down on us now, as I am sure he is always out of the corner of his eye watching this House of Representatives from up in heaven. And I just want to tell you, a lot of us younger people and those who have been in this institution for a while, are going to do our best to carry on in his memory.

Mr. MOAKLEY. Madam Speaker, I thank the gentleman from Illinois.

I would like to now recognize the gentlewoman from Ohio [Ms. KAPTUR].

Ms. KAPTUR. I thank the gentleman, the distinguished chairman of the Committee on Rules, from Massachusetts, and thank him for this special order this evening. It is with very deep gratitude and respect that I rise with my colleagues to offer sympathy to the family of our great speaker, Thomas P. O'Neill, and to his wonderful family, and to say to them, thank you. We keep you all in our prayers, and we keep him in our prayers.

I am one of the women Members of Congress that the Speaker welcomed upon my first and somewhat unexpected election in the year of 1982. His ingratiating manner, even in those days, and practical counsel to that young woman of 36 years then, will never be forgotten. Learning from him was learning from a legend. And for me, it will always be an honor.

My service in Congress now spans about a dozen years, and I had the

pleasure of serving with Speaker O'Neill for about half that time. His joviality and hard-nosed political advice became part of my early service in this Congress. And I have to say he helped me personally progress through the painful greening that faces any new Member, standing up to the bashes that come your way now and then, the partisan rankling, the rather ugly side sometimes of what should be a rather lofty enterprise. He was the type of Speaker who took the time to shepherd the new members, including the women.

I can still recall my first encounter with the Speaker, a giant of a man, with the largest hands I think I have ever shaken in my life, in his private office just off this House floor.

I was a candidate for office then, and I was so overwhelmed that he took the time to schedule me into his day. I had traveled here from Ohio to pay a courtesy call on him, and I patiently waited rather nervously as his secretary ushered me into his outer office and then into his main office.

He was sitting on the corner of a rather huge wooden desk in a beautiful room with a sparkling crystal chandelier. And I cleared my throat and said, "Mr. Speaker, my name is MARCY KAPTUR, and I am running for Congress in Ohio's Ninth District." I looked at him, and with a twinkle in his eye and outstretched arms he held out to me, he beamed and warmly said to me, "Come on over here, honey," and chortled, as only he could. And I knew that this was a friend.

I hope that the people I know, that the people of Massachusetts and our country know, that his leadership and personal support to all of our Members helped us maintain heart and voice for the ordinary people of our country. His photo still hangs in my office, as it always will. The many lessons, large and small, he taught me and others, will follow us through our political lives: To love the people of our land, and in turn to love politics as the people's business; to retain good humor under great pressure; to keep yourself available to the Members of Congress as you assume leadership responsibilities. I can still remember him setting right here in the front row. He was always there for the Members.

□ 1740

To personally contact those constituents who write you the most negative letters, you might learn something and you do. To go back into the kitchens at banquets and shake hands with the people who prepared the meals at social events and to always say thank you. And not to view your job as chiefly one to thwart the other party's initiatives, but rather to move the country forward. And importantly, to respect the institution of this House, the Congress, and uphold our Constitution no matter what the personal cost.

I learned those lessons from Speaker Thomas P. O'Neill. He spoke of his wife Millie so often in meetings. We all thought we knew her and were related to her. And with his departure, a certain joy left this Congress.

I feel so fortunate to have served concurrently with one of the greatest Speakers of all times. May his family and he be blessed and consoled, knowing that what they did and the people of Massachusetts did for others bettered our Nation and world.

I thank the gentleman.

Mr. MOAKLEY. Madam Speaker, I thank the gentlewoman for her fine statement.

Mr. NATCHER. Madam Speaker, during my tenure as a Member of Congress, I have had the honor and the privilege of serving with seven Speakers and nine Presidents. Thomas P. "Tip" O'Neill was always my friend, and he not only established the all-time record by serving 10 consecutive years as Speaker of the House, but he loved and respected the most powerful legislative body in the world.

During his tenure, he established a record that his people can be proud of and one that will always be remembered by those who served with him. Words are inadequate to fully appraise Tip O'Neill's tremendous capacity for loyalty and love of his country. In every position he held, either private or public, he achieved distinction. His service in all of his assignments was marked by a high sense of conscience and duty. His character, his achievements, and his faithful service will be an inspiration to generations yet to come.

He left his mark on Congress, not necessarily through legislation which he succeeded in having enacted, but instead through his character itself.

It was a distinct honor and privilege to serve with my friend, Thomas P. "Tip" O'Neill, Jr. in the Congress of the United States and to his lovely wife and family, I extend my deepest sympathy in their bereavement.

Mr. MCDADE. Madam Speaker, I thank and commend the gentleman from Massachusetts [Mr. MOAKLEY] for providing this special order in memory of our departed colleague, Tip O'Neill.

Tip was a giant of American politics who will be revered and remembered for decades to come. Whether you agreed or disagreed with Tip, you had to admire his commitment to bettering the lives of average Americans, particularly the elderly and the poor.

Despite our party differences, I counted Tip as one of my dearest friends. Tip could be a tremendous opponent, but those disagreements were never personal and were put aside completely on the golf course or during the times we traveled together. Tip was a true joy to be around. He was a great storyteller, and really enjoyed the camaraderie of his colleagues. He loved the institution of Congress, and was proud of the positive role Government could play in improving the lives of people.

Tip and I were friends for more than 30 years and to me he embodied what is great about our political system. He never lost his love for his fellow man and he treated everybody he met the same, regardless of his sta-

tion in life. You got his ear, his attention, and his respect.

Tip never forgot the wise advice of his father: "Do the best you can for your neighbor. Never forget from where you come. And see if you can improve the lot of your fellow man." Tip never abandoned that simple credo in his public services or his dealings with people.

Tip O'Neill's death takes from us one of our great public figures, and our Nation has suffered a great loss. He came to know many people and make many friendships in northeastern Pennsylvania, and he was a friend to our region.

I was delighted when Tip spoke 5 years ago to a large community gathering in Scranton. He gave a wonderful speech, and he and his lovely wife were awarded honorary degrees from the University of Scranton. He was gracious and winning in his experience with the people of the Scranton area, and I know that they share my affection for this great American.

My thoughts and prayers go to Tip's wife, Millie, and their five children.

Mr. STOKES. Madam Speaker, I want to express my appreciation to our colleague, the distinguished gentleman from Massachusetts, Congressman JOSEPH MOAKLEY, for reserving this time to honor former House Speaker, Thomas P. "Tip" O'Neill. I join JOE in expressing my deep sense of loss over the passing of this great leader. With his demise, this institution and, indeed, the Nation, has lost a good friend and champion.

Madam Speaker, all of us who attended Tip's funeral were pleased with the great tribute paid to him by Chairman MOAKLEY. His tribute captured Tip, his life, his stories, and his philosophy in such a real and humane way that for a few moments we could visually see Tip as he was. The humorous stories injected by Chairman MOAKLEY helped us to remember Tip, not sadly, but as the jovial, convivial politician that he was—a friend to everybody.

His son, Thomas P. III, also did a marvelous job under what had to be difficult circumstances in depicting Tip as we all knew him. The combination of the tributes paid to Tip by him and Chairman MOAKLEY made Tip's funeral one that he would have enjoyed because they captured the essence of his greatness by depicting a man totally in touch with the common man.

Madam Speaker, for many of us gathered in the Chamber this evening, Tip O'Neill was more than Speaker of the House. He touched many of our lives in a profound way and helped to mold our careers in the Congress. Tip O'Neill was a personal and dear friend to me. I will always remember the special interest he took in my career.

It was Speaker O'Neill who selected me to undertake several tough committee assignments, including the chairmanship of the House Select Committee on Assassinations, the chairmanship of the House Ethics Committee, and an appointment to the House Intelligence Committee, which I later chaired.

Madam Speaker, Tip O'Neill was a committed public servant. He held elective office for 50 years, including 16 years in the Massachusetts Legislature and 34 years in the House. When he retired as Speaker of the House in 1986, he had held the post for a longer continuous period than any other.

During the 1980's and Reagan administration, it was Tip O'Neill who led our party and was the most powerful voice in defense of the average citizen. He not only held the Democratic Party together, but actually strengthened its base during this period. Tip O'Neill was a liberal, he was a man of his word, and he was never afraid to fight for what he believed in.

Tip O'Neill's service in the Congress is a testament to a man who felt that politics was an honorable calling, and viewed elective office as a way to bring about improvements in the average citizen's life. His Massachusetts constituency will remember him as a dedicated politician and a friend who never forgot his roots.

Madam Speaker, Tip O'Neill was more than a politician or a Speaker of the House. He was like a father to many of us. He nurtured us, and through his stories for which he was famous, he inculcated us with his philosophy of service to one's constituents and thereby, one's country. He loved his wife, Millie, politics, Congress, and his country.

When he retired as Speaker of the House, Tip O'Neill was asked how he wanted his career to be remembered. He replied that he was someone who "came to Washington with a certain set of ideas and he stayed with them all the way."

Time will accord Speaker Tip O'Neill his rightful place in history as one of our greatest Speakers. His integrity, dignity, and lovable personality has been permanently etched in the memory of all of us who knew him. I will personally miss his favorite greeting whenever we met which was, "LOUIE, ol' pal." Not only was he my pal, but he was the Nation's champion for the common man.

Madam Speaker, I join my friend, JOE MOAKLEY, in expressing our condolences to Millie, the children—Thomas P. III, Christopher, Michael Tolan, Susan, and Rosemary—and other members of the O'Neill family. The loss of Speaker Tip O'Neill affected us all. We take comfort in knowing that his memory will never be forgotten.

Mr. CRANE. Madam Speaker, the House of Representatives will never know another Thomas P. "Tip" O'Neill.

Tip O'Neill gave 34 years of his life to this institution which he came to love. And his service included an unequalled 10 consecutive years as Speaker.

And while he rose to what some contend is the second most powerful position in our Government, he never forgot his Boston roots. He professionally linked the connection between Washington and Boston by noting, "All politics is local."

Tip O'Neill was a dedicated Democrat. He believed his party had the answers to the Nation's needs and ills. And while we disagreed with him many, many times, we never doubted the sincerity with which he held his beliefs in the party of his choice.

Tip O'Neill was a fighter, and yet, he was a kind person. He fought for his beliefs with every ounce of his beefy figure, even as he embraced a needy friend or stranger with every ounce of his huge heart.

Tip O'Neill brought his heart to this body, and he takes ours with him to eternity.

Mr. YATES. Madam Speaker, today we mourn the death of a great Speaker of this

House. Everyone who believes in representative government and the democratic process is indebted to Tip O'Neill and I am honored to have been his friend and colleague for more than 40 years.

Tip was, of course, a vastly talented and gifted legislator but the quality that lifted him to greatness was the basic, thoroughgoing humanity of the man. From his first day in public life to the last, Tip O'Neill believed that the fundamental purpose of government was to meet the needs of people who cannot help themselves. The press in recent years has tended to call the O'Neill approach to government old fashioned liberalism but I can tell you that Tip O'Neill stood for principled, humane government and for policies that made sense for this country, and he was right. His battle for these ideas is his splendid legacy and I am very proud to have served here with him.

I remember well his opposition to the Vietnam war. He and I were among the earliest opponents of that tragedy and Tip took his stand when President Johnson and the war were quite popular in his district. He was never more right than on that issue and the people of Cambridge continued to support him. His leadership of the House and the Democratic Party during the Reagan years when the Senate was Republican and the forces of untempered capitalism were in full bloom will, I predict, be remembered by historians as a remarkable example of courageous and effective action by a Speaker.

Probably no one since FDR enjoyed the political process more than Tip O'Neill. He was a marvelous blend of humor, kindness, forcefulness, thoughtful action, and an altogether delightful human being. I mourn his loss and extend my heartfelt condolences to Millie and the O'Neill family.

Mr. COYNE. Madam Speaker, I want to pay tribute to the memory of Thomas P. "Tip" O'Neill, a man who will long be ranked among the greatest Speakers of the U.S. House of Representatives.

I will always recall with pleasure the fact that Speaker O'Neill administered the oath of office for Members of the House when I began my service in the House in 1980. Speaker O'Neill represented to me the very model of what a Congressman should be. He was a man who knew his district in Boston not simply as blocs of voters but as friends and neighbors. His famous line—"All politics is local"—reminded many of the simple truth that the views and priorities of local voters should always be kept first in the minds of Members of Congress. He taught me the importance of never forgetting the fact that I may serve in Washington but my home will always be with friends and neighbors in Pittsburgh.

Speaker O'Neill was a partisan Democrat in the finest sense of the term. He believed intensely in the idea that principles do matter and that elected officials and political parties must at times struggle aggressively to defend and promote the principles on which they campaign. Tip O'Neill was also a man who understood the fact that political differences did not and should not lead automatically to personal conflict. He was a man who could argue all day with a political opponent about an issue without questioning that individual's integrity or character.

Tip O'Neill came to symbolize for millions of Americans the office of the Speaker of the House. This was especially true during the 1980's when Speaker O'Neill led the Democratic Party and the House majority in opposition to many of the Reagan administration's policies. Working men and women and urban communities like Pittsburgh owe Speaker O'Neill a great debt of gratitude for his efforts to defend their interests from the worst effects of the Reagan administration's domestic policies.

Speaker O'Neill was a man of the people, as was appropriate for the people's chamber. He had the demeanor of the regular guy next door at a time when the news media and political pundits celebrated a telegenic appearance and the Madison Avenue approach to politics. Still, Tip O'Neill conveyed his message to the vast majority of Americans with a conviction, and simple eloquence that produced results.

Speaker O'Neill has earned his place in the history of the United States. His charm, personal conviction, and political skills will long be remembered fondly here in the U.S. House. Tip O'Neill set an example of what is best in a public servant and the most appropriate tribute we can pay him is to aspire to those high standards.

Mr. FORD of Michigan. Madam Speaker, I rise today to join my colleagues in paying tribute to our friend, former colleague and Speaker, Thomas P. "Tip" O'Neill, who passed away on January 5, 1994.

It has been said that Tip was born to partisan politics. His father was a Cambridge, MA, city councilman who picketed Harvard University for hiring nonunion construction workers. As a boy, Tip mowed the lawns of Harvard Yard for pocket change, never dreaming that years later, on the 350th anniversary celebration of the university, he would deliver the keynote address as its honored speaker.

Tip was a graduate of St. John's High School and of his beloved Boston College. He worked as an insurance executive before entering politics. At the age of 23 he was elected to the Massachusetts Legislature, and became its youngest speaker at the age of 37. He took John F. Kennedy's seat in the U.S. House of Representatives in 1952, and was quickly taken under the wing of Representative John McCormack of Boston, later Speaker himself.

Tip rose through the House leadership ranks rapidly. He was majority whip in the 92d Congress, majority leader in the 93d and 94th Congresses and Speaker until his retirement at the end of the 99th Congress, setting a record for the longest continuous service as Speaker of the House. In doing so, Tip raised the stature of the office of the Speaker and the entire House of Representatives.

Tip was simply a great Member of Congress. He saw it as his responsibility to represent the people of the Eighth District of Massachusetts by sticking to the ideals for which they elected him. These principles found him in agreement with Presidents as well as up against them. When Tip agreed with the administration, it was because their stance conformed with his deeply held principles and values. When he disagreed with the President it was with the grace and courage of a true statesman. Few will forget that Tip was one of the first in the Democratic leadership to break

with Lyndon Johnson over the Vietnam war—a courageous move in light of the mood of the day, and of his constituents back home. Whether or not one agreed with Tip on a particular issue, and as partisan as he could be, he was always honest and fair to his colleagues.

When Republicans took the White House and the Senate in 1980, Tip suddenly found himself as the Nation's No. 1 Democrat, and often lonely defender against the Reagan administration's assault on liberalism and big government. Some in that administration tried to paint Tip as a figure straight from central casting—the portly, cigar-chomping big city machine pol standing in the way of an enormously popular President bent on changing business as usual.

Tip was initially shaken when some Democrats joined President Reagan in slashing social programs and passing massive Pentagon buildup and trickle down economic plans. But he fought back with the tenacity of a prizefighter, using both old and new political techniques to forge a formidable opposition.

Madam Speaker, the newspaper stories I have read over these past weeks have called Tip's passing the end of an era. In a sense, that epitaph is true, and it is a shame. Unlike today, where style too often supplants political substance, and the latest polls, deeply held convictions, Tip was constant in his beliefs. He was, above all, a liberal and a politician, unashamed by either of those terms, who viewed politics as a way to ensure that those in our society who were most in need and most overlooked—the poor, the elderly, the disenfranchised, the mentally and physically disabled—were not forgotten. Despite the international recognition to which he rose, Tip simply never forgot the people who sent him here, and why.

Tip O'Neill was in many ways, larger than life. Much has, and will be said about him, and his distinguished record of accomplishment. I recall often the good fortune I had to work closely with Tip to include in the reauthorization of the Higher Education Amendments of 1980 an authorization for the establishment of the Thomas P. O'Neill Library at Boston College. I later attended the dedication of that facility with Tip and his family, and still remember how happy he was at seeing that wonderful asset added to the university.

Madam Speaker, Tip O'Neill embodied a dedication to public service and a caring for others that helped make America great. He leaves behind a legacy of commitment and dedication to others that will endure for years to come. The people of this Nation, and the little guy everywhere lost a champion with the passing of Tip O'Neill.

The many kindnesses extended to me by Tip over the years are far too numerous for me to recount for this record. But every single one of them came from his heart. I will remember and appreciate them for the rest of my life.

I join my colleagues in this much-deserved tribute to Tip, and in extending my most heartfelt condolences to his wife, Millie, and the entire O'Neill family.

Mr. ORTIZ. Madam Speaker, I rise today to join my colleagues in this special tribute to our friend—and our former Speaker—Tip O'Neill. I

admired him very much for his passion and his unparalleled dedication to his home and his district. The natural result of that passion and dedication was the oft-quoted philosophy of Speaker O'Neill, "All politics is local."

I worked with Speaker O'Neill very briefly, but like everyone else who happened to be in the Speaker's company, I felt the comfort he constantly radiated. No matter who was in his presence, he was a master at making people feel comfortable. That is an admirable trait, one that is indispensable in a public servant.

I remember the first meeting I had with Speaker O'Neill. I was going to ask to be put on the Select Committee on Narcotics Abuse and Control. Since I was a brandnew Member and he was the Speaker, I was a little bit nervous. When he asked me why I wanted to sit on that committee, I told him about having been a law enforcement officer with an ongoing interest in the narcotics trade in the United States.

At that point, his interest in my committee assignment became apparent. He told me that it was important to the institution of Congress that the concerns of law enforcement be represented on this important committee. I was pleased and proud when he told me right then that he would support my membership on that select committee.

While the select committee was disbanded due to fiscal considerations early in this Congress, my service on the Narcotics Committee was very important to me. I still stay abreast of issues that relate to narcotics and possible solutions to the problems we face on that front today. I know that Speaker O'Neill would be pleased by that.

Mr. BRYANT. Madam Speaker, I would first like to thank Chairman MOAKLEY for reserving this time so that we may honor Speaker O'Neill's memory.

When I was elected to serve in the 98th Congress in 1982, I found I was privileged to serve under Speaker O'Neill for 4 years. I thereby benefited from his advice and counsel in that time. Like so many of us, I have countless memories of Tip's humanity and leadership. Remember the way he would pull us aside during legislative battles, put his arm around us, and in the most eloquent fashion tell us what was right. Aside from his leadership and guidance. I know it is Tip's friendship that I will miss the most.

I will always remember Tip as being generous, family true to his beliefs and blessed with a natural ability to lead. Tip was a great husband and father, a great speaker and leader, but more important, a great friend. He will be forever missed by us all.

Mr. HALL of Ohio. Madam Speaker, it is with great sadness but deep fondness that I recall the memory of our former colleague and Speaker, Thomas P. "Tip" a friend.

Tip loved public service and he loved the House. He truly believed in the people he served. Several times he came to my district of Dayton, OH and he was always a hit—not just because he was the powerful Speaker of the House, but because he poured out friendship and warmth.

He presided over the House at a time of great change in the direction of our Federal Government. As the Nation's top Democrat, he exercised judgment and compassion in

steering Congress in new directions. He never forgot that our purpose was to serve all Americans and that the weak, the poor, and the needy must be remembered.

At the end of my first term in the House, Tip appointed me to a coveted spot on the Rules Committee. I was impressed that he put his faith in me when I was so new to this institution. I hope that in the years that followed I have lived up to his trust and his ideals of service.

Mr. STUDDS. Madam Speaker, I rise today to honor a great American, a great leader and a great friend, former Speaker Thomas P. O'Neill. Tip was famous for his phrase, "all politics is local," but his impact was much more than local. His work on behalf of the Commonwealth of Massachusetts is legendary, but as one of the most distinguished Speakers of this century, his contributions to the country loom just as large.

He restored honor to politics. To him, the phrase "public servant," meant just that: serving the public. He never forgot where he came from, or that he was in politics to help people who needed it.

And the people did not forget him. There has been an incredible outpouring of genuine affection for Tip since his death last month. Everyone, it seems, has a story about Tip, of how he touched them.

People in my own congressional district are no exception. In December, just before his death, he helped arrange for food, clothing, and toys to be given to a food pantry in the town of Harwich on his adopted home of Cape Cod so needy families could have a nicer Christmas. After he died, his family asked that memorial contributions be sent to the pantry. In a little more than 2 weeks, more than \$11,000 was donated to the pantry in his memory. The checks came from all over the country: from his beloved hometown of North Cambridge, from here in Washington, and from Wyoming, Wisconsin, Virginia, and every place in between.

Tip, we salute you. You were indeed a gentleman, a true "man of the House." We'll miss you, but we'll never forget you.

Mr. KLECZKA. Madam Speaker, I would like to take a few moments to pay my respects to the late Thomas P. "Tip" O'Neill.

As a Member of the House who had the honor of being sworn in by Speaker O'Neill, I have always had a special fondness and respect for him, and it was with great sadness that I made the trip up to Boston a few weeks ago to say goodbye.

Over the past few weeks, many kind words have been spoken and written about Tip. It is no secret what his strengths and weaknesses were, but the real secret may be the secret of his success. In an era of sound-bitten, telegenic politics, Tip O'Neill rose to power with his big frame, his gray hair, and his cigar in full view. He was not an eloquent orator, but you knew where he stood on the issues; and that was frequently ahead of the pack and not behind focus groups and public opinion polls.

His politics were motivated by his deep concern for the people, and how the policies of this country would affect them. In spite of his power and fame, he never forgot his roots, never forgot who and what got him here. The secret of his success was that Tip O'Neill

never stopped being himself, never stopped being real, and that is the lesson for us all.

I end my remarks not with a classic Tip story, but with a note to the current Members of the House Tip loved so dearly. This is an institution capable of great things, and we did more in the last session than I think Tip thought was imaginable. Let us continue in that same vein of serving the interests of the people above all else.

Tip would expect no more, and we should honor his legacy by accomplishing no less.

Mr. QUILLEN. Madam Speaker, my colleagues and I rise today to express our sadness at the passing of our beloved former colleague, and my dear friend, Tip O'Neill. Although Speaker O'Neill has left us, he lives on through his cherished memory and through his contributions to public life, particularly this institution that he loved so well.

I first got to know Tip when I was appointed to the Rules Committee in 1965. At that time, the legendary Judge Howard Smith was still the chairman of the committee, which Tip had been a member of since the Democrats regained control of the House 10 years earlier. The Rules Committee has always been the most partisan committee in the House, and Tip freely admitted that the only reason he was there was because he could be counted on to toe the party line.

However, in those days, the committee met around a long oval table, so that junior members like Tip and myself sat facing one another, instead of on opposite ends of the room. This both promoted collegiality and created fast friendships that would last for decades. I always knew that Tip O'Neill was a man of his word whose heart was as big as his expansive personality.

Thomas P. O'Neill, Jr., was born on December 9, 1912, in North Cambridge, MA, where he would live all his life. From an early age, it was obvious that politics was his true calling, and he was elected to the Massachusetts State Legislature, called the Great and General Court, at 24, to begin an unbroken 50-year career in elective office. He rose to become the speaker of the legislature at 36, and he replaced John F. Kennedy in the U.S. House of Representatives at 40.

Using his Rules Committee position to get to know other Members of the House, and was appointed majority whip in 1971. The next year, upon Hale Boggs's tragic death, he became majority leader. In 1977, he was sworn in as the Speaker of the House, a position which he was to hold for 10 years and to which he would strengthen and bring new prestige and respect.

Tip O'Neill was possibly the best storyteller that this body has ever produced, and many of his best stories were contained in his excellent book, "Man of the House." When Tip left us last month, the House of Representatives lost a man who was the keeper of this body's institutional memory, and we are left with stories of him.

To me, Tip O'Neill was a symbol of a bygone period in the House, when comity and personal friendships were more important than constant partisanship. I miss this time very much, just as I will always miss Tip's leadership, his generosity, and his friendship. My heartfelt condolences go out to his dear wife

Millie and the rest of his extensive and loving family.

Mr. DE LA GARZA. Madam Speaker, "Keep your speeches short and the audience will remember what you had to say."

Madam Speaker, that was among the rules of politics of one of your great predecessors, the late former Speaker Tip O'Neill. In rising to remember him today, perhaps the highest honor anyone can do him is to follow that dictum—although the desire to talk at length about such a well-liked and influential man can, indeed, be great.

In his 34 years of serving in the House, Speaker O'Neill became perhaps its most enduring figure since the death in 1961 of former Speaker Sam Rayburn, of my home State of Texas. "A Man of the House," as Speaker O'Neill liked to call himself, he never forgot where he came from or why he was here, and he endeared himself to colleagues on both sides of the aisle.

His legacy will surely endure.

Mr. MANTON. Madam Speaker, I rise to pay tribute to the late Speaker, the Honorable Thomas P. Tip O'Neill, Jr. "Tip" O'Neill was a great and admirable man who had the personality and character that made him a magnificent leader—someone we will never forget. He taught this body and this Nation during his 50 years of public service.

One of the many lessons he taught us is that, "All politics is local." Tip never forgot where he came from—he never forgot his roots and the people who elected him to office every 2 years. He taught us that, "The art of politics is compromise." Whether it's the President trying to get a bill passed, or the Speaker settling a fight between two committee chairmen, the essential ingredient of politics is compromise. He taught us that political compromise is not compromising your morals or principles, but deferring your idea so a majority can be reached. He taught us that compromise means appealing to one's conscience, patriotism, and, above all, loyalty.

Tip O'Neill was the first American Speaker to visit Ireland. During the past 20 years, he was a constant voice for peace and reconciliation in Northern Ireland. As an Irish-American myself, I will not forget his work toward peace in that great land.

Although I was only able to serve under Tip's leadership for 2 years, he left an indelible mark that I will carry for the rest of my life. He was caring, compassionate, and so decent—a man who did so much for so many. Tip O'Neill personified the American Politic; he was definitely the "Man of the House," but he was also a man of the world, a leader that will never be forgotten.

To his devoted wife, Millie, to his children and grandchildren, words could never express our deep sense of loss. We will miss Tip terribly, but we must remember how enriched we have all become, because we know him, the Honorable Thomas P. "Tip" O'Neill, Jr.

Ms. ESHOO. Madam Speaker, although I did not have the privilege to serve in the House of Representatives with Speaker "Tip" O'Neill, I reserve a special place in my heart for the memory of this great man and extraordinary leader.

Speaker O'Neill had a deep and clear understanding of what it meant to be a Representative.

He loved this institution and made it a better place.

More important, he loved America and did everything in his power to make it a better place for all of us.

Throughout his tenure as a Member of Congress and as the Speaker, he held true to the belief that every American should have the opportunity to get an education, buy a home, and have a decent job.

He was compassionate and caring, yet fully understood the reality of politics, which includes vigorous give and take.

Having come to the House from a long tenure in local government myself, his famous quote, "All politics is local," endeared him to me even more.

What made him such a great public servant is the humble understanding that no matter how high you rise in public office, the true test of your achievements still lies in what you have accomplished at home for the people we are privileged to represent.

I believe "Tip" O'Neill was a great man because he was a good man. He genuinely enjoyed people. While he had many political battles, on the day he left the House he had no enemies. He was what the Irish call "A fine spring rain of a man."

Madam Speaker, I know when "Tip" O'Neill passed from us the angels greeted him in his high place in heaven.

I want to thank my colleague from Massachusetts, Mr. MOAKLEY, for arranging this time for his dear friend, Speaker O'Neill, and recognize all he has done to remember him these past weeks.

Mrs. MORELLA. Madam Speaker, in an era of the antipolitician, Thomas P. "Tip" O'Neill was a politician, and he was proud of it. During his more than three decades in the House, and especially during his 10 years as Speaker, Tip loved to press the flesh with his 434 colleagues here, but he enjoyed even more the interaction with the little people back home in the polyglot Eighth District of Massachusetts. Tip believed that Government had an important role to play in helping those little people—the dispossessed, the unlucky, those with few advantages in life.

Tip put this philosophy into practice on a personal level by lending a helping hand to the needy back in Boston. Legislatively, even in the eighties, when it was sometimes not popular to support expansive social programs, Tip persisted. For a time, he paid a price, becoming the target of national television ads portraying him as a bloated political relic. But long before he retired in 1987, he had won over even his ideological opponents who, if they did not agree with him, at least admired him for his honesty in sticking to his guns.

Tip was well known for his motto, "all politics is local," and he was a master of grassroots politics. But he never shied away from domestic and international issues, from Vietnam to Watergate to Central America. He was a driving force behind congressional reform legislation in the 1980's.

Tip's legacy—from Somerville to Seattle—is not just that he had the longest unbroken tenure ever as Speaker of the House. It is that of a politician of the old school who succeeded during a new political era. It is that of a powerful, change-oriented leader who retired as a

revered figure—both in this Chamber and around the Nation.

Tip and I shared the same roots for he represented my home district in Massachusetts and I represented him in his home away from home in Maryland. To the many moving tributes we heard at his funeral service, I add my admiration and prayers. I extend my condolences to Millie and the family. Tip will be missed, but he will live on in love.

Mr. BLILEY. Madam Speaker, I rise today to recognize a great American—a man who was a respected colleague and true friend of mine. The recent passing of former Speaker Tip O'Neill has left a void not only in my professional life, but in my personal life as well.

Some may wonder just exactly what two white-haired guys from completely opposite sides of the political aisle could possibly have in common? How could a Southern conservative and a Yankee liberal forge such a long-lasting friendship?

Well, my fellow Members, I guess I'm living proof that opposites do attract. But moreover, this fine gentleman from Massachusetts and I shared a common respect and trust for this institution and most importantly, for the people we represent.

On many occasions, the Speaker and I may have found little common ground on which to agree. But, we both respected the process—the true spirit of debate—and we put our faith in the American people.

I will miss this decent and honorable man—a man who would fight for what he believed was right, but also a companion who knew a good Virginia cigar when he saw one.

In closing, Tip, I just want to say "thanks." Thanks for your tireless efforts and your loyal commitment to this House, this Government, and this Nation—your hard work certainly did not go unnoticed.

Mr. SENSENBRENNER. Madam Speaker, I join my fellow colleagues today in paying tribute to a former colleague who was not simply a Member of this institution, but he was an institution himself. Of course, I am speaking of the tragic passing away of former Speaker of the House Thomas P. "Tip" O'Neill, which is a tremendous loss to all of us.

When I first was elected to the House of Representatives and arrived here as a freshman, I learned very quickly who was in charge of this place. Tip exercised firm control over the House, but he always brought dignity to this institution. He held this place together with the authority of a stern father, but balanced that with the respect of a student of history.

Tip had the remarkable ability of fulfilling his responsibilities in Washington, while still remaining in touch with the voters he represented. He taught us all a great deal about remembering that we are here as public servants and what we do here should always reflect that.

I realize I am not alone in expressing condolences to the family, but I do wish to join the others in expressing my deepest sympathy. The memories Tip left will live on as an example to all those who have the privilege of serving in the people's house—a job Tip cherished.

Mr. GOODLING. Madam Speaker, Thomas P. "Tip" O'Neill was a man of many accomplishments. It is with sadness and respect that

I pay tribute to such a distinguished man and colleague. He will always be recognized as a great citizen who served his country in a distinctive manner for many years. For 50 years he held an elected office, 34 of those years being in the U.S. House of Representatives. He will be remembered as one of the most outstanding people to ever serve in the history of American Government.

The mark of a great leader is one who is able to communicate to his constituents exactly which direction they are headed. Mr. O'Neill was able to do this effectively. He always knew which direction he was headed and where he stood and so did we.

Full of self-confidence and charm, he was well-liked and respected by everyone. Mr. O'Neill liked to say that "politics is an honorable calling." This philosophy of his would lead him to become a memorable Speaker of the House for 10 years.

He was committed to serving his constituents and considered for the phrase, "all politics is local." Even though he was at the very height of political power and easily interacted with other successful world leaders, he remained close to his roots, never forgetting where he came from.

He was a great listener and a risk taker who proved both of these characteristics to be an asset to his personality. Most importantly, Tip was a man of his word. When he gave you his word, it was golden.

He leaves behind his beloved wife Mildred Ann (Miller); two daughters, Rosemary and Susan; and three sons, Thomas III, Christopher, and Michael. The family, his colleagues, and the Nation is deeply saddened by the loss of this great man. He will be missed but more than that he will be remembered fondly.

Mrs. LOWEY. Mr. Speaker, today I join my colleagues in fond remembrance of the late, great Speaker of the House, Tip O'Neill.

During the course of an extraordinary career, spanning a period of dramatic change in the Congress and the Nation, Speaker O'Neill stood out as a tireless and unyielding champion of the average American.

He led efforts to extend the promise of opportunity and equality to millions of citizens. He displayed courage and conviction in calling for an end to the Vietnam war. Through the legal tests of Watergate, Speaker O'Neill was a model of judgment and integrity. And through the moral tests of the 1980's, Speaker O'Neill preserved a faith in our basic goodness, our shared ability to shape a better world based on the most noble human instincts.

Speaker O'Neill did all this, towered over our politics and Government, and yet remained to the end a humble man, friendly and approachable, always prepared with a bit of quite wisdom, wrapped in a story.

I remember sitting next to him at the new member's orientation at Harvard shortly after being elected to the Congress. What an inspiration. There were so many rules and procedures to master, and here was this man who, from it all, had made the hopes of our democracy real. He truly understood—and never forgot—what was important to those he was elected to serve.

Later, when he visited my district, he shined at every stop with the enthusiasm and love of

people that endeared him to so many in this body and around the country. At the time, he was in serious pain, but it did not slow him down. He won the hearts of everyone with whom he came in contact, just as those of us who knew him would expect.

Speaker O'Neill leaves us not only a body of law and policy for which generations will be grateful, but also a personal example of grace and compassion that must forever be our guide as public servants and Americans.

May each of us in this Chamber measure up to his standard. And may his spirit lead us to a still brighter future.

Mr. MONTGOMERY. Mr. Speaker, I want to join my colleagues in paying tribute to our former Speaker and friend, Tip O'Neill. Some might think it a little unusual that he and I would get along so well since I am from the rural South and Tip was from Boston. But the fact is that I do not think I had a better friend in Congress than Tip O'Neill.

He was always there when I needed help, whether it was a problem on the Veterans' Affairs Committee or some other issue. Tip was right there to offer help in any way he could.

And he asked me for help, too. Any time Tip had a problem with a veteran's case from his district in Massachusetts, he came to me and most of the time we were able to work it out.

I remember back after the general election in 1992, Speaker FOLEY, Beverly Byron, and I were having lunch in the Speaker's Dining Room with President Bush. All of a sudden the doors came swinging open and in walked Tip. He told Mr. Bush that he had seen his car outside and wanted to stop in to say hello. Tip said, "You ran a bad campaign, Mr. President." Mr. Bush responded that he did run a good fourth quarter. Tip shot back by saying, "Yes, but it takes four quarters to win!" They were good friends and Mr. Bush even offered Tip the ambassadorship to Ireland a few years back, but Tip turned it down.

It always gave me a good feeling to see Tip on television in recent years in commercials and in guest appearances on the network shows. He was such a good sport and I know he enjoyed it.

A poll was taken recently in the South that showed Tip O'Neill was one of the most popular and best liked political figures in the country. I am glad the public came to see him as so many of us who worked with Tip saw him. He was a warm and kind person and I was proud to call him my friend.

Mr. KING. Madam Speaker, I rise today to salute the memory of one of the true giants of this body, Speaker of the House the Honorable Thomas P. "Tip" O'Neill, Jr.

Tip O'Neill first came to Congress during the administration of Franklin Delano Roosevelt and retired as Speaker of the House during Ronald Reagan's second term. He served the people of Massachusetts and the United States during 50 of the most turbulent, tragic, exciting, and glorious years in American history. He served under—or as he would quickly point out—with nine Presidents.

As a fellow Irish-American, I am proud of Tip O'Neill's outstanding achievements. For me, Tip O'Neill personified the very heart of Irish-America, embodying through his life the story of the Irish in America, and the great success we have been fortunate to attain.

Tip O'Neill often played nemesis to an American hero whom I hold in the highest esteem: President Ronald Reagan. Although there were any number of issues on which Speaker O'Neill and I would have been at odds over, there is no one in politics or government who does not admire him for his years of dedicated public service. I am proud to serve in a body that remains very much touched by Tip O'Neill's legacy.

His oft-repeated admonition that "all politics is local," is one of the central truths of our democratic system. Tip O'Neill never forgot where he came from, never failed to do his utmost to help the people of his home district, and never forgot who sent him to Congress. Most importantly, from everyone whom I have spoken to who knew Tip O'Neill, it is clear that he never took himself seriously—his job, yes, but not himself. That's a rare trait in Congress today. For these reasons I was proud to add my name as a cosponsor of House Resolution 329, which will designate 1994 as a year to honor the memory of Thomas P. "Tip" O'Neill, Jr. His dedication to faithfully representing his constituents and to remaining true to his principles, are qualities to which I strive to live up to.

Mr. LEWIS of Georgia. Mr. Speaker, I rise to pay tribute to one of the greatest men ever to have served in this body. That man was former Speaker of the House Thomas P. "Tip" O'Neill. Mr. O'Neill will be missed by all of us, by his family, his friends, his former colleagues, and by the American people who came to know and love him.

It was not my fortune to serve in this House under the leadership of Tip O'Neill; he left the Congress the year I was elected. I was fortunate, however, to meet with Speaker O'Neill shortly after I won my primary runoff in September 1986 and on subsequent occasions after he retired. That meeting, shortly after I embarked on my campaign to Congress, made an impression that will stay with me all my life.

Tip O'Neill was a very proud man. He was proud of his Irish ancestry and he was proud of being a man of the people. Tip never forgot who he was or where he came from. He never forgot why he came to Congress and the people he came to represent. As a result, Tip had the affection and respect of his constituents and his colleagues.

Tip O'Neill wasn't ashamed to be an old fashioned liberal. He believed that the business of government was the business of looking after people, especially those who were down and out, those who couldn't look after themselves. He was unabashed in his efforts to fight for these people. During the early 1980's when there were those in Washington who wanted to forget the poor, the down-trodden, and the dispossessed, it was Speaker O'Neill who fought to protect them. It was Tip O'Neill, the man of the people, the "man of the house," as his first book was aptly titled, who stood up for the rights of working men and woman throughout this country.

I will miss Tip O'Neill. He was a man of courage and compassion, a man of extraordinary character. He will remain forever an inspiration of what public service is all about. Tip O'Neill may be gone, but his legacy will live on forever in the hearts and minds of the American people.

## GENERAL LEAVE

Mr. MOAKLEY. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks on my special order.

The SPEAKER pro tempore (Ms. EDDIE BERNICE JOHNSON of Texas). Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

## CRIME IN AMERICA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. HINCHEY) is recognized for 5 minutes.

Mr. HINCHEY. Mr. Speaker, this past week in one short 2-hour period the message of violence among the young struck home in New York's 26th Congressional District. As we deliberate here today it will strike in countless other districts across the Nation.

I represent the city of Newburgh—a city of only 27,000 people. Two hours of violence this past Sunday morning left two young people dead and three injured and countless others traumatized. One young woman shot and killed her lover—a young man suspected of beating her. A 15-year-old boy was shot and killed in a dispute over a girl. And 2 West Point cadets were stabbed, another beaten and yet another 17-year-old recruit was beaten as well after being chased by a mob of 50 others. And yet another man was hit when a stray gunshot ripped through his hand as he walked down the street with his wife.

How much more of this do we need to witness before we are prepared to ask what is wrong with our society? And what are we prepared to do about it?

Violence by and against our children is pervading our Nation, particularly in places once considered safe—our schools—our homes. Almost one out of eight youths in America is assaulted, robbed, or raped each year—and this is nationwide. We all know this number is much higher in some neighborhoods. Neighborhoods where hope and opportunity have died. We have seen an increase of 47 percent among juveniles charged with violent crime in just the past 10 years. More than ever we need to work together as a community to address this violence against and among our children.

It is time for us to take a hard look at the causes of crime. It's not just caused by the accessibility of weapons or the glamorization of violence in video games or the abuse children suffer at home or gangs or illegal drugs though each of these contributes to and exacerbates the picture. At the root—this violence is fed by hopelessness—by unemployment—by poverty—by babies having babies. It may be a good idea to have 100,000 cops on the beat, but let's not fool ourselves into

believing that this will solve the problem of violence. We need to pull ourselves together as a nation and begin to attack the hopelessness and the sense of desperation felt by too many of our people.

## A FURTHER TRIBUTE TO THE LATE HONORABLE THOMAS P. "TIP" O'NEILL

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

Mr. PENNY. Madam Speaker, I rise this evening to join in tribute to our departed friend and former colleague, Tip O'Neill of Massachusetts.

I came to Congress in 1982, as a freshman Member, and remember fondly my first meeting with Speaker O'Neill.

I shared with him a story about his visit to Minnesota during the campaign season in 1982. We had a brief encounter at that time, not one that I think made much of an impact on the Speaker. But I told him who I was and that I was campaigning against a Republican incumbent.

I mentioned the name of the incumbent and said, "You know who he is, don't you?"

And the Speaker said, "Well, yes, I know the name, but frankly, I don't know much about him."

So on my first day in office in 1983, I wanted to make sure that I got to know the new Speaker so that when asked by reporters or constituents in years hence, he would say, "Yes, I know your Congressman."

I cannot say that our political agenda was always in sync. Tip was true to his district; I was true to mine. Dramatic differences between his district in Boston, MA, and my district in rural southern Minnesota. But we did share a common belief that public service is an important calling. We did share a common view that in politics, process does matter and that there ought to be fair treatment for opposing points of view.

I delight in acknowledging that during Speaker O'Neill's tenure, better than 70 percent of the legislation brought to the floor was brought to the floor under fair and open rules. And I think it improves the tenor of our legislative process to conduct ourselves in that fashion.

I will always remember his style of leadership with great fondness, and I treasure the fact that in early December I had an opportunity to join him briefly for breakfast here in the Capitol building. I will always feel blessed that I had that one last opportunity to be and to speak with Tip O'Neill, a great American. We will not soon forget his example of leadership.

## ORDER OF BUSINESS

Mr. SANDERS. Madam Speaker, this evening we had scheduled a formal de-

bate between the Conservative Opportunity Society and the Progressive Caucus on the issue of defense spending. Unfortunately, one of the Members is at this moment engaged in an important markup in his committee and is unable to attend. We are going to have to postpone that debate. We are all sorry for that.

Madam Speaker, I ask unanimous consent to yield my time to the gentleman from Arizona [Mr. KYL], the conservative gentleman who was going to participate in that debate.

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

There was no objection.

## DEFENSE SPENDING

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arizona [Mr. KYL] is recognized for 60 minutes.

Mr. KYL. Madam Speaker, I also express my disappointment that we were not able to have the debate this evening, but for all of those who have been expecting it, we would ask that they consult us for the time when we can reschedule, and I appreciate the gentleman's willingness to moderate the debate this evening.

We thought we would take a few minutes, the gentleman from Pennsylvania [Mr. WELDON] and I, and discuss the issue since we are both here and we are ready to at least lay some of the groundwork for that debate, when it occurs, and particularly to talk about this important issue as the President has now laid his budget before us. We can begin to analyze it both for its general purpose and how it may affect the debate.

So we would like to take a few minutes here this evening. I would like to begin by yielding to my colleague, a member of the Armed Services Committee, the gentleman from Pennsylvania [Mr. WELDON].

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

I, too, am disappointed that we could not engage in the Oxford-style debate that was to take place tonight between two Members of the Republican Party against two Members of the Democratic Party on the issue of further cuts in defense spending, which was going to be the position of those in the majority.

I would like to say at the outset that even though there were two Republicans against two Democrats on this issue, my position would have been at the outset that there are many, many Democrats, including most on the Armed Services Committee, who are, in fact, in agreement with the position that we would have taken that further defense cuts would not be in the best interest of America, our national security, and freedom-loving people around the world.

□ 1750

This would not have been, in my opinion, a Democrat versus Republican debate. It would have been a debate between those who are the majority in the Congress who feel that we are at the point where we cannot cut defense spending any further.

I would like to start out, Madam Speaker, by just highlighting where we are today, because unfortunately, the perception out there across America is that somehow we have dramatically increased the amount of Federal tax dollars that are sent to Washington being spent on the military. Nothing could be further from the truth. I have a chart here that I would like to refer to, which I would be happy to share with any of my colleagues, or perhaps anyone nationally, who would like to see it, that shows defense outlays as a percentage of our Gross National Product.

Most industrialized nations compare their defense spending or other areas of spending as a percentage of their gross national product, or a percentage of their total Federal outlays. That is what we are going to do here.

In the 1960's, following the Korean war, America was at relative peace. We all had thought at that point in time there would be no major war, things were stabilizing, and we could revert back to a peacetime economy and a peacetime scenario. During John Kennedy's tenure in the early and mid-1960's, we were spending 9.1 percent of our Gross National Product on the military, and roughly 51 cents of every Federal dollar that was sent to Washington was spent to support our national military and our national defense.

If we look at where we are today, as we have seen defense spending decline, this year's defense budget will see us spend roughly 3 percent of our Gross National Product on the military, and about 17 cents of every dollar on the military. So whichever mechanism we use to compare defense spending, it has actually been cut dramatically. In fact, the only area of Federal spending receiving such massive cuts is in fact our defense budget.

It was kind of ironic when President Clinton stood in this very room just several weeks ago and slammed his fist on the table and said "no more defense cuts." I would like to believe our President, but if we look at what he requested for this next fiscal year, and the following 2 years, it is actually less money in each of those years than what we are spending today. In my book, and in most of our books, that is a cut, so we continue to see requests to decrease military spending.

In fact, if we look at the President's 5-year budget plan, which many of us opposed because of this condition, \$128 billion of cuts over 5 years would be in the defense area, many of them unspecified. One of our biggest problems this

year is going to be to deliver on the second year of the 5-year defense cuts that President Clinton used to base his budget numbers on. In fact, there are many, including former Secretary Aspin, in his bottom-up review, who have already said we need to increase spending just to be able to keep up with our military needs this year.

What is most troubling about the defense numbers is not so much that we should pull a number out of the air, because that is not the way we should decide the level of defense spending. In fact, many of us on the Committee on Armed Services are outraged because that is how the President evidently arrived at the \$128 billion number.

I say that using two quotes, one from Senator SAM NUNN, who, when the original budget numbers were given last year, said that these budget cuts were pulled out of the air. They were not based on some analysis of the threat to America's existence and our facilities around the world, they were simply pulled out of the air by a pencil-pushing budget director over at the White House.

In fact, just today we had a briefing, a closed intelligence briefing, for the Committee on Foreign Affairs by Dr. Joseph Nye, chairman of the National Intelligence Council, and each of the various subheads who were responsible for gathering all of the intelligence on which we can base the threat to America and our security around the world.

Under a direct question from me, Dr. Nye responded that not even he had been consulted by President Clinton nor the people who made that decision as to what our budget level should be for the next 5 years.

What troubled me the most is that we are making these decisions on our budget numbers from this year through the next 5 years largely based on numbers pulled out of the air, not on a threat assessment, not on the reality of the world conditions, not on the potential conflict that could come about from the former Soviet republics, not on the situation in the Middle East, not on the potential for North Korea using its nuclear technology, not on the situation involving Pakistan and India, and other nations in that part of the world, but simply we are basing this on a number pulled out of the air to fit with the President's 5-year budget plan. That really is scary, and it has many of us concerned.

Not only is defense being cut, as proposed by President Clinton, by \$128 billion, but the people of America have to understand that Congress is also having its way in cutting defense even further. The defense appropriations and authorization bills that we have passed in the last session of Congress were loaded down with programs that have nothing to do with national security. Funding a \$40 million hospital in Denver, CO, was one of the items that

many of us tried to question but could not get a separate vote on, or funding special grants to colleges that have nothing to do with defense. All were stuck in the defense bill.

In fact, it was Senator JOHN MCCAIN who publicly has said that in last year's defense appropriation bill, there were \$4 billion of unauthorized appropriations, items that found their way in, in many cases having nothing to do with our national security.

When we talk about the defense cuts we are making, we have to add in that a major or a substantial portion of the defense appropriation does not take into consideration the fact that other programs are put in there by Members of Congress that have nothing to do with our strategic interest or our national security.

On top of that, the President has requested approximately \$20 billion over 5 years for what he calls defense conversion, and in fact, when one looks at that conversion number, they find out that many of those conversion items have been targeted or earmarked for certain districts or for certain companies or for certain Members, and are not based upon a real concerted effort to find and develop dual use technologies and new emerging technologies from work that we have done in the military.

Madam Speaker, the position that I would have taken if the debate were in fact held tonight is that we must base our defense numbers on the threat that is there and evident to the people of America around the world, and it must be based on scientific evidence that we then discuss and analyze, and systems that are needed to maintain our national security.

It should not be based on some artificial number pulled in by some budget pencil-pusher down at the other end of Pennsylvania Avenue.

Second, if we are looking at ways that we can improve our defense spending, we in this Congress have got to stop using the defense budget and the defense spending process as a cash cow, where we can add in all these other programs that have nothing to do with our national security.

Madam Speaker, I think we must also remember if there is one thing we could attribute to the downfall of communism in the Soviet Union, it is the work and effort of Ronald Reagan, followed by George Bush, in building up a strong military.

It was just recently, as a matter of fact, it was last March that Aleksandr Bessmertnykh, in a conference held here in Washington, said that SDI and the military posture of this country under Ronald Reagan were the reasons why the Soviet system eventually had to back off, and why Gorbachev had to back off, because they could not continue to go up against America on security issues.

No nation has ever been threatened because it was too strong. Our concern is that as we move through the remaining years of the Clinton administration, that we have to be careful that we not short change our military and end up with a hollow force structure, as we did in the 1970's, which just invites despots and leaders around the world to take on our allies and attempt to involve our allies in conflicts that could lead to a world escalation or a world war.

The threat is still there, the danger is still there. One classified briefing that was held several weeks ago, one of my colleagues said that at this point in time there were over 60 hostile actions taking place today between countries and between people and ethnic groups, any one of which could involve America, so this notion that somehow things are all rosy and we have no more concern for national security is just totally untrue.

Before I yield back to my friend and colleague, the gentleman from Arizona, JOHN KYL, I know he is going to talk about the need for nuclear deterrents and for ballistic missile systems to deal with the threat they pose, which I have not even talked about, which are also major concerns of the American people.

We have to understand that as the debate unfolds on the President's budget, this year and in the out-years, we have to deal on facts and reality, not on perceptions. What the President did in this room, in the State of the Union, in pounding his fist, was nothing but a perception that he is not going to let defense be cut any more. That is just not what is happening. It is not borne out by the facts and it is not borne out by the budget numbers contained in the document that I sent up here yesterday.

I urge the American people and our colleagues to be vigilant as this process unfolds.

□ 1800

Mr. KYL. Madam Speaker, I would ask my colleague if he would just take another minute to explain the other chart that is on the easel behind the one that he has talked about, the color chart which I think graphically demonstrates another point, and that is the comparison between defense spending and the domestic spending that has increased over the years, and I yield to my colleague for that purpose.

Mr. WELDON. I thank my colleague for again yielding. I am happy to explain this very vivid chart which I think describes what is again a misconception. The people of America have again been to some extent hoodwinked into thinking that all of our Federal dollars have gone for the military and we have cut domestic discretionary spending and mandatory spending dramatically. Nothing could be further from the truth.

If you look at this chart which provides cumulative real changes from fiscal year 1990 through fiscal year 1999 you see almost a 40-percent increase in mandatory spending programs, the entitlement programs, you see a 12-percent increase in domestic discretionary spending, and yet you see a 35-percent decrease in defense outlays, an actual decrease. The only area of the budget that we have cut in the last several years and are proposing to cut in the future are in fact national security and defense.

This President, even in cutting his Federal workers, and he counts that heavily, what he does not tell the American people is the bulk of those workers are going to be Pentagon workers, they are going to be the people who work for the military, the young people who committed their lives and their careers to defending this country. What he also does not tell the American people is, looking at two studies done, one by the Office of Technology Assessment and the other done by the Congressional Budget Office, using the numbers that they had available for the original Clinton 5-year cuts in defense, the estimates of job losses in America over the next 5 years will range between 1.2 and 2.8 million workers who will lose their jobs. These are both uniformed personnel at the Pentagon and people who work for defense contractors and the defense industrial base. There are only 5.5 million Americans who work in the defense industry right now today, and what we are talking about is seeing up to one-half of those people, one out of every two workers get a pink slip. And the problem is we have no place to put them. We have no jobs that can take their skills and their knowledge and re-employ them, and that is what is so outrageous, that we are doing this in a vacuum. Not that we should keep the defense budget high just to employ people, but there has to be some thought process given to where these people are going to go to work. That has not happened and it does not exist today, and all across America tens of thousands of husbands and wives are losing their jobs and do not know what to do because of the drastic downsizing that is currently occurring with our military, while at the same time, by the way, we are increasing dramatically domestic spending.

Mr. KYL. Madam Speaker, I appreciate the eloquent statement by my colleague from Pennsylvania, KURT WELDON, who serves on the Armed Services Committee, and who, as he indicated, participated in a hearing just this morning, an intelligence hearing describing the threat that is posed to us around the world and from the intelligence point of view the kinds of things we are going to have to do to meet that threat.

To just play for a moment on one of the last points made by my colleague,

and these are statistics that I borrowed, by the way, from the former Secretary of Defense, Dick Cheney, who points out the fact that it takes 9 years to build a modern aircraft carrier from authorization to deployment. It takes about 25 years to train an officer capable of commanding a modern armor division in combat, and it takes 13 years before a new Navy aircraft can be deployed. So Madam Speaker, it obviously is the case that you cannot draw down a force and rebuild it overnight. And my colleague from Pennsylvania, in pointing out the number of people both in the civilian jobs and in the military who are being given the pink slip, as he put it, or are going to be out of this process, our military industrial base will be gravely undermined, and yet because of the severe time periods here that it takes to rebuild the forces, we would not be able to respond quickly to a crisis, but rather would have to take a long time, 9 years, for example, to build a modern aircraft carrier, and in the case of training an officer, 25 years. So we are talking about a very serious proposition when we talk about a rapid build-down, quite an oxymoron that, build-down, but a very serious proposition when we consider the time constraints and then rebuilding that force back up.

So to restate some of the statistics that demonstrate the fact that we are actually significantly cutting defense spending now, whether measured as a percent of gross domestic product or as a percent of the Federal budget, here are the quick numbers again: Defense spending has dropped since 1985 from 27 percent of the Federal budget to less than 17 percent, which by the way, Madam Speaker, is the lowest share of the Federal budget since before Pearl Harbor. Defense spending has dropped to just 3.9 percent of the gross domestic product versus 11.9 percent at the time of the Korean war, 9.1 percent during the Vietnam war, and 6.3 percent during the height of the Reagan buildup. And finally, since 1950, as my colleague pointed out, entitlement programs have grown from 18 percent of the Federal budget to over 50 percent, and have become the largest single sector of U.S. Government spending, while defense, of course, has gone from about 50 percent down to less than 17 percent.

So the first point that I think we would have made had this debate occurred this evening is that we have already cut defense spending significantly. And as the President said, whatever else you might think about his plans for cuts over the next 5 years, as he said from that podium a couple of weeks ago, we cannot cut defense spending any further.

Now why is that so? We are not talking about abstract numbers here or, as my colleague pointed out, just to keep people employed. We are talking about

the need for a strong defense in order to maintain world peace.

Madam Speaker, we talk a lot about our crime problem, and one of the things we want to do about that is to put more cops on the beat. And as a matter of fact, the President proposed spending a lot of money to put more cops on the beat. Why do we do that? Why do we want to have more cops on the beat? To deter crime. The more cops you have on the beat, the less crime you are going to have committed on the streets, and the same thing is true internationally. As long as the United States maintains a strong overwhelming presence, and we can back up our foreign policy decisions whatever they may be, other people in the world are not going to mess with us. They understand what happens with people who argue militarily with the United States of America.

But as soon as our defense begins to deteriorate, as it did during the 1970's, as soon as others believe that they can get away with trouble around the world, then you see these hot spots that my colleague pointed out begin to crop up. And nations test our will, and when they find that will wanting, and when they find us unable to meet threats all over the globe, then is when you see trouble begin.

I suspect that was one of the things that was going through the mind of Saddam Hussein. Who could have predicted that he would be the aggressor against Kuwait, but very quickly that threat developed, I think, because among other things, he did not think we would respond. I think he was the most surprised person in the world when he saw the resolve of President George Bush and eventually the Members of this body, Madam Speaker, who agreed to support the President when he said we are going to stop that aggression, we are going to kick Saddam out of Kuwait and take away his capability to threaten his neighbors in the future.

But we were able to do that. Why? Because, the United States, as shown on an earlier chart, during the first part of the 1990's built up our forces to the best, the strongest, the most capable military force the world has ever known. It was not only strong from a personnel point of view and from the point of view that we had the best trained people, but also because they were the best equipped with the most technically advanced weapons ever. And what was one of the results of that, in addition to the fact that we were able to repulse an aggressor, kick him out of where he had gone and ensure that he could not threaten his neighbors for a long time to come? One of the results of that kind of capability was that this was all accomplished with the lowest rate of casualties of any comparable military conflict in the history of the world.

That is something that we tend to forget, Madam Speaker. One reason that we want to put money into defense, to train people well and to have the right kind of equipment is because we know that then when we send our young people into harm's way they will do our will at minimum risk to themselves, and to every mother and father, to every one of us who vote to put them in harm's way, nothing could be more important than making sure that they can do their job with the least risk of harm to themselves.

When we play this game of marginal benefits, of trying to see how close to the line we can get before somebody attacks us, we not only invite that kind of trouble around the world, but we also guarantee when we do have to respond that young men and women, Americans in uniform, will die needlessly, and there will be needless casualties. We have history to back us up in this respect. Dick Cheney used to talk about World War II when we had such a dramatic falling off of the military budget and the end strength, and we ended up in Korea with a lot of lives lost unnecessarily because we had not learned the lessons of the past. So there are important lessons here to be learned historically.

Let us talk a little bit about the threats before we wind up this evening. We heard testimony today, as I said, about threats around the world. It is interesting that Jane's Defense Weekly reports there are a total of 73 flashpoints worldwide today, some not presenting significant threats to world peace, but certainly some that do.

□ 1810

If you just look about where some of these things are, where some of these conflicts are, you can see that there are potential flashpoints that could very easily involve not just the United States but literally the world.

One that tends to be forgotten about even though it is very much in the news today is the Balkan crisis, that which spawned World War I. We tend to think of the trouble in Bosnia today as demanding a response because of the shelling of Sarajevo. What we tend to forget about is the fact that you have a very tense situation on the border between Serbia and Macedonia, that if there should be a conflict there or in Kosovo, in the Kosovo region, you could easily involve countries like Greece and Turkey which are building up at a fairly significant rate, Madam Speaker, and before long you could bring in a lot of other countries in the world into a very bad situation.

Mr. WELDON. Madam Speaker, if the gentleman will yield, I just think it is appropriate at this point as the gentleman is talking about the Balkans and the potential conflict there that here we have an administration that is downsizing the military dramatically,

and we were going to have a discussion about further downsizing further even beyond what President Clinton is asking for which I think would be outrageous, but the same administration is in fact deploying our troops to more of the hot spots around the world, whether it be Macedonia or surrounding Haiti or the promise of 25,000 troops into the Balkans or whether it is the troops that we have over in Somalia that we withdrew and then put back in again because we were embarrassed because we had taken them out too quickly; we have troops literally in more places today than at any point in time in recent years and at a time when we are cutting back the military.

What does this mean? When I was in Somalia 1 year ago almost to this very day in Mogadishu with the appropriators, we talked to some young marines at a base camp in Baidoa, and they said, "You know, Congressman, our biggest concern is that for three of the last four holiday seasons we have been deployed. We go from one operation to another. We have no time to regroup. We have no time to go see our families. We have no time to get ourselves together. We are constantly being deployed from training exercise to mission to commitment."

What we have to understand in this body and what this administration has to understand is that it is not just saying cut defense, because you are talking about a direct impact on people's lives, young men and young women, and what really kind of scares me, and it ties in with the gentleman's point about the potential involved in the Balkans, is we cannot keep doing both things. Some Members of this body have done that, they have voted for us to stay in Somalia longer than we should be, and we should have been out of there 6 months ago, and they want us to deploy troops to Haiti, but they do not want to pay for adequate support for our military to provide those services. Those two things just cannot continue.

Mr. KYL. The gentleman makes a very valid point.

We have an all-volunteer service. We rely upon people to join the service. When they find that they are going to be deployed over and over again without that period of R&R, it certainly diminishes their incentive to continue to serve and for others to decide to serve.

To just expand on the point that the gentleman made, the United States has used military force more than 240 times since 1945, and well over 80 percent of those uses of force had nothing to do with the U.S.S.R. or any Warsaw Pact country. So, Madam Speaker, although the cold war is over, we found historically, and certainly today, that much of the conflict around the world or the potential flashpoints do not involve anything approximating the cold war, but the kind of ethnic violence

and other kinds of long-simmering disputes that could well swell into a more significant kind of crisis.

One of the comments that was made today in the hearings that the gentleman referred to by Dr. Joseph Nye, who is chairman of the National Intelligence Council, is this, that the problems that come along as surprises are quite considerable. That is a direct quotation from his testimony. His point being that you never know for sure where the next conflict is going to be.

I think that it is interesting that well over 90 percent of American uses of force between 1945 and 1993, and let me repeat that, between 1945 and 1993, well over 90 percent of the American uses of force were not included on the scenarios used for planning U.S. Forces the year before, and well over 90 percent involved less than 3 months of strategic warning. That is a very interesting statistic.

In fact, the uses of force for which the United States strategic planners did not shape force plans or have strategic warning included Korea, the Berlin Wall, the Cuban missile crisis, Vietnam, Grenada, Panama, as well as the gulf war, Somalia, and Bosnia. So history shows us in very graphic terms that you cannot always predict where the next conflict will be.

I mentioned the Baltics. How about the Korean Peninsula? Here you have a tinderbox situation that could easily erupt into a major conflagration, and, of course, as my colleague pointed out earlier, if we had a better strategic defense system, a ballistic missile defense, we would not have near the crisis there that we do, but because we do not have the kind of missile defense system deployed which could obviate the threat from North Korean missiles, we are faced with a very serious potential threat.

We have China, which is rearming itself at an alarming rate, and an economy growing also at an alarming rate. I should not say alarming, but at a most impressive rate. The combined factors could certainly suggest that in 10 years or so you could have a potential threat there if the leadership in China should change.

The same thing is true about the leadership of Russia. Today we do not feel threatened by Russia, but certainly missiles, 27,000 warheads of nuclear material, pose a very serious threat should the leadership of those countries be changed and should they be redirected at the United States or our allies.

This is not even to mention the Middle East with Iraq and Iran, certainly Iraq wanting to cause more trouble, and Iran causing terrorism problems around the globe and on and on and on.

Madam Speaker, the point is this, that we know there are dangerous situations, that the world is still a dan-

gerous place. We know the most serious conflicts that have arisen we did not have adequate warning of. We know just as sure as we are standing here that there is going to be conflict in the world. We know that before the end of this century we are going to need to deploy our forces in some way in harm's way, and yet we have folks in this country who would continue to denude the military of the manpower, the technology, the ability to meet these kinds of threats. I will simply allude to, and not quote from, a report done in July of 1993 by my colleague from Arizona, a member of the Senate Armed Services Committee, Senator JOHN MCCAIN, the title of which is "Going Hollow, the Warnings of Our Chiefs of Staff." It is replete of page after page after page of examples of our military forces now facing a hollow-force situation because of the inability to fund and afford repairs, equipment replacements, the kinds of things necessary for training and readiness, aircraft parts, shipbuilding, maintenance, on and on and on. That is the kind of hollow force that was created during the 1970's which occasioned the need for the kind of buildup done at the beginning of the 1980's.

Madam Speaker, I think without going into a lot of detail, the points that we have established here tonight, and we certainly want to debate when we have the opportunity next time are that we have already cut defense significantly, that compared with other spending, defense has become a very small part of our budget, that there are still many threats in the world, the world remains a dangerous place, and that, as a matter of fact, we cannot predict where the next conflict will arise. We know we have to be prepared for it.

We know that when we are strong we are able to deter aggression. We are able to dissuade people from engaging in bad conduct around the world.

As I said, we have more cops on the beat in order to deter crime. We do the same thing with a strong military force, so it becomes dangerous to marginalize that force and invite risk, and it also creates a much larger threat that there will be casualties once we have to engage our military forces.

Defense is a lot like insurance, I guess I would say. It is interesting to me that in this very body people are debating day after day the need for universal health insurance to insure against unknown and even unlikely problems with our own personal health, but we understand the need for that kind of insurance, and yet at the same time they are not willing to recognize the fact that we also need to have insurance against unknown and even unlikely threats against our interests around the world, that that insurance is our defense.

We do not know exactly where we will need it, when we will need it, or what we will need. But we do understand just as sure as we are here we will need to have that kind of force at some point. We dare not reduce our ability to the point that we invite aggression or create unnecessary casualties with the people that we send in harm's way.

That is why we strongly stand for the proposition, as President Clinton said from this Chamber a couple weeks ago, we cannot cut defense further.

I look forward to the debate with our colleagues about this proposition when we can reschedule it and look forward to the debate over the authorization and appropriations bill on defense when those matters come before this body as well.

Madam Speaker, that concludes my remarks.

□ 1820

#### OUR GOVERNMENT SHOULD BE RUN ON A MORE BUSINESSLIKE BASIS

The SPEAKER pro tempore (Ms. EDDIE BERNICE JOHNSON of Texas). Under a previous order of the House, the gentleman from Colorado [Mr. MCINNIS] is recognized for 60 minutes.

Mr. MCINNIS. Madam Speaker, it has been very interesting here in the last couple of days to see all the publicity and so on about the administration's budget proposal. I thought this evening would be a good time to visit with you a little bit about something that I think is very important in regard to that.

First let me tell a little story: This fellow was at school one day, and the schoolteacher came up to this young fellow, and she says, "I want to know how good your math is. If I gave you \$2, and your father gave you \$4, how much money would you have?" The child looked at the teacher and said, "Well, I would have \$2." The teacher says, "You don't know your math very well." The young student looked up at the teacher and said, "You don't know my father very well."

This leads into what I wanted to talk about tonight, and that is how well do we know the Government? How well can we depend on our Government not to come up with a budget, with programs, but to come up with efficient and effective business operations, to manage the Government, to manage your taxpayer dollars?

Let us talk about the difference between Government programs and the private marketplace. We all know from basic economics 101 that in private business you are in business to make a profit. You are in business to provide a product, and you hope that the demand for your product exceeds the supply, so that you could make the maximum amount of profit.

But if it is vice versa, if the supply exceeds the demand, you have to run your business in such a way that you can continue to operate your business, but you need to run your business, you need to tighten down, make cuts, you need to have a fine-tuned operation in order to be able to survive the kind of scenario where the supply exceeds the demand.

In the Government side of it, the Government does not need to do that. The Government does not need to make a profit. Now, granted, the Government in some programs where it was never intended that the Government make a profit, nonetheless in those programs where the Government was never intended to make a profit, those programs need to be run in an efficient, businesslike operation.

Now, Government was never intended, nor should it, compete with the private marketplace. When you talk about a product that you can make a profit on, the Government has never been very successful in doing that.

Take a look, for example, at the U.S. postal operation. Compare that to the United Parcel Service or to the Federal Express or some of these other agencies in the private sector. Take a look at the difference in the business operations, take a look at the difference in who needs a profit and who does not need a profit.

Well, tonight let us explore a little Government business operations because I think, as the President talks about his budget, as Congress begins to look at the President's budget, that we need to say and ask of every agency, "What kind of business operation do you have? Do you have the kind of operation where the dollars that we put into your agency, that we take, by the way, from the taxpayers of this country, the dollars that we take from the taxpayers and transfer through the bureaucracy to your agency, are we getting the most bang for our buck?"

In most cases, I certainly think all of you and certainly our constituents would probably say "no."

You know, if we were able to run our Government's business operations in an efficient manner, in a manner comparable to businesses that have to operate for a profit, I do not think we would have a deficit. I think the waste that we would have been able to save over these years because we ran an efficient business operation would have us out of the problem that we face today with our deficit. That deficit, which is accumulating at the rate of about \$37 million an hour—\$37 million an hour of the taxpayers' money—we are spending that number more than we are bringing in. Is that an efficient business operation? Of course, it is not.

Let us look at other programs, let us look at entitlement programs. The entitlement programs, a lot of those are good programs. A lot of those had good

intent when they were first proposed, when they first materialized. But do you know how much more good we could do for the poor people who need those entitlements, how much more we could give to them if we simply had efficient business operations? And we do not. It would be interesting if you could, however—and by the way, I do not think you can, through the complexity of the Federal budget—but if you could track a dollar from a taxpayer, transferred through the different Government bureaucracies, off to Washington, DC, transferred back through the Government bureaucracies back to your home State, for example, and see how much of that dollar originated in your State, went to Washington and came back through the entitlement program maze, how much of that dollar really goes to the needy person or to the person who is designed to receive that entitlement?

Take a look at our entitlement programs. Any of you who question my logic—and, well, it is not my logic, but it is basic logic found in business courses, even high school business courses—but if any of you have any question about the efficiency of the entitlement programs, for example, go stand in the grocery stores for an hour and a half and see how confident you feel about the delivery of food stamps in this country, how confident you feel in the business operations of the distribution of food stamps.

Take a look at other programs. I saw an interesting statistic today: \$109 million in new Federal loans to students who had already defaulted on their old loans.

Now, how many banks out there, through their business operations, continue to loan that kind of money to customers who have already previously defaulted on prior loans? It does not happen. Or, if it does happen, the bank does not stay in business for a very long period of time.

Let us take a look at some other things. Let us look at the events of the last 2 weeks, if you want to talk about business operations. I have a good example here, the earthquake in Los Angeles, CA. There is not a person on this floor, there is not a person in this country, who is not willing to go out to somebody who really needs help, somebody who really deserves. There is nobody I know that would deny it to them. But how many of you out there are aware, for example, of the kind of problems that we are having in the business operation of the distribution of the earthquake relief money?

We had to close down food stamp lines because they were just handing them out, just handing them out. Nobody asked for qualifications.

I have right here a document from the Immigration Service, and the essence of the document is that the INS, the Los Angeles district office of the

INS, states that the agency will not, will not play any role in identifying the immigration status of anyone applying for assistance. Here is a Federal agency charged with business operations and charged with the responsibility of helping other agents determine whether or not the individuals who come to these other agencies and ask for benefits or ask for eligibility, they are to help them determine whether or not they are eligible.

For the earthquake, what they have decided to do was to turn their head the other way, "Come one, come all. It doesn't matter whether you are qualified."

How many businesses out there in the private marketplace, through their business operations, could take that kind of philosophy?

Do you know why it is easy for the Government to take that philosophy? Because it is not our dollars, it is your dollars, the taxpayer dollars. It is a lot easier to spend somebody else's money, a lot easier to turn your face the other way on eligibility requirements when it is not money coming directly out of your pocket, it is coming directly out of the taxpayers' pockets. That is where our problem on business operations takes place.

Mr. President, we can make this budget work if we spend some good time, some real good time on looking at the business operations of governmental agencies.

You know, I could go through lots and lots of examples. Let me tell you how I think particular programs lose their business operation aspect point of view and are kind of overshadowed by emotions and other issues. Take, for example, the great war on poverty. Some of you can remember when President Johnson, with good intent, not with ill intent—and by the way, I think a lot of these programs are not bad programs necessarily, they are just ill-administered. Most of these programs start with good intent.

But look at the program in 1964, the great war on poverty, the war on welfare, we are going to eliminate poverty. When that first—let me say it this way: Since 1960 we have spent on an annual basis seven times, our spending has gone up seven times, and, you know what, we have just about the same level of people in poverty.

□ 1830

How can that occur? What would any other business—how could they operate like that? If a business, for example, if a business is making \$10 products at a cost of \$10, and then the cost the next year, and then several years, they are still making \$10 products at a cost of \$70, somebody in that business operation, in that private business, is going to say, "What's going on here? We can't survive. What's happening to our cost of the product? What are the costs

of goods sold? Why that expense? Why is it triple?"

Well, I can give my colleagues an example in the Government. Our costs have gone up sevenfold. The number of people in poverty remains relatively the same—not exactly the same, but relatively the same. But take a look at what we do.

I say to my colleagues, "First of all, when you start a program in the Federal Government, you get a lot of special interests, and you get a lot of emotional special interests."

Let me tell you, "If you stand up to the earthquake in California and say, 'Wait a minute, I want to question the business operation of how we are going to contribute the relief funds for the earthquake victims,' not questioning the intent of the people who really need help, but questioning the business operations and the distribution, the first thing that happens is that the parties opposing you will say, 'How—the guy is without heart. He doesn't care about the people that need help in California. He's ruthless. How could he dare stand up and question earthquake relief for people in California or back in the floods? How could it possibly happen?'"

Madam Speaker, that is because the interests back here in Washington, DC, are so immense that many times to the political structure and to the bureaucratic structure they force those of us who are responsible for the business management of this Government, they force us to put business operations aside and let emotions and other factors, politics, drive the results.

It would be OK, I guess, if the results were positive results, but the results are \$37 million an hour, every hour of the day, that we go in the hole. It does not work out.

As my colleagues know, in a lot of these programs, if we decided, "Let's don't go through the distribution problem, let's don't go out and hand out benefits like this; let's just give everybody who is eligible, let's just give them some tax relief," we would save lots of money if we just gave the tax relief instead of trying to set up the bureaucratic nightmare of business operations and distribution in these funds.

Then we got, not just special interests, but we also have, and I do not know what to call it, programs that are expanded. For example, the Small Business Administration expanded to include other programs that no one in this country ever had any intent for that program to cover.

Let us look at the Small Business Administration. The Small Business Administration has the purpose of going out for, as it sounds, small business, encouraging small business and making available to small business capital in the hopes that the backbone of our country, in regard to the busi-

ness field, which is small business, has access to capital and that the mom and pop operation has an opportunity to expand, has an opportunity to employ people. That is the theory of it.

Well, take a look at the Small Business Administration budget. Take a look last year at the amount of money that the Small Business Administration was supposed to, under the intent of the concept of the small business agency, was supposed to use for small business loans and instead got an item put in our budget to use to plant trees.

Now, Madam Speaker, planting trees is not a bad idea. A lot of us understand that planting trees is a good idea. But should the Small Business Administration be spending tens of billions of our dollars, of the taxpayers' dollars, to plant trees?

I ask, "Do you know what? That each dollar that was spent for planting trees, do you know what that would leverage on the street as far as small business loans?"

The ratio on minority loans, where our leverage is the highest, is 1 to 20 for every dollar that the Small Business Administration was using to plant a tree. They could leverage that for \$20 worth of loans on the streets for small businesses of America.

And I ask my colleagues, "Is that an efficient business operation? Is that what a business in the private marketplace, which hopes to survive, is that something, a practice, that they would do?" Of course it is not. It cannot be.

Madam Speaker, I say to my colleagues, "You can't operate like that—well, unless you're the Government; let me take that back, and unless you've got what seems like an endless resource of revenue coming in."

I say to my colleagues, "You know, if you have an automobile dealership, your source of revenue depends on a couple of things: No. 1, what you have to pay for your product; No. 2, what you're able to sell your product for; No. 3, what are your overhead costs, what does it cost you between the time you get the car, and the time you sell the car, and service the car down the road. You have to look at each of those very carefully because the money that you are spending usually is your own, and, if it is not directly out of your pocketbook, you have got property that you own leverage with the bank, and it will eventually come directly out of your pocketbook. So, your business operation, just by the consequences of the result if you don't succeed, are pretty efficient, your business operations. They have to be or you're not going to be in business."

However, Madam Speaker, the Government pulls its money from the taxpayer, and, if things do not go right for the Government operation, they just pull more money from the taxpayer. And, if things do not continue to go right, they just pull more money from

the taxpayer, and the minute that the taxpayer stands up to complain, then the special interests that are impacted or receive benefits from the money that we are taking from the taxpayer and distributing out onto the street, then those groups who have—who, by the way, have use of that money and those resources to come back here and capitalize, lobbyists in the Nation's Capital, rise and have a public outcry. How could Congress dare increase the business—I mean make the business operations more effective?

Of course they do not use those words. They say, "How could Congress dare cut this program? How could Congress dare ask us whether or not entitlement dollars are really going to the people that need entitlement dollars? How could Congress dare question the bureaucracy, and the tree planting, and the Small Business Administration?"

Well, Madam Speaker, let me say I think there are some solutions that we can put into place to help the U.S. Congress and to help the Government, the guardian of the taxpayer dollars in this country. I think there are some things that we can put into place that will help us at the Government level make sure that the operations that we have, the taxpayer dollars that we use, are used effectively and in the same type of operation that private business would conduct.

Let us go over a couple of them. First of all, what about privatizing collections? "It is amazing," I say to my colleagues, "if you owned a business, and let's go back to the car dealership. You have got a car dealership in Glenwood Springs, CO, and the owner of the car dealership is a fellow named Kohler, and Kohler sells these cars, and Kohler, when he brings in, he has an accounts receivable, an accounts receivable, meaning money that is owed to the dealership. Somebody comes in, buys a car, does not have the cash to pay for it. So, Kohler says, 'All right; you owe me. You owe me \$10,000.'"

Well, as my colleagues know, what happens is Kohler has to make sure that he collects on that \$10,000, and every month, probably every week, he gets a printout that says, "Here's how much money is owed to you, but it's not in the cash register. You're not able to use it. It is owed out there."

Kohler has got to make sure he has got good credit risks, and he has got to make sure he can collect on the money.

The Federal Government operates much the same way.

I say, "Your income tax, for example; everyone in this room pays tax. Everyone across the country is supposed to pay taxes although we have millions, and millions, and millions and millions of taxpayers who have not paid their taxes, who the Federal Government knows where they live. They know what they do, but they have not gone after him to pay the taxes which, of

course, increases the burden on all the rest of the taxpayers."

In other words, Madam Speaker, the Government is absolutely lousy, lousy, in collecting the debts owed to the Government.

Now do not feel sorry for the people that are not paying their debts because those people that are not paying their debts are putting an additional burden on those who are.

Now, granted, if we have somebody out there who, because of a disability is not able to pay their debts, we have got plenty of programs through Government agencies to help them out.

So, we need to privatize collections, Madam Speaker.

□ 1840

Let us talk a little more. What are some other solutions? Sure, I can get up here and criticize Government business operations. But what are some other solutions?

First, we talked about collections. Let's talk about management of personnel. One of my local communities, Grand Junction, CO, they took a look and they compared the pay of Government employees with the pay of private employees. That is a step in the right direction. You have to make sure that your Government employees are being treated much the same as your private market employees. You have got to have a hand on personnel.

I would challenge any of you to show me a Government agency that has terminated, not retired, early retirement, not transferred out, but terminated more than a handful of employees. It doesn't happen with Government.

Now, take a look at any town in this Nation and any number of businesses, and most of those towns, you are going to find businesses that have to terminate people. One, maybe because the people aren't performing. Two, maybe the car that they are selling is not bringing in what the car costs them. They can't continue to operate. Or in the transaction between buying the car and selling the car, the overhead costs are out of line. But the Government doesn't do that. The Government needs to improve its management of personnel.

Let's take a look at what charities do. Remember the big fraud of the charities back in the early eighties? And everybody was saying, gosh, you know, we give \$1 to so and so charity, and that so and so charity uses about 98 cents for administration, and 2 cents of it goes to the person who the charity said it was going to go to, the whole dollar was going to go to.

People started across this country to get very upset. The Federal Government is no exception. Take a look at what happens to the dollar the Federal Government takes from you the taxpayer and what percentage of that goes for administration, for bureaucracies,

for unnecessary paperwork, before it goes to where it was supposed to go or before it was targeted to go.

What we did with the charities, somehow we exempted ourselves, but what we did with the charities was say, "Hey, you need to start, if you wanted to be successful as a charity, you have to start telling people what percentage of the dollar that they give to you, that they donate to you, what percentage of that goes to administration costs, and what percentage goes to the recipient."

I was privileged. I got to hear a discussion at a rotary club recently from United Way of Pueblo, CO. The first thing they say is here is the percentage. I think it was, I don't know, 5 percent, maybe 8 percent, here is the percentage that stays for administration. So 92 cents out of every dollar that you give to us goes to the recipient you intended, and 91.5 cents stays local. They have to go out there, and one of the first statements in their presentation, is how your dollar is being effectively used.

But that is not what you hear from the United States Government or probably for the most part from most governmental agencies. They don't stand up to you on April 15 and say all right, we are going to take a dollar from you in taxes, and here is what percentage of that dollar goes to the entitlement programs, for example, and by the time it gets to the person on the street that needs that entitlement, here is the percentage of the dollar that they get.

Try and find that some time in that Federal budget. So I think that we need to demand that when the Government takes a dollar from the taxpayer, the taxpayer has every right to know exactly what percentage of that dollar goes to the program that the Government has promised.

Let's talk about what other businesses do. Performance audits. Not just financial audits, but performance audits.

Now, we have performance audits in the Government, but not to the extent that well-run businesses have them. And it is interesting. A lot of the performance audits, even financial audits, have two different reports, one report for an agency or for the bureaucratic, and another report for public disclosure. And then a lot of these performance audits give the agency the opportunity to refuse to follow the recommendations.

Take a look at the Grace Commission. That is not a performance audit by a government agency on a government agency. That was an independent, bipartisan group of people who had to operate business at a profit, who knew something about business operations and effectiveness of business operations.

In their performance audit, they made 2,500, that is a guess, rec-

ommendations. That is pretty close, 2,500. And the Federal Government followed less than, what, 500 of them? What is the explanation for the other 1,500? Why didn't you follow that performance audit? We have every right to demand that the U.S. Government have performance audits on its operations.

Let's talk about some other basic things. Let's talk about budgets. When Kohler's Automobile Shop, or pick another example, Carol's Gift Shop down in Colorado, when Carol's Gift Shop at the end of the year closes its books and prepares for the next year, they have to do two things. One, when they close their books, they have to be accurate. And they have to be complete. Because the Government, Uncle Sam, has something called the IRS, that comes in and makes sure Carol's books are complete and are accurate.

Carol has to do something else. She has to budget for the next year, that is, if she is going to stay in business very long. You have got to anticipate. You have got to budget.

Well, when she makes a budget, when she puts together a budget, she includes everything in the budget. She includes her income, and she includes her projected expenses.

What would happen to Carol's budget if all she did was include the income, but only put on the budget half of the expenses? In other words, well, I am going to have \$10 in income, and I am going to have \$10 in expenses, but I am just going to put on my budget \$5 in expenses.

Who does she fool? She fools herself. She needs to put the accurate expenses on there. She may feel better that she shows \$10 in income and only \$5 in expenses, although in reality she has \$10. She can look at that and say I feel great. I am going to have a \$5 profit next year. But as next year comes, she will have fooled herself.

What does that have to do with the Federal Government? I will tell you what it has to do with the Federal Government. The Federal Government has something called off-budget. I heard a newscast last night. Social Security, part of the expenditures, part of the additional expense of the budget is because of the Social Security.

Folks, the Social Security is one of those items they can leave off-budget. What do I mean off-budget? There are two different budgets for the American people.

One budget is the budget where you think you know where your taxpayer dollars are being spent. That is one budget. The other budget is really kind of nonexistent out there. It is items like Social Security, the trust fund. We all know about the transfer of trust funds to help the operating costs and so on.

So what people say, this is the true deficit. When we look at our income statement, that is what we are losing,

\$37 million an hour. But they are not even including the items they have got off the budget. You can't get away with it as a taxpayer. Your constituents can't get away with it as taxpayers. And the Federal Government should not either.

Thank goodness today, thank goodness today, the Congressional Budget Office told the President of this country, hey, your health care reform package must be on budget. Can you imagine that the President, the administration, their recommended health care plan was going to be off-budget?

Now, whether you like the plan or not is irrelevant at this point. What is relevant at this point is that every taxpayer in this country has an absolute right to know what any particular governmental expenditure or agency is going to cost him. And they have that right of disclosure. And any attempt to keep a number off budget denies that very fundamental right to you the taxpayer.

So we have to push and pressure our elected officials to keep budget items on budget, that when the Government gives you an expenditure, an income and expense statement, that all of the income is on there and all of the expenses are on there, so that we can judge, we can judge at that point in time, hey, this health care plan may be a good idea. We look at the budget, just like Carol at the gift store. She looks at the budget and says, hey, I can afford to spend that kind of money, because I am bringing in this kind of income.

□ 1850

"This is the right priority."

We need to do the same thing. We need to also look at that budget and say, hey, something is not adding up here. We are spending \$37 million more an hour. Most of you out there figure your budgets on how much more you may spend per month bringing in or spending it. We have to calculate it by the hour. We spend \$37 million an hour more than we have.

Somebody has to look at that income statement, income and expense statement, and say, the expenses do not equal the income.

And that brings me to my next suggestion. How interesting it is that your elected officials stand in front of the American public and say, we are good at bringing down the deficit. We are reducing the deficit. We are reducing the growth rate of the deficit. Boy, do not ask me to sign on to that balanced-budget amendment.

Let us talk about the two things. Let us talk about the deficit.

First of all, the statements that the deficit is slowing down are in fact true. Remember that these statements do not calculate the transfer from trust funds like Social Security for general operating costs. But overall, the

growth of the deficit is reducing. But is that because of the newfound discipline of this body or a newfound discipline there at the White House or over in the Senate chambers? No. It is not because we have a newfound discipline back here in Washington, DC. It is primarily due and directly correlated to the fact that the interest rate is low. And because the interest rate is low, our carrying cost for our own debt has been dramatically reduced. That is your biggest contributor to why that deficit is not growing at the same rate.

What would help us reduce that \$37 million an hour that goes out or money that goes out more than money that we bring in? What would help? It is called a balanced-budget amendment.

Folks, every citizen in this country, if they are a law-abiding and responsible citizen, they are expected by their peers, they are expected by their banks, they are even expected by their Government to keep their own balanced budget. Their family is expected to operate with a balanced budget. If you do not, our society declares you bankrupt, and you have to go to court and go through bankruptcy. Or if you write a check on an account that you do not have enough money to cover the check, you could commit a criminal violation.

You are expected to keep a balanced budget; that is, you cannot spend more money than you bring in. You cannot spend more than you bring in. That is what a balanced budget means. That is pretty simple.

Does the Federal Government live by its own standards that it requires of you? Absolutely not. Do most State governments live by that standard? Yes. Do most local governments live by that standard? Yes.

Do most county governments live by that standard? Yes. Does the Federal Government? No. Why not? What is wrong, Government? What about an effective business operation? What about your responsibility to the taxpayer? What about your responsibility for those people who need entitlements? Do they not deserve the most, the biggest bang that the Government can get for its buck?

You can help out a lot more people if you run an effective business operation. Koller can sell a lot more cars if he runs an effective and efficient car dealership. Go out in your own areas, to my colleagues here, go to your own hometown, go to any business and say to that business, how long will you be in business if you operate your business without a balanced budget? "Probably the first month," and they laugh at you. They say, "Come on, get serious."

You want to know why a lot of people have doubt about what goes on in Washington, DC? Not because my colleagues here come here with ill intent. They do not. There are a lot of hard-

working, well-intended people out here. The problem, I think, the fundamental problem is not the few cases where we have had abuse by an elected official. The fundamental problem out there is people do not trust you with something that is very important in their lives. And what is that something? It is money. They know how they have to manage money, and they do not trust us with their money. Because they see we do not even follow the basic management philosophies that we require them to follow on their own management of money. We need to have a balanced-budget amendment.

Let us talk about another solution. What else can we do to assist effective business operations of the Government?

We need to go out there and reward the people that are doing a good job. We have a lot of Federal agencies, believe it or not, we have a lot of them out there that are doing a good job. We have got a lot of Federal employees who work very hard to do a good job.

And frankly, they do not get a lot of recognition.

We can always name the bad ones. We can find plenty of agencies that do not have good operations, business operations. But there are a lot out there that do operate effectively.

What do we do? If we have an agency that operates effectively and works within their budget, we go into their budget with any money they have left, and we take the money that is left from the agency that is well managed. We take the surplus money from that agency and give it to the agency which has not been managed properly, which is run in the hole, which needs the money to break even—break even is almost a dream to the Federal Government—which needs the money to help supplement their losses.

It does not make sense. It is like going to an auto dealership on Main Street and saying, "The money you make in profit I am going to give to your competitor right down the street, who has a lousy business operation. We are going to give them this money to help him get through, instead of closing it down, instead of demanding on that other dealership that they run their operations as efficiently as Koller has to run his."

We are just going to take Koller's profits and give it to the other business. That is what the Government does with its agencies. It goes to an agency that runs it well, takes their money and gives the money to an agency that does not. No wonder you get a statistic, a statistic like this.

In the last 2 months, I am not exact on this, but I am very close, in the last 2 months, agencies spend 40 percent of their money. The last 2 months of a fiscal year, they spend 40 percent of their money. What drives that kind of statistic? Because they know if they end the year with a surplus, they get penalized.

Ask Federal employees what their activity, their purchasing activity is like in the last couple months of a fiscal year. Ask them to be straight with you, if they have not witnessed in the Government the kinds of words, "Hurry up, we have to go out and spend this money, we only have 2 months left to spend it. If we do not spend it this year, we will get our budget cut next year. We have to be able to show that we need the money or we will not get money next year."

You cannot do that in business. You are not going to be in business very long, if it happens, and neither should the Federal Government.

Let me conclude with saying what I think. There are lots of other recommendations we could talk about, line-item veto, balanced budget, term limitations.

One of the other things that I think we should visit a little about is do not be afraid, to my colleagues here, to the American taxpayers, do not be afraid to demand of your Federal agencies accountability on their business operations. Do not forget about it.

How many people in the country remember about a very popular program, remember the audit we got 13 weeks ago on NASA. What did NASA audit reveal?

It revealed billions of dollars in cash over the years that they cannot account for. Somebody ought to be remembering that. Somebody ought to be demanding it, despite the popularity of the program, somebody ought to be demanding accountability. Somebody ought to be demanding, and some of you are, somebody ought to be demanding accountability of those billions of dollars that we are sending to California for the earthquake victims, not denying the benefits to the people that need it but saying that the business operation will allow more of those benefits to go to the people that need it, No. 1, and 2, demanding that the people that are not entitled to it or the fraud that takes place on the way down or the Federal agencies that are turning their head the other way have to change their ways.

It is amazing, up here and in my short tenure in Washington, DC, how major some of these problems can be and how quickly they are forgotten.

Take a look. Just turn on C-SPAN, turn on any channel you want, and see how often the word "deficit" is talked about. This week a lot, because we just brought up the budget. But a year ago, 6 months ago, the deficit was the big crisis in this country. It did not go away, folks.

In my opinion, we have not had a whole lot of improvement on it. But now crime has moved to the forefront, now welfare reform has moved to the forefront.

What about the deficit? What about business operations of the Government?

To my colleagues, every one of our constituents, every taxpayer in this country has every right, has the fundamental right to demand of us efficient business operations of the Federal Government.

#### REPORT ON H.R. 811, INDEPENDENT COUNSEL REAUTHORIZATION ACT OF 1993

Mr. MOAKLEY, from the Committee on Rules, submitted a privileged report (Rept. No. 103-419) on the resolution (H. Res. 352) providing for consideration of the bill (H.R. 811) to reauthorize the independent counsel law for an additional 5 years, and for other purposes, which was referred to the House Calendar and ordered to be printed.

#### THE NEED FOR WELFARE REFORM IN AMERICA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts [Mr. TORKILDSEN] is recognized for 60 minutes.

Mr. TORKILDSEN. Madam Speaker, tonight and over the next few weeks, I will take the floor during special orders to talk about a subject that is often emotional and always controversial. All the same, it is in desperate need of action.

I am talking about the welfare system in the United States today.

We have allowed a program designed to assist those in need to become a monster that too often turns into a long-term addiction. Instead of helping families stay together through tough times, the welfare system encourages families to split apart.

Instead of encouraging single parents to work to find jobs skills, the American welfare system penalizes those who wish to work, and discourages work from any parent who wishes to keep health insurance while taking even an entry level job.

Reform is not enough; we need to completely overhaul the welfare system.

Madam Speaker, a newspaper that circulates in my district—the Pulitzer Prize-winning Eagle-Tribune of Lawrence, MA and reporters Brad Goldstein and John Gill, and editors Alan White and Dan Warner—conducted a year-long investigation of the welfare system as it affects the Merrimac Valley area of northeastern Massachusetts. The abuses documented and the problems identified could happen anywhere in our country.

I will read the series during future special orders to draw attention to this massive problem. Today I want to focus on an overview to problems in our welfare system, and to specifically mention one problem which the Federal Government can quickly correct. The fact that prisoners in jail for misdemeanors can still collect supplemental security, or SSI, benefits.

Current law prevents felons from collecting SSI benefits, but not those convicted of misdemeanors. This means that convicts serving up to 1 year in most States, and up to 2½ years in some States, can still collect SSI benefits.

I have introduced H.R. 3251, with 14 current cosponsors, to end this abuse. No prisoner convicted of a crime and serving time should be defrauding the taxpayers by collecting SSI while in prison.

We must change the welfare system as we know it. I hope this series will begin to outline some of the many problems in the current welfare system, lead to quick action to prohibit SSI benefits for prisoners, and begin debate on a major overhaul of the entire welfare system.

The first article I would like to read is entitled:

[From the Lawrence (MA) Eagle-Tribune]  
WHEN WELFARE IS A WAY OF LIFE  
(By Brad Goldstein)

A chasm of age and experience separates the worlds of Donna Wrenn and Rosemary Ortiz.

Mrs. Wrenn, 45, is a high school graduate, divorced and a grandmother. She is of German, Scottish and English extraction. She lives on Prospect Hill in Lawrence.

Ms. Ortiz, 26, is Puerto Rican, a high school dropout who went back for her high school equivalency diploma and a single mother of four. She lives in Sputh Lawrence.

Despite their differences, a common thread runs through their lives.

Mrs. Wrenn and Ms. Ortiz have spent nearly 20 years each on Aid to Families With Dependent Children, or AFDC.

Mrs. Wrenn said she started collecting welfare when her marriage turned sour and her options ran out.

Ms. Ortiz was a child when her parents went to the welfare system for help. Today she is a welfare mother herself.

Now the two women, for different reasons, are trapped in the welfare system. They say they would like different lives but they have no incentive to break free.

These women are part of the silent majority of welfare recipients in the Lawrence area. They have seen a system of temporary aid become a permanent way of life for them and, in some cases, for their children.

Once every six months to a year, they go to the local welfare office and speak to a social worker who inquires about the children's education, their father's whereabouts and the possibility of job training.

The only other contact comes when they receive a welfare check in the mail every two weeks.

Names of welfare recipients are kept confidential but both Mrs. Wrenn and Ms. Ortiz were willing to talk publicly about their lives.

Ms. Ortiz said it didn't matter to her because people know she is on welfare when they see her at the welfare office.

Mrs. Wrenn's monthly budget consists of her \$538 check from AFDC, which includes child support payments, \$181 in food stamps, \$1,245 in state-funded foster care stipends for her three grandchildren and a \$500 monthly Section 8 rental subsidy.

That is \$2,514 a month, or \$30,168 a year tax-free, the equivalent of a private-sector job paying \$45,434 in taxable income. She

also has free health insurance through Medicaid, including dental coverage, for herself and five children.

"It's hard running a household with the income I receive," Mrs. Wrenn said. "My welfare check is only enough for two of my kids. . . . I believe that's why people (on welfare) are working under the table and not reporting it."

Ms. Ortiz receives \$686 a month in AFDC benefits, \$268 a month in food stamps, \$200 in child support payments, a \$339 Social Security check—for one of two asthmatic children—and a \$650 monthly Section 8 rental subsidy.

The total is \$25,716 a year, tax-free, equivalent to taxable pay of \$38,730 a year.

For Mrs. Wrenn, the prospect of work is a nightmare. She said her health, age and family needs all prevent her from entering the job market. She has not been employed since December 1980.

Ms. Ortiz, on the other hand, flatly refuses to work unless the state provides her with day-care and health benefits. She has held a job for only two weeks during the nine years since she had her first child and joined the welfare rolls. She quit that job when her son became sick.

Statistics made public by the welfare department show these Lawrence women are typical in many ways.

Nearly 43 percent of AFDC recipients in the Lawrence area have never held a job.

Department of Public Welfare statistics also show that one in four AFDC recipients in Greater Lawrence has collected welfare for more than five years, 7 percent above the statewide average.

State Welfare commissioner Joseph V. Gallant and Mary-Claire Kennedy, director of the Lawrence welfare office, say the main problem with the welfare system is it fosters long-term dependency.

"Years ago, people were much more reluctant to go to the welfare office. Not any more. One reason for that change is there is a growing welfare mentality. A good number of people are generational," Mr. Gallant said.

#### MISFORTUNES LED TO WELFARE

Mrs. Wrenn said a series of personal misfortunes first put her on welfare in the 1970s. Her ex-husband, who died last year, was an alcoholic who refused to work, she said.

She took a job as a stitcher in a Lawrence shoe factory and received extra income from the welfare department. When her ex-husband threatened to kill her, Mr. Wrenn said, she left him.

"It was a terrible relationship," she said. "I basically got married to get out of the house. I stayed with him for 14 years because I felt I had nowhere else to go."

A short-lived relationship with a friend of her husband led to two other children. She made an attempt to return to work in 1980, but said she quit after suffering seizures and back problems.

"I'm scared to go back into the work system at my age," she said. "I find it easier for people to stay on welfare once you're on because you get more benefits."

Mrs. Wrenn said she sympathizes with irate taxpayers who have supported her for years.

"They're working and we're not. They're working to pay for people," she said. "I did the same thing. Some people do need the help."

Without a job, there is no question Mrs. Wrenn needs the help.

She raises five children, ages 2 to 12 years old, in a third-floor apartment at the crest of

Prospect Hill. She has lived there for 14 years. Three of those children are her grandchildren.

She took custody of them last year after her eldest daughter, who was also on welfare, was convicted of prostitution then disappeared from a court-ordered drug clinic.

Mrs. Wrenn said she had learned her eldest daughter was using the children's welfare benefits to buy drugs. Her daughter is now serving a jail term at Framingham state prison, she said.

Two-year-old Alicia, who calls her grandmother "Mommy," has not seen her mother for any extended period of time since shortly after she was born.

Mrs. Wrenn has not given much thought to the idea of welfare dependency. But she said she hopes her other children and grandchildren do not end up on welfare.

She blames drugs for causing her eldest daughter to turn to welfare. "At that time I felt it was the only thing she could do," Mrs. Wrenn said. "I couldn't keep her in the house."

#### "BORED WITH SCHOOL SO I LEFT"

Unlike Mrs. Wrenn, Rosemary Ortiz spent the first 10 years of her life in a family supported by welfare benefits. The youngest of six children, Ms. Ortiz said her father left home when she was an infant. She has not seen him since.

Her mother still lives in Lawrence and went back to work after her children were old enough to take care of themselves.

Ms. Ortiz was a senior at Greater Lawrence Technical School in 1984 when she became pregnant, dropped out and began receiving AFDC and Food Stamps.

"I was bored with school so I left," she said.

The father was a married man who promised to leave his wife.

"He even bought me an engagement ring," she said. "I was naive."

When the father of her first child left, Ms. Ortiz became involved with his friend. She had three children by the second man in the past nine years. He has agreed to pay \$50 a week in child support.

Ms. Ortiz went back to school during the evening and recently obtained a high school equivalency degree which, along with her children's baptismal certificates, she displays on her walls.

Her three-bedroom apartment is also decorated with large color photographs of her children, Head Start diplomas and other records of their achievements.

A television tuned into Sesame Street keeps her youngest children—ages 2 and 3—busy enough for her to finish one of the many loads of laundry she does in a day.

"If they were to cut my AFDC benefits off, I will survive," Ms. Ortiz said. "I read English. I speak two languages. I've worked before. I am not afraid to go to work."

But she doesn't work, she said, because she fears losing health care benefits and food stamps for herself and her four children.

"It doesn't pay to work," Ms. Ortiz said.

Both Mrs. Wrenn and Ms. Ortiz said Gov. William F. Weld and President Bill Clinton should aggressively pursue welfare fraud before attacking their benefits, or setting a two-year limit on receiving public assistance.

"There are people out there who need it and yet there are others who don't and are on it," Mrs. Wrenn said. "They're the ones who are ruining the welfare system."

Ms. Ortiz agreed.

"Many years ago, there was no way to cheat welfare. Now it's a piece of cake," she

said. "The system is hard on people who need it and easy on people who don't."

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That article demonstrates what two single parents are trying to do, trying to get off the welfare system, but finding that it does not have the incentives, it does not reward work. It makes it more difficult to take a job in the private sector and much easier to continue to stay on welfare.

The second article I would like to read tonight deals with a very, very different part of the welfare system. It deals with individuals who are in prison, convicted of crimes, and yet are still receiving benefits. It is entitled "State Looks Other Way as Convicts Get Welfare: Prison Convicts Get Welfare Behind Bars."

Heroin and welfare.

For a while, they were Ivan Lebron's bread and butter.

Mr. Lebron sold heroin on the streets of Lawrence, contributing his bit to the decline of a city.

He was arrested three times on heroin charges before he was sent away to jail.

But he went back to work selling heroin after he got out, police say.

For part of the time he was a heroin dealer, he had the support of the Massachusetts Department of Public Welfare. He got a monthly check, plus food vouchers, full insurance benefits and a cover for his activities. He was supposed to be disabled.

John Clough also had taxpayer support for his life of crime.

By his own admission, he was on welfare because he was too addicted by drugs and alcohol to hold a job.

But he was fit enough to break into houses and attack and rob an 83-year-old man.

Mr. Clough continued to collect his welfare benefits even while behind bars, which is against the law.

Mr. Clough remains locked up. Mr. Lebron is on the run from another heroin charge. Benefits have ended for both. But there are others like them, perhaps hundreds.

An Eagle-Tribune investigation found:

Almost 300 criminals who did time in the county jail in 1991 and 1992 were already collecting some form of public assistance out of the Lawrence welfare office when arrested. These included drug dealers, burglars, armed robbers, drunk drivers and child molesters.

More than 50 of the convicts on the Lawrence welfare rolls continued to receive benefits in jail. More than 30 actually served full terms with no changes in their benefits.

State welfare officials have ignored a 3-year-old study recommending computer matches to catch prisoners on welfare.

The state provides benefits to people who claim disabilities resulting from drug or alcohol abuse but it does not require them to get help for their addiction.

The investigation included a computerized examination of thousands of criminal records and other public documents, as well as interviews with law enforcement officials and criminals.

Lawrence officials have publicly claimed for years that drug dealers and users and other criminals have taken advantage of lax rules to get themselves on the welfare rolls.

With no need to work and plenty of time on their hands, they have wreaked havoc on the city.

Mayor Kevin Sullivan at one point ordered police to confiscate welfare identification

cards whenever they came across them during a drug raid. Dozens were seized before a court ordered the city to stop because the practice was unconstitutional.

Nothing has been done to stop the welfare department from subsidizing drug dealers.

Welfare officials do not check criminal records before or after putting someone on welfare.

Mr. Sullivan, now an official in the state Transportation Department, said he started seizing welfare cards because drug dealers were ruining the city and "we were paying them to do it. We were subsidizing a drug culture."

"These were mostly young males who were alleging they were disabled. . . . The government was paying them to stand on street corners and deal drugs."

Essex County Sheriff Charles Reardon said he and his staff also believe welfare helps fuel the underground economy of criminals.

Criminals are already on welfare when they arrive in jail and many continue to collect even behind bars, he has found.

For four years, he has attempted to have state welfare officials address the issue. They have done nothing.

#### ON HEROIN, ON WELFARE

Ivan Lebron and John Clough are examples of what Mr. Sullivan and Sheriff Reardon are talking about.

Mr. Lebron, 32, a former resident of Oxford Street in Lawrence, was arrested on heroin dealing charges on May 16, 1990. He was arrested twice more for heroin while awaiting trial.

His fourth arrest, on June 25, 1991, was for assaulting a police officer. This time he was sent away for a year to the Essex County jail in Middleton.

Mr. Lebron joined the welfare rolls in March 1991, in between heroin arrests. A doctor's note saying he was disabled entitled him to \$339 a month in General Relief benefits, plus food stamps.

Mr. Lebron's benefits stopped two weeks after he went to jail, as they were supposed to.

A month later, he was moved to the minimum-security Correctional Alternatives Center in Lawrence.

Despite his claim of being too disabled to work when he signed up for General Relief, Mr. Lebron enrolled in a work-release program at the CAC.

Records show Mr. Lebron worked at the Ogden Martin trash plant in Haverhill from October to December 1991. His job: shoveling trash into the incinerator. He made \$6 an hour and worked from 6:30 a.m. to 3:30 p.m., five days a week.

He had \$1,106 in his prison bank account when he was released on Dec. 5, 1991.

In January 1992, he was sent back to jail for a month on a parole violation.

He went back on General Relief in April 1992.

While collecting, he was arrested for trespassing at a public housing project where he had been known to sell drugs.

His welfare benefits stopped in September 1992 when his eligibility ran out.

Three months later, State Police arrested Mr. Lebron and two other men and charged them with running a major heroin ring out of the Merrimack Courts housing project.

Police said addicts would page Mr. Lebron on his beeper, punch in the number of bags of heroin they wanted and Mr. Lebron would meet them at the housing project.

Police with drug-sniffing dogs found five bags of heroin on Mr. Lebron, 45 bags inside a TV in the apartment where he was staying

and 180 bags in the heating system of his partners' car.

Despite his record, Mr. Lebron was allowed to post bail and walk away. He did not look back.

#### DISABILITY NOT AN OBSTACLE

John Clough has done time for a string of crimes, including several burglaries, robbery and assault and battery.

Mr. Clough, 35, formerly of Haverhill Street, Lawrence, started collecting General Relief in October 1990. He switched to Supplemental Security Income, or SSI, the following July.

While on welfare he was arrested twice for breaking into houses. Police say he also robbed an 83-year-old Lawrence man a few blocks from the welfare office.

According to the police report, Mr. Clough and an accomplice confronted the old man and demanded money. They knocked him down when he showed an empty wallet.

Mr. Clough snatched a bag containing some personal papers and bolted. He was arrested three blocks away and jailed.

He was later sentenced to four years in Walpole state prison. The charge of robbing the old man was filed. Mr. Clough has since been transferred to the medium security prison in Shirley.

SSI benefits are supposed to stop while the recipient is in jail. But Mr. Clough's continued until at least September 1992, a full year after he had been locked up.

In a phone interview from prison, Mr. Clough said his checks were sent to his home and cashed by the mother of his child. "Without the money, she would have been out on the street," he said.

Mr. Clough said he was on SSI for a disability. "I'm chemically disimpaired," he said. "I use drugs and alcohol. I can't read or write, too."

Welfare officials confirm people who are disabled as the result of drug or alcohol abuse can collect benefits. And there is no requirement that an addict or alcoholic get treatment or job training to continue to receive benefits.

"There are still a substantial number of EAEDC recipients who are addicts of one form or another," said Mary Claire Kennedy, director of the Lawrence welfare office.

Emergency Aid for Elderly, Disabled and Children, or EAEDC, is the program that replaced General Relief when GR was eliminated because of suspected abuse by drug addicts and criminals.

Meanwhile, Mr. Clough has filed a \$100,000 lawsuit against Lawrence police from jail. He claims officers entered his home without a warrant, beat him and denied him medical attention. He acted as his own lawyer, court records show.

#### EX-CONVICTS CAN COLLECT

Until recently, Massachusetts convicts were automatically entitled to collect General Relief welfare for 60 days after being released from jail.

Deborah Weinstein, executive director of the Massachusetts Human Services Coalition, said that may have been unpopular but it reduced crime.

"If you remember the old gangster movies they'd hand them \$50 and a new suit when they left prison. I guess we've progressed to giving \$600 to ex-cons," Ms. Weinstein said.

She said convenience store owners who might be targets of holdups "are thankful these people have some source of income when they come out. Using this to tide them over is a good investment."

But The Eagle-Tribune found many criminals do not use welfare just to tide them

over after being released. They are on welfare before going to jail, and they can continue to collect indefinitely by claiming a medical disability.

One welfare fraud investigator told The Eagle-Tribune disability certificates are easy to forge and never checked by welfare workers because there are so many.

A computer match of jail and welfare records by The Eagle-Tribune found 305 prisoners who spent time in the Essex County House of Corrections between 1991 and 1992 had also received some form of welfare benefits through the Lawrence office during those two years. Of the 305, 296 were on welfare before they were incarcerated.

Cross-checking found at least 54 inmates whose welfare cases remained open even after they were jailed.

In 17 cases, as in Mr. Lebron's, their benefits stopped after they were locked up. But 37 other inmates, including Mr. Clough, served their entire sentences without losing benefits.

Those estimates are on the conservative side as they account only for inmates who received benefits through the Lawrence welfare office, one of 48 across the state.

The sheriff's department has seized public assistance checks sent to inmates collecting out of the Salem, Newburyport, Haverhill and Lynn welfare offices.

The Eagle-Tribune also found at least two felons who received welfare while in state prisons. One served a year without losing benefits.

#### CHECKS IN THE JAIL'S MAIL

The Eagle-Tribune first reported that prisoners were illegally collecting public assistance in 1989, after Sheriff Reardon confiscated a handful of welfare checks found during routine searches of prisoners' mail for contraband.

One burglar on General Relief told a reporter that "scamming" the state was common among his friends.

Two years ago, Gov. William F. Weld cut off illegal aliens, ex-convicts and drug addicts from the General Relief rolls.

The state replaced the program with EAEDC. The Weld administration also required all participants to undergo an outside medical examination.

Thousands of recipients were knocked off the welfare rolls and spending on the program was cut in half from more than \$200 million to less than \$100 million.

But Merrimack Valley Legal Services filed suit and won a ruling that the new medical standards were "inherently unfair, unjust and inequitable."

As a result, thousands of welfare recipients will be reinstated.

After The Eagle-Tribune exposé four years ago, state officials maintained only a "very small" number of prisoners were collecting welfare. Then-welfare commissioner Charles Atkins publicly said the state would start performing computer matches of welfare and jail records to root out those who were.

Sheriff Reardon, who continues to confiscate welfare checks sent to the jail, said the matches were never done.

"I have never heard from them nor has any of my staff heard from them," he said.

Computer matches were also recommended by a legislative committee that studied the issue of convicts collecting welfare after The Eagle-Tribune story.

As part of the 1989 study, state auditors performed a sample match of welfare rolls against Essex County jail rosters.

Social Security numbers of 364 inmates were checked. Forty-nine, or 13 percent, were

found to be on the master file at the welfare department, indicating they were on welfare at some point.

The study said 10, or about 3 percent, were fraudulently receiving benefits behind bars. They were removed from the welfare rolls. The study recommended continued computer matches that would act as a deterrent and save as much as \$1 million each year.

The current welfare commissioner, Joseph V. Gallant, said his department looked into conducting computer matches with prisons and jails but dropped the idea because there is not central registry of inmates. He also said he believed the cross-checks would find only a handful of inmates on welfare.

"You have to weigh what it costs to do the matches to get one or two people," Mr. Gallant said.

"They know how many we caught," Sheriff Reardon said. "It's far greater than two or three."

Based on the number of welfare checks confiscated at the jail, he estimates close to 30 percent of the entire jail population is on some form of welfare.

"They get enough from the public as it is from the jails. And to have them collecting welfare on top of that is too much," the sheriff said.

Sheriff Reardon said most inmates know the rules barring them from collecting welfare while doing time.

"They know once they come to the jail the check will be taken away from them," Sheriff Reardon said. "So they send it to a post office box, another address. Of course, they aren't going to turn themselves in."

Madam Speaker, to recap, the articles I've read tonight outline how welfare has sadly become a way of life for many, both those who want to get off the system, as well as those who callously abuse it. Also, they point out how, despite the law, some felons have still collected SSI benefits.

Tomorrow, I will outline how those convicted of misdemeanors still collect SSI, how fraud often goes unpunished, and how many have cheated the system and the taxpayers.

#### SOCIAL SECURITY DISABILITY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Alabama [Mr. BACHUS] is recognized for 60 minutes.

Mr. BACHUS of Alabama. Madam Speaker, there is a cancer eating away at our Nation's Social Security trust funds. The cancer is rapidly growing out of control, and unless this Congress acts, it threatens the future financial security and livelihoods of not only our senior citizens but each and every one of us.

The cancer I am referring to is the impending insolvency of the Social Security disability insurance trust fund. This fund has been depleted, and some experts predict it will be completely insolvent by mid-1995. My preliminary findings lead me to conclude that the impending insolvency will occur even earlier. Because disability claims are increasing at a faster rate than anyone predicted, I believe the Social Security disability trust fund will be bankrupt by the end of this year—1994.

The question you may be asking is why have not we heard anything about this? Last year, when some in Congress realized that the disability trust fund was in trouble, the Social Security Administration and others proposed what some considered the easy solution: simply take money out of Social Security's old-age and survivors trust fund [OASI]. I say that taking money out of this trust fund and away from our senior citizens and every working American is no solution. Certainly an unacceptable solution.

We cannot condone or allow a raid on the Social Security old-age and survivors trust fund and, at the same time, expect to keep that fund solvent for our children or even our own generation.

Millions of senior citizens, my parents among them, depend on their monthly Social Security checks. They paid into the fund while they were working, and they have a right to expect that what they contributed will be returned to them in their retirement years.

In the early 1980's, the American public was told that the Social Security trust funds were fixed. During the debate over the Social Security Amendment of 1983, Ways and Means Chairman, DAN ROSTENKOWSKI told this body, and I quote, "Those expecting to receive benefits in the next century would be assured that the system is solvent." But since Mr. ROSTENKOWSKI made that promise on March 9, 1983, rapidly expanding disability insurance payments have been threatening the future of our senior citizens.

Yet, according to the 1993 report of the board of trustees of the Social Security trust funds, the disability trust fund will be completely bankrupt by the end of 1995 unless immediate action is taken to correct the situation.

The 1993 trustees' report shows that the fund will have used its entire accumulated balance and will be \$1.6 billion short of the amount required to pay benefits by the end of 1995. In other words, by late August 1995—or if my prediction is correct, before the end of this year—the disability trust fund will be unable to send out benefit checks unless some action is taken to provide additional funds.

This is a problem of enormous proportions. According to the actuaries, \$105 billion will be required to resolve this problem for just the next 8 years. This is more than has been spent on the savings and loan bailout.

Even more disturbing is the fact that the actuaries who prepared this report used intermediate level estimates to project this outcome. If they had used worst case estimates—which, unfortunately, have proven to be more accurate in the past, the numbers would have been even worse.

In my research, I found many startling things. First, once people go on

the disability rolls, they may be reexamined, but almost invariably, they remain there until they reach retirement age. That means that they will never return to work, even if rehabilitation and medical recovery later makes working possible.

According to Dr. Carolyn Weaver, the Director of the Social Security and pension project at the American Enterprise Institute, the proportion of new beneficiaries under 40 years of age jumped from 18 percent to 28 percent, between 1980 and 1990—over a 50-percent increase.

Dr. Weaver also reports that the proportion of people awarded benefits based on mental disorders increased from 11 percent to 22 percent between 1980 and 1990 alone. Among workers under 35, the proportion rose from 32 percent to 46 percent—almost half. And furthermore, these people are likely to stay on the rolls longer than those in any other major diagnosis group.

We also have a serious problem with the growing number of disability claims and the way we process them. Throwing more money at the problem is not going to make it go away.

Last year, the Ways and Means Committee heard testimony from the Acting Commissioner of the Social Security Administration on the severity of the problem and its implications for the future. The response of Social Security, the Ways and Means Committee, and this House was to propose taking money out of the old-age and survivors fund to bail out the disability fund. The Senate later stripped this provision. The problem, unresolved, continues to worsen.

The Clinton administration and the current Commissioner of the Social Security Administration seem to be on the same course this year. Yesterday's budget, again calls for diverting funds from the retirement fund to the disability fund. This may be the easiest solution, but it is really nothing more than a stop gap solution, consisting of a raid on the retirement funds of every working American.

Shifting funds from the old-age and survivors fund to the disability fund has been done before. But, this time, the problem is much worse than it has been in the past. We are talking about \$105 billion over the next 8 years. This is a massive amount of money, and the magnitude of this problem poses a significant threat to the Social Security trust fund and our senior citizens.

If we continue on this course, we are going to bankrupt the fund that insures the financial security of our seniors in their retirement years. That is wrong.

Shifting funds from one fund to the other is not an acceptable solution. It does nothing to address the real problem which is a disability claims process that is out of control.

Madam Speaker, I first became aware of this problem through casework in

my district. Last January, my office began receiving numerous complaints about the length of time required to resolve Social Security disability claims on appeal, so I decided to investigate the situation.

I discovered that the average wait, from the time a disability claim is filed until benefits are awarded, is 18 months. One of the factors contributing to this problem is the dramatic increase of disability claims.

The preliminary solution offered by HHS to relieve the backlog in my congressional district was to hire additional employees. I was pleased at first, but when I realized that the same thing was happening across the country, I became concerned that there might not be enough money available to pay for the rapid influx of new claims. As a result, I began to study the Social Security disability trust fund and its financial security.

I am convinced that more personnel and more money are not the answer to this problem. We need a complete reevaluation of the criteria used to determine whether a person is truly disabled, and we need a clearly defined method of reexamination that will allow us to remove people who are no longer disabled from the rolls and get them back to work.

Right now, the system is not working. We need to change the procedures and redefine the role and mission of our disability system.

The Americans With Disabilities Act [ADA] was passed with the promise of eliminating barriers and creating employment opportunities for the disabled. It also had a very high price tag. We ought to be able to use the Americans With Disabilities Act to place more disabled workers in real jobs. Additionally, we ought to be able to take advantage of medical advances and rehabilitation in order to increase the opportunities for disabled citizens to reenter the work force and at the same time, reduce the number of disability insurance payments.

Madam Speaker, I am calling on the President, and I call on my colleagues today, to consider this problem carefully. We must act now.

The reality of this situation is that the disability insurance fund is going to run out of money and soon. My question is why can not we address this problem now and avoid the crisis atmosphere of a last-ditch effort to bail out the program later?

Last week, we approved emergency supplemental appropriations for earthquake assistance. This natural disaster happened suddenly and without warning. But I would ask my colleagues today: Must we wait for the ground to move from under the Social Security disability trust fund before we act?

Madam Speaker, I urge my colleagues to join me in cosponsoring this resolution which would require the De-

partment of Health and Human Services to thoroughly examine and confront this threat and report back to Congress with honest solutions, so that we can act in an orderly and timely manner.

My bill states that neither taking money from the Federal old-age and survivors insurance trust fund nor taking money from the general fund of the Treasury, thereby adding to the deficit is an acceptable solution.

Madam Speaker and my colleagues, it is time for action. It is time to be honest and deal fairly with the American people. We cannot continue to play with the numbers and expect this problem to go away.

[Excerpt from 1995 Budget]

DEPARTMENT OF HEALTH AND HUMAN SERVICES, SOCIAL SECURITY

FEDERAL OLD-AGE AND SURVIVORS INSURANCE TRUST FUND

(Status of Funds in thousands of dollars)

	1993	1994	1995
Social Security tax rate re-allocation .....	0	(11,942,000)	(16,114,000)

FEDERAL DISABILITY INSURANCE TRUST FUND

(Status of Funds in thousands of dollars)

	1993 actual	1994 est.	1995 est.
Social Security tax re-allocation .....	0	11,942,000	16,114,000

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THE HOUSE POST OFFICE SCANDAL

The SPEAKER pro tempore (Ms. EDDIE BERNICE JOHNSON of Texas). Under a previous order of the House, the gentleman from Oklahoma [Mr. ISTOOK] is recognized for 60 minutes.

Mr. ISTOOK. Madam Speaker, it is never a pleasant task to have to address this Chamber, and those others that are listening in, on something of the gravest import that involves the integrity and the dignity of this body, however a situation has arisen that is very tempting for Members of Congress to attempt to sweep under the rug, to disregard and hope that it will go away. But unfortunately it will not.

What I am speaking about is, of course, the scandal that has arisen through the House post office, something that for a long time had been rumored—a couple of years ago Members, many Members, thought that the rumors were untrue because of a task force investigation that seemed to issue a clean bill of health, and then there was a shock wave that came across this particular body last summer, 6 months ago, when the former Postmaster of the U.S. House of Representatives post office pleaded guilty in a sudden appearance in Federal court to three counts of conspiring with Members of Congress to embezzle

tens of thousands of dollars of taxpayers' money from the House post office, and that guilty plea by Robert V. Rota is now over 6 months old, and there are all sorts of rumors, of course, which circulate about what is or is not being done by the U.S. Department of Justice in pursuing potential criminal action against Members of this House.

But, Madam Speaker, the sad truth is we cannot pass the buck nor expect anyone else to handle our problems for us. The U.S. Constitution under article I, section 5, specifies that the House has the obligation to police the disorderly behavior of its Members, and certainly it is hard to get more disorderly than being engaged in a scheme to embezzle tens of thousands of dollars from the taxpayers through the use of the official offices of the House. That particular scheme, it turns out from what has been revealed in the court papers, was not something that happened just of one moment. It was something that evidently continued for a series of years and escalated to the point which it did, and I would like to cover in this presentation some of the facts that are important to people to know and also talk about what we need to do about this.

My colleagues, we have an ethics committee. Technically it is called the Committee on Official Standards of Conduct. It is charged with the responsibility to enforce the rules and standards of behavior of this body. But, despite the revelations through official court documents, through testimony in open court and through filings here in the U.S. District Court for the District of Columbia, the House ethics committee has not taken up the challenge, nor opened an official inquiry, into what happened in the post office. There was a privileged resolution, which is pending in this body, which I and over 30 other Members of this House intend to call up soon under the rules of this House which directs the ethics committee to pursue the independent investigation to cooperate, as necessary, of course, with the Justice Department and to enforce the rules of conduct of this House.

□ 1950

Let me share with you what occurred. And this is not just me talking, this is from the testimony, a factual offer made on behalf of the U.S. Government, filed with the U.S. District Court for the District of Columbia, in the case of United States of America versus Robert V. Rota. These are public records available to the public from the courthouse.

The scheme that Mr. Rota confessed to was enabling Members of Congress to embezzle taxpayers' money through the post office, through a series of maneuvers that included accumulating cash within the post office, rather than making daily deposits or frequent de-

posits of cash that came into the post office as part of its official business. That money was set aside and kept in special places. Then when a Member would come in, and he would have a voucher, or he would send somebody with a voucher, a voucher drawn against his official House account, drawn against public moneys of the U.S. Government, and supposedly for the purchase of stamps for his official duties, instead of getting stamps, he would get cash. And he would pocket the cash.

Vouchers in thousands of dollars. At other times, stamps themselves, having previously been purchased with public moneys, would be brought back to the post office, and they would be exchanged for cash and Members of Congress could then pocket that cash.

And then the third way that money was diverted from the public was that they would bring in a campaign check. Now, this campaign check was supposedly for just campaign purposes. Certainly many campaigns have to buy postage. But instead of bringing in the campaign check, purchasing postage and then using those stamps to further the conduct of a campaign and mailing to constituents, it would be cashed and the Member would get back cash, and thus would divert money not only from the taxpayers, but from his own or her own contributors.

This conduct evidently continued for a series of years, as laid out in the court papers as part of Mr. Rota's confession.

That was 6 months ago, Madam Speaker. And since that time, everybody has been waiting. Is the Justice Department going to pursue things? Is the Justice Department going to pursue things? Is the House concerned about the integrity of this body? Is the House concerned about the shadows cast upon each and every one of us. Because the court papers don't say which Members were involved. They don't say how many Members were involved. They say there were several Members. They mention a congressman A, and a congressman B. But we don't know if it rises up to a congressman C, D, E, F, G, how far does it go? And we will never know, Madam Speaker, unless we pursue these allegations as we are charged by the U.S. Constitution to do.

Let the Justice Department pursue criminal investigations as they will. We have an obligation to pursue these matters, to ferret out wrongdoing within our own midst. And our ethics committee, which itself spends millions of dollars of taxpayers' money to enforce standards of official conduct, needs to be actively involved in the pursuit of this mismanagement and outright embezzlement of taxpayers' money.

That is the purpose of the pending resolution that has been filed in the form of Resolution 238. It may be

refiled under a different number. But in the very near future, we intend to call that resolution up in this House for consideration by this body.

I would be happy to yield to the gentleman from Indiana.

Mr. BUYER. I appreciate your having this special order tonight. I think it is extremely important. I had some thoughts here that when you mentioned you have got this privileged resolution, you are trying to press this forward, and I have heard other Members and rumblings of others saying, but there is a criminal investigation, let's let the Department of Justice take care of things and not start some ethics investigation.

Well, there is a big difference between the criminal process, the criminal code, and ethics. I think that is extremely important.

We have got the United States Code here on crimes and criminal procedure, title 18, section 1 through section 6002. It is the Federal Code. So we have the Department of Justice and all those prosecutors out there. I have prosecuted under the Federal code for 3 years. I understand criminal process and criminal procedure.

This is the House Ethics Manual. It is different. It sets the code of conduct of Members.

Now, there are two different sets here. Ethics manuals are supposed to be more stringent than the criminal standard and try to hold to the highest code possible.

James Madison said, in the framing of this country, in the beginning of our ethics manual here, "If men were angels, no government would be necessary. If angels were to govern men, neither external nor internal controls on government would be necessary."

You see, they struggled with this issue of ethics in a government where you have people governing other people. So they struggled with that issue and came with the firm belief that a public office is in fact the public trust. And right now, all across America, we talk about the budget deficit, there is a trust deficit between the American people and this Congress.

I come here as a new Member and say why? Why is there such a trust deficit?

Mr. ISTOOK, all you have to do is look at this particular case as example of why there is a trust deficit between the American people and this body.

I am not here to make allegations of anyone. I know that there are tremendous impressions of impropriety. I also know that in order to have someone convicted of a conspiracy, he cannot conspire in and of himself. The conspiracy must be with others. That is very, very important.

So there is a huge difference between the ethics and criminal procedure. I disagree with those that say let's let the Department of Justice take care of things, because I am learning about

this town. When you have one party in control, the Democratic Party controls the House, the Senate, and the executive branch, the checks and balances on the system are lacking right now. There truly isn't the independence of the Judiciary.

I could cite case after case, and I am very, very concerned. So having a simple code of ethics, and sure, this is a big thick book, but it can be very simple. For the 4 years as a cadet at the Citadel, the code was very simple. A cadet does not lie, he does not cheat, he does not tolerate those who do. Now, that was a code when I was a cadet as a young man. But you know, it is part of my character. The code is very simple.

Now I am faced with the toleration aspect. And I have to come forward, Mr. ISTOOK, and I join you with this. I think it is extremely important. Today, right now, America is almost giving in to situational ethics. They say is character really important? Character really doesn't matter. Don't let the character of man or woman matter. See what they do. Is he working on the agenda? Let's not look into character. Is he making things happen? Let's not worry about character.

Excuse me. When it is the public office, it matters. From the township trustee advisory board to the President of the United States, public office matters, and trust matters, and character matters. It is extremely important.

So I get upset, Mr. ISTOOK, when I hear people talking about the character doesn't matter. I think that we need to move forward on the House Ethics Committee. I join you as original cosponsor of your House resolution. I think you are on the right track. I salute your courage. It is very bold to take on this institution. But it takes men of character such as yourself to step forward and do what you are doing. Especially in the face of whatever retributions the system of this House, of which we are both well aware of, can kind of boomerang and come back.

But I salute you, and I think other Members will come and join what you are doing.

Let me close. When I think about character, Mr. ISTOOK, if I can relate a story with you. I can think about the character of this country, the American character and why it is so unique and why the American character has made us such a unique society among the world. I think back of an incident that occurred during the gulf war.

I came out of an interrogation tent at the enemy prisoner of war tent to see a brigadier general of the Iraqi Army sitting on the desert floor with his legs crossed, his elbows on his knees, his face in his hand. He was weeping and crying. He was dejected and defeated.

You see, his character is that under a tribal system and a totalitarian gov-

ernment where loyalty to the totalitarian regime is ultimate. That is his character. You see, when he became defeated and dejected, his system failed him and he failed himself, for he lacked the character.

Nobody, nobody, has to tell anyone, from an American private to an American general, how to act. It amazed me when I walked out there to see that.

□ 2000

And I walked up to that gentleman. I kicked the bottom of his boot and, through an interpreter, I asked him to stand at attention. And then I asked him if he were a general. And he said, "Yes, I am."

So, I said, "Then act like one and be a man."

You see, his character is so much different. We have SAM JOHNSON here. We have others. We have SAM JOHNSON. I almost weep when I shake the hand of SAM JOHNSON, with his cripple hands and what he went through in Vietnam for 7 years. SAM JOHNSON's character is completely different from the character of someone from another system, another type of government under a totalitarian system. So, character matters. Character matters today.

So, when we want to talk about, let us bridge the trust deficit, let us unite the American people and give them faith that Members of Congress, that Members of the Senate, whether it is the President, whether it is the county commissioner, exercise trust, that they will make decisions that are in the best interest of the American people. And we have to police ourselves and prove to them that we mean it, and that is the first step at restoring the trust and confidence.

Mr. ISTOOK. Madam Speaker, I thank the gentleman for his remarks about character and the necessity for pursuing this matter.

And you asked the question, why is it not being pursued. We have an obligation. It does not matter if anyone else is doing something, the buck stops with us to enforce the rules of this House, to enforce the highest standards of ethical behavior by Members of this House. And I think the burden is upon those who do not wish to pursue it to come forth and present their arguments.

I think we should probably discuss what those arguments are, because we have heard them. We know what they are. We know what fallacies are in those particular arguments.

The American people look at what is happening over in the other body, the Senate. We are not supposed to say "the Senate" on the floor.

Mr. WALKER. Madam Speaker, if the gentleman will continue to yield, we changed the rule on that now.

Mr. ISTOOK. Over in the Senate, they are making front-page headlines, because of what? An ethics investiga-

tion into a Senator. And what is it that the Senator is supposed to have done that makes front-page headlines? It is a question of where has he been putting his hands. Has he been putting them on ladies in unwelcomed fashion?

And here in the House, we have Members who have been putting their hands in the till. We have embezzlement. They are concerned with sexual harassment. That is fine. That is well and good. But we should be concerned about embezzlement, the charges that have been raised against Members of this House. And if somebody is putting their hands in the public till, are we or are we not concerned about doing something about it?

The SPEAKER pro tempore (Ms. EDDIE BERNICE JOHNSON of Texas). The Chair would advise the gentleman, it is not in order to cast reflections on the Senate or its Members, individually or collectively.

Mr. ISTOOK. Madam Speaker, I am not. I am speaking of the allegations rather than the proven conduct. I am speaking merely of the allegations, which are being probed by the Senate in their official body.

The SPEAKER pro tempore. The gentleman should not refer to an ongoing investigation in the Senate.

Mr. ISTOOK. I do not know of any rule that prohibits me from mentioning an ongoing investigation in the Senate. If there is one, I hope the Chair will cite it to me.

The SPEAKER pro tempore. Rule XIV.

Mr. ISTOOK. And it reads?

The SPEAKER pro tempore. It reads:

Debate may include references to actions taken by the Senate or by committees thereof which are a matter of public record, references to the pendency or sponsorship in the Senate of bills, resolutions, and amendments, factual descriptions relating to Senate action or inaction concerning a measure then under debate in the House, and quotations from Senate proceedings on a measure then under debate in the House and which are relevant to the making of legislative history establishing the meaning of that measure, but may not include characterizations of Senate action or inaction, other references to individual Members of the Senate, or other quotations from Senate proceedings.

Mr. ISTOOK. Madam Speaker, I believe that is perfectly in accord with what I did. The Senate has public records, for example, the issuance of subpoenas, of records to enforce a Senate investigation.

Mr. WALKER. Madam Speaker, if the gentleman will continue to yield, the gentleman is absolutely correct.

The SPEAKER pro tempore. To characterize the Senate or its Members is not in accordance with the rules.

Mr. ISTOOK. Madam Speaker, I would have to challenge the ruling of the Chair, if the Chair thinks I have improperly characterized the Senate. I have merely mentioned the fact that in the U.S. Senate there is an investiga-

tion which is front-page news and certainly should not be suppressed in this body, which is front-page news, looking into allegations of alleged sexual harassment by a Member of the Senate. Yet we have, in this House, allegations of embezzlement of tens of thousands of dollars. And certainly, this is an extremely serious charge that needs to be pursued in this House.

I would not want to think that anyone in this House would want to suppress the mere mention of the fact that the Senate investigates sexual allegation charges.

The SPEAKER pro tempore. Ethics in general is acceptable. Specific allegations and specific references to the conduct of a Senator are not acceptable.

Mr. ISTOOK. Madam Speaker, I believe I am speaking in context with the rule and in accordance with the rule. The gentleman from Pennsylvania asked me to yield for a question.

I yield to the gentleman from Pennsylvania [Mr. WALKER].

Mr. WALKER. The gentleman, I think, referred to the proceedings of the Senate. In the rule just cited by the gentlewoman in the Chair, she said that it was entirely appropriate for the House to refer to proceedings of the Senate. The gentleman, as I listened to him, was referring to proceedings of the Senate.

The matter under discussion by the gentleman was, in fact, the subject of Senate debate. It is a part of the CONGRESSIONAL RECORD. There was extensive debate in the Senate recently. So it seems to me that this is a matter which involves the proceedings of the Senate.

The gentleman would be out of order, if he characterized those proceedings in a particular way.

The SPEAKER pro tempore. Debate was not being repeated in accordance with the rule. Senate action and a Senator's conduct were being characterized.

Mr. WALKER. The gentleman referred only, as I understood him, to a general reference to the fact that these proceedings did, in fact, take place in the U.S. Senate. He did not mention a particular Senator. He mentioned what was done under the proceedings of the Senate.

The SPEAKER pro tempore. The reference was to a specific allegation.

Mr. ISTOOK. Which has been, Madam Speaker, which has been the subject of a vote by the full Senate, which has been the subject of submitting a request for further information through a subpoena to a United States district court. That is totally in accord with the rules.

Madam Speaker, I think we are digressing here from the main issue. If the Chair wishes to make a point of order of some fashion, I would certainly contest it. Otherwise, I would like to continue with our proceeding.

Mr. WALKER. Madam Speaker, if the gentleman will continue to yield, this is an indication of exactly what we run into all the time, when we try to bring up these issues and discuss them in context.

The rules of the House are immediately applied whenever you want to discuss some of these issues on the floor. We get very, very narrow interpretations of the rules in an effort to discuss these matters.

However, when it comes to the rules of the House with regard to ethics violations, all of a sudden the Democratic leadership of the House is willing to set aside the rules or at least try to ignore them insofar as the membership will allow them to ignore them, and then line up a majority of votes on the Democratic side of the aisle to knock down any attempt to enforce the rules of the House.

The gentleman, with his resolution, is attempting to enforce the ethics rules of the House of Representatives. He is attempting to get an entirely appropriate investigation done by the Ethics Committee on a matter where Members of the House have been accused of embezzlement and where there has actually been a charge of conspiracy and embezzlement that has resulted in a guilty plea by an officer of the House.

Thus far, the officer of the House has not been investigated by the Ethics Committee, nor have any of the charges that the officer of the House made against Members of the House been investigated. That is regarded as entirely proper in this body, that we would ignore that matter, but we have got to be real technical when it comes to whether or not the gentleman was referring to proceedings or characterizing proceedings. We have got to get real technical, when it comes to those kinds of things.

I would suggest that this is the madness under which we now operate in the House of Representatives, that we simply will not take our duties seriously enough, if those duties in any way appear to impact adversely on the majority party in the House of Representatives.

□ 2010

I would suggest that this is a perfect example of why the gentleman, in his dogged pursuing of this matter, has been absolutely correct. The gentleman has been patient beyond belief. It must be months now since he introduced this resolution. He has talked all the time about what is needed here. He has been assured that at the proper time all of these things will be taken care of.

Meantime, we have had an investigation in this matter done by the Committee on House Administration that has been buried, and a resolution trying to make public those records on the floor was turned down, guess what, by

the majority party voting almost unanimously as a party. I think there were a few Democratic votes who voted to make those records public, but very few. Then when we have attempted to move to the Committee on Standards of Official Conduct, that is something that the gentleman has been told, "Well, not now."

Well, it appears as though now has come. I want to congratulate the gentleman for being courageous enough to bring this matter before the House and to give us an opportunity, hopefully in the near future, to find out whether or not the House is going to get concerned about its rules when it involves real ethical questions.

Mr. ISTOOK. Madam Speaker, I appreciate the comments of the gentleman from Pennsylvania [Mr. WALKER].

Reclaiming my time, Madam Speaker, I think it is important to note when people say we should not do it because the Justice Department is investigating it, certainly we have had many contemporaneous investigations where the House was pursuing allegations of ethical misconduct simultaneously with something going on in the Justice Department. A good example, a recent example, was certainly the House bank scandal.

We had the investigations regarding the Keating Five. We had an inquiry into allegations of improper use of book proceeds by a Member of this House. We have had a number of occasions when we have understood that we and the Justice Department each have separate duties. We can cooperate with one another without interfering with one another. We certainly should seek to do so, because we cannot evade our constitutional responsibility.

There is also, Madam Speaker, a lingering question with many people as to whether the Justice Department actually will pursue things, presuming that the evidence is indeed there in their hands, to the point of an indictment.

Certainly, Madam Speaker, those who have followed what the Justice Department has done on this are aware that the original grand jury pursuing those matters was dissolved. It ran out of time. It had a statutory time limit and it came to a point where it could not be extended further.

A second grand jury had to be empaneled last fall, which means a new learning curve and certain delays. The investigation is also on its third U.S. attorney because of the change of administrations and replacement of U.S. attorneys under that. It is now a different U.S. attorney that is charged with that responsibility. Certainly people who are familiar with different investigations, whether at a State level or a Federal level, know that it is very easy to give the appearance of activity and yet nothing results from it.

We also know that in an investigation with as many political ramifications

as this one, that no indictment would be issued without the approval at the very highest levels of the Justice Department. So no matter what might be the desire of an individual U.S. attorney or his staff or investigators to pursue a matter, unless that receives clearance from those at the highest level of the Justice Department, nothing happens.

This is the same Justice Department which, within the last couple of weeks, declines to prosecute, despite an extremely strong and sharp recommendation from the inspector general within the Department of Justice, saying that two State Department employees who had the political pull, if you will, of having been involved with the Clinton and Gore campaign, that they should not be prosecuted, despite what seems to be the indisputable evidence that they made an effort to go in, go through closed files from Bush administration personnel, take information about that out of those files that they thought would be damaging, and give that information to members of the press. For the sole purpose of trying to embarrass members of the prior administration, they would break the law which made those records confidential.

However, the Justice Department, realizing the political problems of that, declines to prosecute. Now, if we have a sensitive investigation regarding a Member of Congress, would the Members not think that a Member of Congress would have more political pull and thus less chance of actually being prosecuted because that decision would have to come down from the highest levels of the Justice Department?

We cannot rely on the Justice Department or anyone else to do our job for us. It is our constitutional responsibility. We cannot pass the buck.

It is very telling, too, Madam Speaker, that when we did have a House task force a couple of years ago which did not pursue these allegations at the time, because frankly, the information was concealed from them at the time by Mr. Rota, but when they issued a report about what had happened, they were not satisfied with allegations that they should not be interfering with the Justice Department in looking into the House post office.

In fact, and this was the majority report from that task force, they wrote that the task force was hampered by the Department of Justice's intermeddling and interference with their legislative mandate, and they said there was heavy-handed legal maneuvering and thinly veiled threats by the Department of Justice to thwart the House inquiry.

They knew that the House had the obligation to pursue these matters whether the Justice Department was pursuing them or not, and the Justice Department should not be used to thwart the House in the exercise of its

constitutional duty to inquire into the conduct of its own Members.

Now we hear, "Oh, we mustn't interfere." Then it was the Justice Department interfering, when they thought Members of Congress would not be implicated. But when Members of Congress became implicated, suddenly the attitude is, "Oh, hands off. Let's let the Justice Department do it, and maybe if we are lucky they will bury it and it won't come to light."

Mr. BUYER. Will the gentleman yield, Madam Speaker.

Mr. ISTOOK. I yield to the gentleman from Indiana.

Mr. BUYER. Part of the frustration that we are dealing with here is trying to deal with the Department of Justice. I understand that your resolution is not telling the Department of Justice to do your job. That is a frustration that we deal with in this body in scandal after scandal that has occurred, even with the Presidency and members of his Cabinet.

I know the gentleman's resolution does not address that. What his resolution is addressing is the responsibilities of this body with the ethics. So if we cannot get Justice to do their job with criminal procedure, and they just throw the book aside, then it is our ultimate responsibility to step forward and say, "This is the House ethics manual. It is a code. Honor is more than a word, it is a way of life, and it is important for this body to hold that close."

It is a scandal. It is a scandal. Let us not call it something that it is not. It is a scandal. It is a scandal of that side of the House. Members of the post office were appointed by the Democrat Party under a system of patronage. Why has that not been investigated? Where is it?

I would say to the gentleman from Pennsylvania [Mr. WALKER], I remember he introduced a privileged resolution for sunshine, to bring public disclosure, and this body pounced on him: "What are you doing, Mr. WALKER? We don't want the public to know. We don't want anybody to know about the scandals of this House." It was defeated 200 to 207.

Six months have gone by since the gentleman brought his resolution up. I would ask the gentleman from Pennsylvania [Mr. WALKER], are there any plans that he has to resurrect his privileged resolution?

Mr. WALKER. Will the gentleman yield?

Mr. ISTOOK. I yield briefly to the gentleman from Pennsylvania [Mr. WALKER].

Mr. WALKER. Madam Speaker, one of the things that concerns me is, we have a problem that goes far beyond sunshine at this point, because the corrective surgery that was performed in the House to take care of the bank scandal and the post office scandal and

some of these things was, we put a professional House administrator in place that was given certain powers to take over a lot of the institutions of the Congress, in order to get rid of the patronage system, and guess what, the House administrator up and quit the other day.

As nearly as we can determine, one of the reasons he quit is because some of the things that the House said were to be assigned to him in order to end patronage were not granted to him. They were kept in the bowels of the power brokers of the Congress.

□ 2020

They did not want to give up that power. They did not want the patronage system to be eliminated.

The Speaker, when he talked about this grand new reform package that we were having in the House, indicated we were going to end patronage and go to professional employees. If we had only done that. But the fact is the Democrat patronage operation continues to operate. As we stand here they are still filtering people into the House system, and so the Democrats have abandoned all pretense of reform. And the real resolution that we need now, in addition to some sunshine, is some corrective work on the reform that was passed supposedly to take care of these matters. And we ought to force the House Administration Committee and others to give up the power that they have refused to give up at the present time.

Do my colleagues know what the official word is as to why the House information systems were not turned over to the administrator as required by the resolution? The official explanation for that was it was a resolution passed in the last Congress and is not binding on this Congress. Well, if that is the case, the new Postmaster, the new administrator, the new inspector general, none of those things is binding on us because they are all a part of the same resolution. And this is appalling. We are seeing the disintegration of proper behavior in the House of Representatives, and yet the Democrats hope that it will all be ignored.

Mr. ISTOOK. Madam Speaker, we have another Member here who has been very patiently awaiting an opportunity to share some of his thoughts on this very important and significant matter. That is the gentleman from Michigan [Mr. HOEKSTRA]. Madam Speaker, I yield to the gentleman from Michigan.

Mr. HOEKSTRA. Madam Speaker, I think it is time to bring some focus back to the issue. Reflecting back on this now I am saying we have heard that the time has come to now deal with this issue. I think we are long past the time to deal with this issue. We should have dealt with it 6 months ago. The gentleman and I talked about bringing it and pushing it forward 6

months ago. We talked to many of our colleagues. They encouraged us to wait until the Justice Department finished their probe, and in reality we should have moved forward then, because what has happened over the last 6 months has hurt the reputation of a number of Members of Congress, and has hurt the reputation of the House itself.

If we go back and we take a look at the resolution which the gentleman authored, it is very simple. And I would quote from it that all we are doing is "calling on the Committee on Standards of Official Conduct to conduct an investigation into activities at the House post office to determine whether House rules were broken or whether public funds were embezzled by Members." We are asking for an investigation to clear up a very specific charge.

Reading on again, why did we think that this was necessary 6 months ago and why do we think it is even more important that we focus on this issue now? "Whereas former House Postmaster Robert V. Rota has pleaded guilty in the United States District Court for the District of Columbia to charges of conspiracy to embezzle funds of the United States in violation of section 371 of title 18 United States Code \* \* \*"

Going on, "Whereas court documents in this case contained allegations that several Members, officers or employees of the House were co-conspirators with Mr. Rota \* \* \*"

Going on again, "Whereas complete and accurate testimony by Mr. Rota were not provided to any previous inquiry by this House."

There are very specific charges that have been made, that have been proven in court that this House has not dealt with. The end result again is what the gentleman has stated: "Whereas the safety, dignity and the integrity of the House and of public confidence in the House require that these allegations receive full inquiry by the House itself."

I came from the private sector. I worked for a company that was one of the 100 most admired companies in this country. We valued our reputation. If there were allegations of doing something wrong, improper behavior, we needed to improve our customer service, we went after those issues, and we went after them immediately, and we dealt with them. That is how we maintained and enhanced the reputation of that company.

It was amazing to me, and I am disappointed we did not push harder 6 months ago because, you know, the House in different polls has an approval rating of integrity. Now on a good day of 29 percent of the American people believing we are doing a good job, and on a bad day we are in the high teens. And this is one of the reasons. They have read these allegations. They have

seen employees of the House indicted, pleading guilty. That has been a part of the public record. In town meetings they consistently ask me, "Well, what are you doing to help clear up these final allegations to restore confidence in the House, to clear the names of those people that have perhaps been implicated or to get to the bottom of the issue?" And it is kind of like well, we have a resolution and it is ready, but we are waiting for an approval to go ahead, which we have now found out has not come, probably never would. And the only way that we are going to do it is to push it forward ourselves.

That is why it is a very straightforward question we are going to be asking this House: Are we going to participate in the process, take ownership for our reputation, our integrity, or are we going to abdicate that responsibility and give it to somebody else? And as soon as we abdicate it and give it to somebody else, we are going to lose it. We need to be tackling this issue from inside the House. We should have done it the first time any allegations were made. If we had done that, this issue would have been settled a long time ago. People would have had a greater degree of confidence in what we do here. And most importantly, they would have had a higher degree of respect not only for how we deal with ethical issues, but how we deal with the tough issues that are facing this country today.

They feel that we are out of touch. They feel that we are not capable of making the tough choices, the tough decisions as regards ethics. If we cannot deal with ethical issues within the House, how can they expect us to deal with the other issues that we are facing within this country?

Common sense. They look at it and they say well, with these allegations, how can you just be sitting on your hands and not doing anything? They do not see us as having common sense. They do not see us listening to our constituents who are constantly bringing up these ethical issues that we are not doing anything about. And they ask their own question: "I wonder now if I did something like that with a government program, I wonder what would happen to me? You know, do I think it would kind of just go away in 6 or 8 months later?" No, they know that it would not, that the Justice Department, that the long reach of the Federal Government and the judicial system would reach out and grab them. And they are wondering why does it not happen in the House itself.

I think the bottom line is they are asking for results and not excuses.

Mr. ISTOOK. I thank the gentleman. Reclaiming my time, I think the gentleman is exactly correct.

This is a question of privilege among other things. It is a question of privilege. Are we to be treated differently

and to have some sort of immunity from prosecution for an act such as embezzlement because we are elected officials, because we are in Washington, DC, because we are the focus of power in this country and somehow we have acquired an immunity? Of course we have not. And that is what the public is so mad about, that we are not treated like regular people. We do not try to be treated like regular people. We do not act like regular people.

The gentleman mentioned his corporation and the company he worked for and the reputation he had attained. Is there any company, any company anywhere in the United States of America that if there were allegations like this of embezzlement by a company official so they would say, "Well, we can't do anything about it, we will turn it over to the prosecutors and maybe they will do something"? But meantime, the guy is still on our payroll, he can still pilfer from the till if he is so inclined to do so, and nothing has changed. That would be totally unacceptable in any business in this country, and it is totally unacceptable for this House to bury its head in the sand rather than get to the bottom of this.

□ 2030

Mr. HOEKSTRA. If the gentleman will yield further, yes, I think the real statement here, I think, is we are talking about, I think, what the problem we are facing is that we are stating almost as a fact the allegations are true; and all we are seeking for is that the House be given the opportunity, not the opportunity, that the House do their responsibility and get to the bottom of the allegations so that we can either prove that the allegations are true or discover that they are false.

I think that the American people, by watching us and seeing that over a period of 6 months we have not done anything, they are assuming that we as an institution have something that we do not want to take a look at and that we hope will go away and something that will be embarrassing to the House; and that we need to get to the bottom of it, and we need to get to the bottom of it now.

Mr. ISTOOK. Reclaiming my time, the gentleman correctly states that the resolution does not pass judgment upon any Member. It does not say allegations are true.

Certainly each of us are going to have varying degrees of personal opinion, and let us take this scenario that we have, if someone is going to go into Federal court and accuse a Member of the U.S. Congress of being part of a conspiracy with him for embezzlement, if his hands were clean and this had not occurred, then you anticipate what would have happened is he would have tried to plea bargain where he does not have to plead guilty to something, and

he gets immunity from prosecution. In this case, the gentleman pleaded guilty, he was found guilty on three counts of conspiracy of embezzlement. I am not asking any Member to join me in my opinion of the truth of the allegations. I am asking Members to join me in getting to the bottom of it.

The ethics committee has not prejudged what has occurred or not occurred and they should not prejudice.

But, by golly, they had better get to the bottom of it.

Mr. WALKER. If the gentleman will yield, I think the gentleman from Michigan has performed a real service here by going back and reiterating what is in this resolution, and if I understand it, if we can simplify it, I mean, the bottom line is here the resolution requires the ethics committee to investigate the House post office to determine whether House rules were broken and whether public funds were embezzled by Members of Congress. I mean, that is the bottom line.

Mr. ISTOOK. Reclaiming my time if I can add a very important point, I say to the gentleman from Pennsylvania [Mr. WALKER], it also says that the report from the ethics committee on this matter should be issued and should be issued to the public and, of course, we know that the ethics committee has the authority in a proper case to recommend to this body that a Member be censured or even expelled, and that is also, of course, an important thing to know about the significance of this resolution.

Mr. WALKER. I think that is useful. But, you know, really what we are doing with this resolution if it would pass would be to ask as a House for our ethics committee to investigate these charges.

Now, that being the case, then I assume that you are intending at this point to bring this to the floor for a vote. Is that correct?

Mr. ISTOOK. That is correct, I say to the gentleman from Pennsylvania, and I might specify, of course, the House rule under which this is intended to be brought up states a privileged resolution can be offered by any Member upon the grant of 2 days' prior notice to this House and under the rule, and I believe the rule number is rule LI, the Speaker is then to schedule that for a vote, and I believe that the time is imminent that that needs to be done and will be done. I certainly hope that Members of this body when they are in their districts, for example, for town hall meetings, and there will be hundreds, maybe even thousands of those conducted in the next week and a half, and I certainly hope they will hear from their constituencies, their constituents, sharing with them the strength and depth of their feelings that we need to restore integrity and get to the bottom of these allegations.

Mr. WALKER. If I could just follow up for a moment, I just want to clarify

a point: If this resolution is brought to a vote, those who vote "yes" will be voting to investigate and to report. I suspect that there are going to be a lot of "no" votes on the resolution. I wonder if the gentleman would care to speculate what a "no" vote on such a resolution might mean.

Mr. ISTOOK. I think it is obvious that a "no" vote means "Do not investigate, do not report, do not do anything."

Mr. WALKER. And so this is a matter that a "no" vote really means that you are willing to allow this matter to be buried, never to come before the House, and that you are willing to accept the fact that a guilty plea with regard to embezzlement and potential involvement of Members of Congress is something that the House is willing to ignore. I mean, to say that you vote "no" is to ignore the public pleading and suggest that the House has no further action to take.

Mr. ISTOOK. Unfortunately, I would have to agree.

I yield to the gentleman from Michigan.

Mr. HOEKSTRA. Mr. WALKER, I think what a "no" vote means is that those Members are unwilling to take the accountability and responsibility for the integrity and the honor of the House and that they are willing to let some outside agency bear that responsibility. Again, an abdication of their role as a Member of this House is how I would interpret a "no" vote.

Mr. WALKER. That is pretty good.

Mr. ISTOOK. I yield to the gentleman from Indiana.

Mr. BUYER. I think you are right. If a "yes" vote, I say to the gentleman from Oklahoma [Mr. ISTOOK], on your resolution is for dignity and the integrity of this body, if that is what a "yes" vote means, then if a Republican or a Democrat votes "no," it is the opposite, and if that is what a "no" vote is going to mean, then it is going to mean, "Let us just cover it up, let us make it go away, let us not talk about ethics, because, you know, we have got some other big issues we want to talk about; let us not let any scandals sideline health care, welfare reform, crime," whether it is the President or whether it is this body, the kind of let-it-go-away situational ethics stuff. I think that a "no" vote or anybody that votes "no" on this resolution has a lot of explaining to do when that Congressman or Congresswoman goes back to their district and has to tell their constituents, "I voted to cover up the scandals in Washington."

Holy smokes, how are you going to explain that one? That is pretty tough.

I think that is what you are referring to when the American people put the heat on this body, that is what is important, and maybe what is occurring right now is we have the Democrat Party has been in control of this body

for 40 years. I am 35 years old. They have been in control of this body for 40 years, longer than any other democratic nation in this world.

This body has become an undemocratic institution. We need to reign in, reign in character and integrity and dignity. That is a "yes" vote. A "no" vote is for more of the same in politics in Washington. It is wrong.

I am hopeful the American people turn on the heat, put on the pressure on any Republican or Democrat that votes for business as usual here in this body. It is wrong.

Mr. ISTOOK. Reclaiming my time, gentlemen, I think that we are about out of our allotted time on this.

I certainly hope, as you mentioned I say to the gentleman from Indiana [Mr. BUYER], that the American people will let their Member of Congress know of their feeling on this. I certainly hope the vote that is taken in this body will not fall along partisan lines, because integrity is not a partisan issue, character is not a partisan issue, honesty is not a partisan issue, and I would certainly hope that the good men and the good women on both sides of the aisle will join together and see the importance and significance of the resolution.

But I would like to close though by reading an important quote from a former President of this Nation, one that is not heard from frequently, and that is President James Garfield. And President Garfield wrote, and, of course, that was several decades ago:

Now more than ever before the people are responsible for the character of their Congress. If that body be ignorant, reckless, and corrupt, it is because the people tolerate ignorance, recklessness, and corruption. If it be intelligent, brave, and pure, it is because the people demand these high qualities to represent them in the national legislature. If the next centennial does not find us a great nation, it will be because those who represent the enterprise, the culture, and the morality of the nation do not aid in controlling the political forces.

I would certainly agree with the statement of President Garfield, and I believe that the American people are committed not to tolerate ignorance, not to tolerate recklessness, not to tolerate corruption, and certainly not to tolerate the kind of behavior that has been alleged against Members of this body. I believe the American people want us to pursue it internally.

Let the Justice Department do what it will, but we need to pursue it. We need to pass the resolution instructing the ethics committee to take this action, to make this investigation and let the chips fall where they may.

I thank you gentlemen for assisting this evening. Madam Speaker, I thank you for your patience with us.

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#### COMMUNICATION FROM HON. EARL POMEROY, MEMBER OF CONGRESS

The SPEAKER pro tempore (Ms. EDDIE BERNICE JOHNSON of Texas) laid before the House the following communication from Hon. EARL POMEROY, Member of Congress:

HOUSE OF REPRESENTATIVES,  
Washington, DC, January 28, 1994.

Hon. THOMAS FOLEY,  
Speaker of the House, Washington, DC.

DEAR THOMAS: This is to formally notify you pursuant to Rule L (50) of the Rules of the House that I have been served with a subpoena to give a witness deposition. The subpoena was issued by the District Court of North Dakota, South Central Judicial District in connection with a civil case.

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

Sincerely,

EARL POMEROY,  
Member of Congress.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mrs. ROUKEMA (at the request of Mr. MICHEL) for today and Wednesday, February 9, on account of the snowstorm in New Jersey today and to attend a funeral on February 9.

Mr. BILIRAKIS (at the request of Mr. MICHEL) for today, on account of illness.

Mr. WASHINGTON (at the request of Mr. GEPHARDT) for today, on account of official business.

Mr. FIELDS of Louisiana (at the request of Mr. GEPHARDT) for today on account of official business.

#### SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Ms. BYRNE) to revise and extend their remarks and include extraneous material:)

Mr. MONTGOMERY, for 5 minutes, today.

Mr. UNDERWOOD, for 5 minutes, on February 10.

Mr. HINCHEY, for 10 minutes, on February 28.

(The following Members (at the request of Mr. BALLENGER) to revise and extend their remarks and include extraneous material:)

Mr. ISTOOK, for 60 minutes, today.

Mr. BACHUS of Alabama, for 60 minutes, today.

Mr. DUNCAN, for 5 minutes, today.

#### EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. BALLENGER) and to include extraneous matters:)

Mr. SMITH of Michigan.  
Mr. BOEHLERT in two instances.  
Mr. WALSH in two instances.  
Mr. BURTON of Indiana.  
Mr. LEWIS of California in two instances.

Mr. FIELDS of Texas.

Mrs. MORELLA.  
Mr. BALLENGER.

(The following Members (at the request of Ms. BYRNE) and to include extraneous matters:)

Mr. FORD of Michigan.  
Mr. CONYERS.  
Mr. HOYER.  
Mrs. MALONEY in four instances.  
Mr. TRAFICANT.

Mr. DIXON.

Mr. BERMAN.

Mr. PENNY.

Mr. BROOKS.

Mr. STARK.

Mr. MARKEY.

Mr. SCOTT.

Mr. FRANK of Massachusetts.

(The following Members (at the request of Mr. ISTOOK) and to include extraneous matters:)

Mr. MAZZOLI in two instances.

Mr. TORRICELLI.

Mrs. COLLINS of Illinois.

Mr. MOAKLEY.

Mr. KILDEE.

Mr. CLYBURN.

Mr. HANSEN.

Mr. LANTOS.

Mr. CHAPMAN.

Mr. HAMILTON.

Mr. SMITH of Michigan.

Mr. MFUME.

Mr. KYL.

Mr. SMITH of Iowa.

Mr. ROTH.

#### ADJOURNMENT

Mr. ISTOOK. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 41 minutes p.m.), under its previous order, the House adjourned until tomorrow, February 9, 1994, at 12 noon.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2550. A communication from the President of the United States, transmitting his request for fiscal year 1994 supplemental appropriations for the Departments of Housing and Urban Development and Transportation and Funds Appropriated to the President, in addition a fiscal year 1995 budget amendment for the Office of Administration within the Executive Office of the President, pursuant to 31 U.S.C. 1107 (H. Doc. No. 103-207); to the Committee on Appropriations and ordered to be printed.

2551. A letter from the Administrator, U.S. Environmental Protection Agency, transmitting the Commission's 1991 annual report on progress in implementing requirements concerning the Nation's worst hazardous waste sites, pursuant to Public Law 99-499, section 120(e)(5) (100 Stat. 1669); to the Committee on Energy and Commerce.

2552. A communication from the President of the United States, transmitting notification of the resignation of Richard J. Hankinson from the position of Inspector General of the U.S. Department of Justice; to the Committee on Government Operations.

2553. A communication from the President of the United States, transmitting a report entitled "Progress Toward Regional Nonproliferation in South Asia," pursuant to 22 U.S.C. 2376(c); jointly, to the Committees on Appropriations and Foreign Affairs.

2554. A letter from the Acting Chairman, Nuclear Regulatory Commission, transmitting a report on the nondisclosure of safeguards information for the quarter ending December 31, 1993, pursuant to 42 U.S.C. 2167(e); jointly, to the Committees on Energy and Commerce and Natural Resources.

2555. A letter from the Secretary of Transportation, transmitting a draft of proposed legislation entitled "The Aviation Investment Act of 1994"; jointly, to the Committees on Public Works and Transportation, Science, Space, and Technology, and Ways and Means.

2556. A letter from the Administrator, Environmental Protection Agency, transmitting a draft of proposed legislation to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, and for other purposes; jointly, to the Committees on Energy and Commerce, Public Works and Transportation, Science, Space, and Technology, the Judiciary, and Ways and Means.

#### 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. DERRICK: Committee on Rules. House Resolution 352. Resolution providing for the consideration of the bill (H.R. 811) to reauthorize the independent counsel law for an additional 5 years, and for other purposes (Rept. 103-419). 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. STUDDS (for himself and Mr. TORKILDSEN):

H.R. 3807. A bill to require the Secretary of Commerce to convey to the Commonwealth of Massachusetts the National Marine Fisheries Service laboratory located on Emerson Avenue in Gloucester, MA; to the Committee on Merchant Marine and Fisheries.

By Mr. MONTGOMERY:

H.R. 3808. A bill to amend title 38, United States Code, to ensure that the Secretary of Veterans Affairs has the necessary authority and flexibility to provide staffing levels for the Veterans Health Administration of the Department of Veterans Affairs as necessary

to meet the responsibility of the United States to provide health care services to eligible veterans and to permit implementation of national health care reform by the Department; to the Committee on Veterans' Affairs.

By Mr. BROOKS:

H.R. 3809. A bill to revise, codify, and enact without substantive change certain general and permanent laws, related to aliens and nationality, as title 8, United States Code, "Aliens and Nationality"; to the Committee on the Judiciary.

By Mr. CHAPMAN (for himself, Mr. FROST, Mr. BAESLER, Mr. BARLOW, Mr. BOUCHER, Mr. BERETER, Ms. LAMBERT, Mr. WILSON, and Mr. SARPALIUS):

H.R. 3810. A bill to amend the Federal Water Pollution Control Act to provide additional assistance to rural and disadvantaged communities under the State water pollution control revolving loan fund program, and for other purposes; to the Committee on Public Works and Transportation.

By Mr. BERMAN (for himself, Mr. MCKEON, Mr. BELENSON, Mr. GALLEGLY, Mr. WAXMAN, Mr. MOORHEAD, Mr. MATSUI, and Mr. DIXON):

H.R. 3811. A bill to amend the Internal Revenue Code of 1986 to allow the casualty loss deduction for disaster losses without regard to the 10-percent adjusted gross income floor; to the Committee on Ways and Means.

By Mr. FIELDS of Texas (for himself and Mr. LAUGHLIN):

H.R. 3812. A bill to require immediate action to remove sunken or grounded vessels that obstruct navigable waterways; to the Committee on Public Works and Transportation.

By Mr. GEJDENSON (for himself, Mr. STUDDS, Ms. FURSE, Ms. CANTWELL, Mr. ROTH, and Mr. MEYERS of Kansas):

H.R. 3813. A bill to amend the Export Enhancement Act of 1988 to promote further United States exports of environmental technologies, goods, and services; to the Committee on Foreign Affairs.

By Mr. GEKAS (for himself, Mr. THOMAS of California, and Mr. ROTH):

H.R. 3814. A bill to amend title II of the Social Security Act to institute certain reforms relating to the provision of disability insurance benefits based on substance abuse and relating to representative payees, and for other purposes; to the Committee on Ways and Means.

By Mr. GILCHREST (for himself and Mrs. BENTLEY):

H.R. 3815. A bill to authorize the Secretary of Transportation to convey a vessel in the National Defense Reserve Fleet to a non-profit organization; to the Committee on Merchant Marine and Fisheries.

By Mrs. KENNELLY:

H.R. 3816. A bill to provide grants to the States to allow States to employ additional prosecutors; to the Committee on the Judiciary.

By Mr. MANTON (for himself, Mr. STUDDS, and Mr. YOUNG of Alaska):

H.R. 3817. A bill to amend the Fishermen's Protective Act; to the Committee on Merchant Marine and Fisheries.

By Mr. PENNY:

H.R. 3818. A bill to establish a Middle East Development Initiative to provide development assistance to countries in the Middle East region for the purpose of promoting the peace process in that region; to the Committee on Foreign Affairs.

By Mr. POMEROY (for himself, Mr. WILLIAMS, and Mr. PETERSON of Minnesota):

H.R. 3819. A bill to terminate the North American Free Trade Agreement as it applies to Canada and the United States-Canada Free-Trade Agreement and to impose additional duties on grain imported from Canada, until the United States and Canada renegotiate the provisions of the agreements regarding the importation of Canadian grain; to the Committee on Ways and Means.

By Mr. SMITH of Texas (for himself, Mr. PICKLE, and Mr. MONTGOMERY):  
H.R. 3820. A bill to require the Secretary of the Treasury to mint coins in commemoration of the 50th anniversary of the signing of the World War II peace accords on September 2, 1945; to the Committee on Banking, Finance and Urban Affairs.

By Mr. BACHUS of Alabama (for himself, and Mr. EWING):  
H. J. Res. 319. Joint resolution directing the Secretary of Health and Human Services to propose to the Congress, not later than May 18, 1994, possible solutions to the impending deficit in the Federal Disability Insurance Trust Fund; to the Committee on Ways and Means.

By Mr. BLUTE:  
H.J. Res. 320. Joint resolution designating April 11, 1994, as "Persian Gulf War Veteran Recognition Day"; to the Committee on Post Office and Civil Service.

By Mr. BURTON of Indiana:  
H. Con. Res. 204. Concurrent resolution expressing the sense of the Congress that information regarding the conviction of child-related sex offenses should be available to employers, and for other purposes; jointly, to the Committees on the Judiciary and Education and Labor.

By Mr. SOLOMON:  
H. Con. Res. 203. Concurrent resolution to correct the enrollment of H.R. 3759; jointly, to the Committees on House Administration and Appropriations.

By Mr. OWENS:  
H. Res. 351. Resolution to agree to the Senate amendment to the bill (H.R. 2339) with an amendment; considered and agreed to.

By Mr. CONYERS:  
H. Res. 353. Resolution providing amounts from the contingent fund of the House for expenses of investigations and studies by the Committee on Government Operations in the 2d session of the 103d Congress; to the Committee on House Administration.

#### ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 101: Mr. RIDGE.  
H.R. 253: Mr. JEFFERSON.  
H.R. 302: Mr. SHUSTER, Mr. WILSON, Mr. BREWSTER, Ms. DELAURO, Mr. KLEIN, Mr. HALL of Ohio, and Mr. LEVY.  
H.R. 326: Mr. WAXMAN, Mr. KLECZKA, Mr. SWIFT, and Mr. HALL of Ohio.  
H.R. 393: Mrs. KENNELLY.  
H.R. 417: Mr. FIELDS of Louisiana.  
H.R. 441: Mr. KILDEE.  
H.R. 543: Mr. HORN.  
H.R. 702: Mr. SWETT and Mr. SCHAEFER.  
H.R. 799: Mr. SUNDQUIST.  
H.R. 846: Mr. MCCOLLUM, Mr. LEVY, Mr. FARR, Ms. MARGOLIES-MEZVINSKY, Mr. FRANKS of Connecticut, Mr. GREENWOOD, Ms.

PELOSI, Mr. PALLONE, Mr. ZELIFF, and Mr. SANGMEISTER.

H.R. 911: Mr. HALL of Texas.  
H.R. 972: Mr. ACKERMAN.  
H.R. 1015: Mrs. MORELLA.  
H.R. 1055: Mr. PRICE of North Carolina, Mrs. LOWEY, Mr. RANGEL, and Mr. SCHIFF.  
H.R. 1088: Mr. TAYLOR of North Carolina.  
H.R. 1392: Mr. BARTLETT of Maryland.  
H.R. 1407: Mr. FISH.  
H.R. 1414: Mr. SOLOMON.  
H.R. 1421: Mr. LIPINSKI.  
H.R. 1474: Mr. STENHOLM.  
H.R. 1500: Mr. STUDDS, Mr. MORAN, and Mrs. MORELLA.  
H.R. 1529: Mr. PORTMAN.  
H.R. 1532: Mr. BAKER of Louisiana, Mr. BLUTE, Mr. LANCASTER, Mr. BROWN of California, Ms. NORTON, Mr. BARTLETT of Maryland, Mr. GORDON, and Mr. RICHARDSON.  
H.R. 1555: Mr. SHAYS and Mrs. MALONEY.  
H.R. 1563: Mrs. BYRNE.  
H.R. 1600: Mr. BATEMAN, Mr. BACHUS of Alabama, Mr. ENGEL, Mr. BROWN of Ohio, and Mr. MCINNIS.  
H.R. 1605: Mr. FRANKS of New Jersey and Mr. ARMEY.

H.R. 1606: Mr. ARMEY.  
H.R. 1607: Mr. BARTLETT of Maryland, Mr. KILDEE, and Mr. HOYER.  
H.R. 1620: Mr. GOSS.  
H.R. 1621: Mr. BARTLETT of Maryland, Mr. KILDEE, Mrs. MALONEY, Mr. MCINNIS, and Mr. WHEAT.

H.R. 1673: Ms. SLAUGHTER, Mr. KILDEE, and Mrs. MALONEY.

H.R. 1747: Mr. BARCA of Wisconsin.  
H.R. 1785: Mr. PAXON and Mr. ALLARD.  
H.R. 1843: Mr. MCCANDLESS.  
H.R. 1887: Mr. GOODLATTE and Mr. DUNCAN.  
H.R. 1961: Ms. SCHENK.  
H.R. 2022: Mr. LEWIS of Georgia.  
H.R. 2221: Mr. BACHUS of Alabama and Mr. PARKER.

H.R. 2241: Mr. SHAYS.  
H.R. 2286: Mr. DIXON and Mr. JOHNSON of Georgia.

H.R. 2396: Mr. PARKER and Mrs. MALONEY.  
H.R. 2447: Mr. GENE GREEN of Texas, Mr. STARK, Mr. HAMBURG, Mrs. JOHNSON of Connecticut, and Ms. WOOLSEY.  
H.R. 2464: Mrs. SCHROEDER.

H.R. 2623: Mr. ROGERS, Mr. ZIMMER, Mr. SUNDQUIST, Mr. CHAPMAN, Mr. TAYLOR of North Carolina, Mr. HYDE, Mr. EVANS, Mr. VALENTINE, Mr. KIM, and Mr. PETERSON of Minnesota.

H.R. 2749: Mr. TRAFICANT.  
H.R. 2759: Mr. COX, Mr. KOPETSKI, Ms. SCHENK, Mrs. FOWLER, Mr. GINGRICH, Mr. SWETT, and Ms. CANTWELL.

H.R. 2918: Mr. GILCHREST and Mr. SHAYS.  
H.R. 2957: Mr. MCCRERY, Mr. BISHOP, and Mrs. LLOYD.

H.R. 3007: Mr. MENENDEZ.  
H.R. 3017: Mrs. VUCANOVICH and Mr. FORD of Michigan.

H.R. 3021: Mr. TORRICELLI.  
H.R. 3030: Mr. BACHUS of Alabama and Mr. HUTCHINSON.

H.R. 3031: Mr. BACHUS of Alabama, Mr. GOSS, Mr. UPTON, Mr. HUTCHINSON, Mr. GRAMS, and Mr. INHOPE.

H.R. 3080: Mr. RIDGE.  
H.R. 3100: Mr. DELLUMS, Ms. PELOSI, Mr. SCOTT, Mr. HINCHEY, and Mr. HAMBURG.

H.R. 3109: Mr. HUGHES and Mr. ZIMMER.  
H.R. 3128: Mr. FINGERHUT and Mr. NADLER.

H.R. 3173: Mr. CRAMER.  
H.R. 3234: Mr. FLAKE, Mr. ROMERO-BARCELO, and Mr. SERRANO.  
H.R. 3246: Mr. ORTON and Mr. STUPAK.  
H.R. 3320: Mr. DUNCAN, Mr. PARKER, Mr. PACKARD, and Mr. YOUNG of Alaska.  
H.R. 3328: Mr. HANCOCK, Mr. CONYERS, Mr. FINGERHUT, Mr. STEARNS, and Ms. SHEPHERD.  
H.R. 3370: Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 3392: Mr. KREIDLER and Mr. KNOLLENBERG.

H.R. 3424: Mr. HALL of Texas, Mr. MONTGOMERY, Mr. BILBRAY, Mrs. VUCANOVICH, and Mr. FINGERHUT.

H.R. 3490: Mr. NEAL of North Carolina.  
H.R. 3513: Mr. BROWN of Ohio, Mr. COSTELLO, Mr. DORNAN, and Ms. DANNER.

H.R. 3527: Mr. STUDDS, Ms. WOOLSEY, Mr. LEWIS of Georgia, Mrs. CLAYTON, Mr. ABERCROMBIE, and Mr. RANGEL.

H.R. 3542: Mr. ABERCROMBIE.  
H.R. 3546: Mr. VALENTINE and Mr. MANZULLO.

H.R. 3573: Mr. SPRATT.  
H.R. 3633: Mr. BALLENGER, Mr. BAKER of California, Mr. CAMP, Mr. HOBSON, Mr. INGLIS of South Carolina, Mr. STUMP, Mr. ZELIFF, Mr. BOEHNER, Mr. SMITH of Michigan, Mr. DORNAN, and Mr. BARTON of Texas.

H.R. 3645: Mr. LIGHTFOOT.  
H.R. 3706: Mr. COLEMAN, Mr. HINCHEY, Mr. RAVENEL, and Mr. SERRANO.

H.R. 3727: Mr. GORDON.  
H.R. 3757: Mr. PENNY, Mr. SABO, Mr. WHEAT, Mr. FROST, and Mr. COMBEST.

H.R. 3785: Mr. GLICKMAN.  
H.R. 3789: Mr. DORNAN.

H.R. 3790: Mr. MCDADE, Mr. MCCLOSKEY, and Ms. DANNER.

H.R. 3799: Mr. BERMAN.  
H.R. 3802: Mr. COPPERSMITH and Mr. DUNCAN.

H.J. Res. 122: Mr. HOYER.  
H.J. Res. 276: Mr. DOOLITTLE, Mr. LEWIS of Georgia, Mr. CONYERS, Mr. MCCOLLUM, Mrs. MEYERS of Kansas, Mr. NEAL of Massachusetts, Mrs. MINK, Mr. SERRANO, Mr. NATCHER, Mr. BORSKI, Mr. MURPHY, Mr. MURTHA, Mr. TOWNS, and Mr. FRANKS of Connecticut.

H.J. Res. 291: Ms. SNOWE, Mr. UNDERWOOD, Mr. EVANS, Mr. HUGHES, Mr. CLEMENT, Mr. BOEHLERT, Mr. QUILLLEN, Mr. MARTINEZ, Mr. ROTH, Mr. EMERSON, Mr. FROST, Mr. NEAL of North Carolina, Mr. BATEMAN, Mr. BOUCHER, Mr. JEFFERSON, Mr. ROMERO-BARCELO, and Mr. BAESLER.

H. Con. Res. 3: Mr. MCCOLLUM, Mr. DORNAN, Mr. STEARNS, Mr. HUTCHINSON, Mr. OBERSTAR, and Mr. STUPAK.

H. Con. Res. 122: Mr. FIELDS of Texas, Mr. DIAZ-BALART, and Mr. PORTER.

H. Con. Res. 147: Mr. HOEKSTRA, Mr. BACHUS of Alabama, and Mr. POSHARD.

H. Con. Res. 166: Mr. SENSENBRENNER.  
H. Res. 238: Mr. ARMEY, Mr. BLILEY, Mr. GINGRICH, Mr. HOKE, Mr. KNOLLENBERG, Mr. LINDER, Mr. MCKEON, Mr. WALKER, Mr. SMITH of New Jersey, and Mr. ROHRBACHER.

H. Res. 330: Mr. LINDER.  
H. Res. 343: Mr. QUINN, Mr. MCCURDY, Mr. MACHTLEY, Mrs. MALONEY, Mr. BEILENSON, Mr. RAMSTAD, Mr. JOHNSON of Georgia, Ms. MARGOLIES-MEZVINSKY, Mr. FRANK of Massachusetts, Mr. BORSKI, Ms. HARMAN, Mr. LINDER, Mr. FRANKS of New Jersey, Mr. ROHRBACHER, and Mr. MCDADE.